

Thursday  
3 October 2019

Volume 664  
No. 347



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 3 October 2019**

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# House of Commons

Thursday 3 October 2019

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—*

#### Tourism Sector

1. **Sir Vince Cable** (Twickenham) (LD): What recent steps she has taken to support the tourism sector. [912533]

**The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan):** Thank you for calling me to respond, Mr Speaker, and I hope that your voice is fully recovered very soon. The UK tourism industry is of vital importance to the UK, with 38 million visitors from overseas in 2018 spending £22.9 billion. A total of 1.6 million jobs are supported by the sector, and the Government are working closely with the industry on delivering both the tourism sector deal and the international business events action plan.

**Sir Vince Cable:** Since the expansion of the tourist industry has undoubted economic benefits but also significant local costs, will the Minister accede to the request of local authorities of different political persuasions for the right to impose a small levy on overnight stays to defray some of those costs?

**Nicky Morgan:** It is important to have a sensible conversation on this subject, and the Government are always keen to hear the views of all stakeholders. As the right hon. Gentleman implies, tourism brings great benefits to local areas but there are undoubtedly some costs and strains on the local economy. If he wishes to write to me with any further proposals, we are always interested to hear them.

**Tim Loughton** (East Worthing and Shoreham) (Con): I have Strepsils, Mr Speaker.

Our most popular tourist attractions are our national museums, led by the British Museum with more than 6 million visitors last year, but we also have some hidden treasures in our regional and local museums that have been squeezed dreadfully by the issues with local government funding. What plans does the Secretary of State have to help investment in that important part of our cultural heritage, which helps to educate future generations, boost regional identities and diversify tourist interest away from the capital?

**Nicky Morgan:** My hon. Friend is absolutely right to say that our local museums play a really important part in our local heritage and culture. I am thrilled to be heading up this Department, and I hope very much that we will be able to find the funding. I will be having conversations with the Treasury to ensure that we are investing in places, and in the feeling of place, right up and down the country, and I know that he will want to be involved in that process locally.

**Tim Farron** (Westmorland and Lonsdale) (LD): Is the Secretary of State aware that the Government's plan to put a £30,000 salary floor on migrants entering the UK will massively damage the tourism industry in the Lake District and the Yorkshire dales, leaving many unable to fill vital positions? Representatives of the tourism industry and I have spoken to Ministers past and present about the need to massively lower that figure. Will she listen?

**Nicky Morgan:** I hope the hon. Gentleman will know that I am a Minister who always listens. He represents a beautiful part of the world in the Lake District, whose benefits I have been delighted to enjoy on many visits. I am very aware of this issue, which is obviously under active consideration. One point is that post 1 November, the UK will be able to set its own immigration policy that is right for this country. We are aware that the tourism sector is reliant on domestic talent, but also on recruiting from overseas.

**Mr Philip Hollobone** (Kettering) (Con): Kettering may not be the first place people think of when it comes to tourism, but they would be wrong, because located in the beating heart of the east midlands, right in the middle of the town, is Wicksteed Park. It was the first ever leisure park in the UK devoted to children's play, and it attracts 800,000 visitors a year. It is supported by the Heritage Lottery Fund, and it will be celebrating its centenary in 2021. Will the Secretary of State ensure that Wicksteed Park is at the forefront of her mind whenever she considers tourism?

**Nicky Morgan:** As my hon. Friend knows, Kettering is very much in my heart because I go through it at least twice a week on the East Midlands Trains service to and from my constituency. I am delighted to hear that Wicksteed Park is supported by the Heritage Lottery Fund. This goes to the heart of the fact that there are some real treasures up and down the country. This is about the importance of place and ensuring that we invest in it.

#### Online Disinformation

2. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What recent steps she has taken to tackle fake news and disinformation online. [912535]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** Tackling disinformation is a key Government priority, and in our online harms White Paper we seek to take a world-leading approach to doing just that. We also seek within that to develop a media literacy strategy that tackles it through the people who are reading it.

**Gavin Newlands:** Civil servants have said they cannot see how the data being gathered by gov.uk could help with Brexit preparations. With the Cambridge Analytica scandal still fresh in the memory, along with the arrogant refusal by Dominic Cummings to assist the departmental Select Committee with its inquiry in any way, does the Minister not see that another mass data gathering exercise in the run-up to an election is a huge red flag for all those worried about a free and fair process?

**Matt Warman:** It is important to say in this context that what the Government are doing, via the Brexit website or any other website, is, first, nothing out of the ordinary, and secondly, serves a very useful purpose in ensuring that we, just like businesses, know our users.

**Jeremy Wright** (Kenilworth and Southam) (Con): I warmly welcome my hon. Friend and his fellow Ministers to their leadership roles in this remarkable Department.

I urge my hon. Friend to translate the online harms White Paper into legislation as swiftly as possible, and invite him to agree that doing so is not just good for the United Kingdom, because it will create a regulator with the authority to enforce a proper duty of care on online companies, but will also be an act of global leadership, whether or not other countries are acting as swiftly as we are.

**Matt Warman:** I begin by paying tribute to the great work that my right hon. and learned Friend did in overseeing the birth of the online harms White Paper. He is completely right: we should be proud in this House that it is an open, liberal democracy such as the United Kingdom that seeks to lead the way in an immensely difficult area. He is right to say that we should move quickly, but we should also move at a pace that allows us to get this vital issue correct.

**Jo Stevens** (Cardiff Central) (Lab): I welcome the Secretary of State to her position, and I look forward to her appearing before us at the Digital, Culture, Media and Sport Committee on 16 October. She knows that we undertook a large inquiry into fake news and disinformation, for which the Prime Minister's chief adviser refused to attend the Committee, and is therefore in contempt of Parliament. Would she like to bring Mr Dominic Cummings with her on 16 October?

**Matt Warman:** I hesitate to speak on behalf of the Secretary of State in response to every aspect of that question, but I am confident that she does not need to bring a man to answer questions for her.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): We would have a world-class regime for shutting down fake news and disinformation if we had courts that were actually accessible in the fight against misbehaviour by big tech. The breakthrough in the Court of Appeal yesterday, in the case of Richard Lloyd, shows just how hard it is to bring to account big tech firms, like Google, that have clearly misbehaved. So when the Minister brings the online harms Bill to the House—he might tell us when he expects that to happen—will he look again at the proposals that we will table in Committee to make it far easier to bring class actions against some of

the biggest firms on earth? He has the chance to level the legal playing field against big tech; will he tell the House that he is determined to seize it?

**Matt Warman:** We are absolutely determined to tackle these vital issues, because we know that the behaviour of social media companies is not always acting in the best interests of all our constituents. Of course we will look at any proposals that are advanced by the Labour party, but it is important to say that we need to get this right, and that requires us to work with industry, as well as against it.

### Football Governance

3. **Jeff Smith** (Manchester, Withington) (Lab): What assessment she has made of the adequacy of the rules for the governance of football. [912536]

**The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan):** It is the responsibility of the football authorities to govern the sport and provide assurances to fans that proper protections are in place. We welcome the EFL's financial and sustainability review, and stand ready to support and feed into it as appropriate.

**Jeff Smith:** Football clubs are not just economic, or even sporting, entities: they are, as we have seen in the sad case of Bury, often the heart of their communities and of key significance in the lives of individual fans, without whom they are nothing. So would the Minister support legislating to give fans a right to be represented in boardrooms, to gain more influence over their clubs?

**Nicky Morgan:** I thank the hon. Gentleman very much indeed for his question. I should have said that my hon. Friend the Minister for Sport, Media and Creative Industries is sorry not to be here; he has given apologies, I think, both to your office, Mr Speaker, and to Opposition Front Benchers. He is overseas on departmental business.

I entirely agree with the hon. Gentleman about the importance of local football clubs and their place in the community, and the importance of bringing people together. We are obviously open to dialogue and we know how strongly fans feel about their investment in their clubs. We want to see how the EFL review goes and whether in fact there are wider questions to be asked too.

**Gareth Thomas** (Harrow West) (Lab/Co-op): Further to the question asked by my hon. Friend the Member for Manchester, Withington (Jeff Smith), the Premier League clubs and the Football Association have been resisting the idea of a supporter being elected to the board of football clubs for a very long time. Why should the EFL review be any different?

**Nicky Morgan:** We have seen what happened to Bury and very nearly happened to Bolton over the summer, and we know how strongly people feel about this. We need to let that EFL review happen, but it might be that there are some wider questions that we should be asking too.

### Online Abuse

4. **Vicky Ford** (Chelmsford) (Con): What recent steps her Department has taken to tackle online abuse.

[912537]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** Online abuse is unacceptable and far too prevalent. Close to half of UK adults say that they have seen hateful content in the last year alone. As has been mentioned, we published the online harms White Paper in April. It tackles legal but harmful and also illegal content, including hate crime, harassment and cyber-stalking. We will seek to bring that forward.

**Vicky Ford:** Recent events have highlighted the high levels of online abuse faced by Members of Parliament, especially women. The threats of violence and intimidation towards those in public life undermine democracy and cannot be acceptable. The Jo Cox Foundation is calling on all political parties to commit to a joint standard of conduct to uphold the highest standards in public life. Does my hon. Friend the Minister support that initiative?

**Matt Warman:** I pay tribute not only to my hon. Friend for the work that she has done in this area, but to the foundation for the work that it is doing. She is right that we should seek to do all we can, cross-party, not only to discourage the abuse that she speaks of, but to encourage people to come into politics. That will not happen so long as the level of abuse is as it is, and we will look closely the proposals, as well as those others that have come forward.

**Ian C. Lucas** (Wrexham) (Lab): Has the Minister, or anyone in his Department, had discussions with the Chancellor of the Duchy of Lancaster concerning these matters since the Chancellor was appointed?

**Matt Warman:** I have discussed aspects of this with the Minister for the Cabinet Office, who obviously reports directly to the Chancellor of the Duchy of Lancaster, and I will continue to do so.

**Mr Peter Bone** (Wellingborough) (Con): The Minister says that the abuse is unacceptable, and he is right. Some time ago, there was a picture on the internet of my young son being executed, but nobody seems to be able to do anything whatever about this. We say it is unacceptable, but we do not seem to be able to do anything. What are the Minister's ideas?

**Matt Warman:** My hon. Friend is completely right that, as things stand, we are not able to take the action that we should be able to. It is also important to say that social media companies themselves have also not taken the action is required of them in a civilised society. The online harms White Paper and its journey into legislation will be a crucial method of tackling this, but it is not the only one, and I would like to continue to work with the social media companies to bring forward much more rapid progress.

**Tom Watson** (West Bromwich East) (Lab): Good morning, Mr Speaker. May I welcome the Secretary of State to her new role and, on behalf of my team, welcome her team to their new roles too?

The cyber-security fund forms part of this Government's approach to combating harmful online activity, but serious doubts have been raised about the fund's management. Given the concern, can the Minister or the Secretary of State confirm today whether Hacker House is a UK-based company?

**Matt Warman:** As the hon. Gentleman knows, we discussed this subject in an urgent question earlier this week. As far as Companies House is concerned, and as far as all the due diligence that was done at the time was concerned, Hacker House met all the criteria. He also knows, however, that we are looking into this matter, and that review will report to the House by the end of this month.

**Tom Watson:** Last week, the Minister made a statement to the House in which he gave the impression that Hacker House was UK-based when he referred to a UK phone number owned by the company. My team phoned it and it was answered by a woman in California.

The Minister mentions Companies House. I looked at the Companies House website this morning and saw that there has been a registration detail change—one of the principal directors now registers their state of residence as the United States. So I remain concerned, not least because Hacker House's accounts show receipt of a loan of £700,000 from one of the company's directors. Can the Minister assure us that this unusual transaction was not used to unlock a taxpayer-funded Government scheme?

**Matt Warman:** I assure the hon. Gentleman that we are having a review that will look into all these matters. As he knows, the residence of an individual director is not one of the defining characteristics of whether a company is based in the UK.

### Free TV Licences: Over-75s

5. **Rachael Maskell** (York Central) (Lab/Co-op): If she will make it her policy to maintain free TV licences for people over the age of 75. [912538]

10. **Liz Twist** (Blaydon) (Lab): If she will make it her policy to maintain free TV licences for people over the age of 75. [912545]

**The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan):** The Government are very disappointed with the BBC's decision on the future of the TV licence concession. We know that older people in particular value television as a source of companionship and entertainment, and as a way to stay connected with the world. I have met the chairman of the BBC board and the director-general of the BBC, and I have asked them to do more to help those affected by the decision.

**Rachael Maskell:** Promises matter, and people who are elderly, lonely and housebound are not interested in squabbling in this place or in excuses—they want that promise honoured and their free TV licence. So will the Secretary of State say why she made a promise at the election, why she is letting down older people across the country and what she is going to do about it?



**Nicky Morgan:** Of course this is not a promise that I made, because I took this job only in July, but the hon. Lady is right to say that there was a commitment. There was also an agreement with the BBC in the 2015 funding settlement; we committed to increase the licence fee in line with inflation and close the iPlayer loophole. She is right to say that the people are not interested in squabbling in this place, be it about TV licences or anything else. If older people are entitled to pension credit, they will get the help they need. The BBC will also be working to ensure that others are aware of that entitlement and the other support that is available.

**Liz Twist:** We are in the midst of a loneliness epidemic, and for many older people television is their main source of company. For those who are housebound or live on their own, it is a window to the wider world. There are 5,170 households in my constituency who look set to lose their free TV licences, which they were promised by the Government at the last election. Does the Minister agree that you cannot means test for social isolation?

**Nicky Morgan:** As the hon. Lady also knows, we are the first Government in the world to appoint a Minister to lead work on tackling loneliness, and last year we published the world's first Government strategy on loneliness and secured £20 million of new grant funding for projects run by charities and community groups to bring people together. We know that there are people who are not claiming the pension credit who would be entitled and would fall into the categories she has mentioned. I hope that she, like me, as a local MP, will work with all local agencies to make sure that everyone who is entitled to that support gets it.

### Media Intrusion

6. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What recent steps she has taken to tackle incidences of media (a) intrusion and (b) violations of privacy. [912541]

**The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan):** The Government firmly believe in press freedom. Clearly, that freedom comes with a responsibility to ensure that it is not abused. It is not unreasonable to expect the press to act with understanding in relation to sensitive personal stories. It is not for Government to arbitrate, but it is important that we have systems in place so that individuals can take complaints to independent bodies to be assessed.

**Martyn Day:** Last month saw yet another example of a high-profile sports figure having to deal with tabloid newspapers publishing deeply personal and distressing information about his family's private life. Leveson was supposed to change the way such publications operated. Does the Secretary of State agree that incidents such as that seem to suggest that it is just business as usual, with sales and profit being put before individuals' rights to privacy?

**Nicky Morgan:** I thank the hon. Gentleman for his question. All of us have complete empathy with the strong feelings of both Ben Stokes—I believe that is the story the hon. Gentleman is referring to—and Gareth Thomas, who experienced a similar invasion of privacy

in the same week. Decisions on whether the press's actions in those cases were in breach of its agreed standards should be made by the independent regulatory bodies. The press said it wanted to be self-regulated. I wait to see in these particular examples, if complaints are made, how that self-regulation works.

**Alex Norris** (Nottingham North) (Lab/Co-op): In March last year, the current Secretary of State for Health and Social Care stood at that Dispatch Box and axed the second part of the Leveson inquiry because he said that the culture in the media had changed. When we look at what has happened to the Duchess of Sussex, Gareth Thomas and Ben Stokes, we see that the culture of invasion of privacy has not changed. The Secretary of State says it is not for the Government to arbitrate such matters, so will she now resurrect the independent inquiry and let us properly move this forward?

**Nicky Morgan:** I thank the hon. Gentleman for his question, but I do not agree. The media landscape has changed significantly in the six years since the Leveson inquiry report was published. We believe that the steps we have taken mean that to continue with part 2 of Leveson is no longer appropriate, proportionate or in the public interest.

**Hannah Bardell** (Livingston) (SNP): The family of my Livingston constituent Kirsty Maxwell have faced the unimaginable tragedy of losing her in suspicious circumstances in Benidorm in 2017, when she fell to her death from a balcony. To compound that horror, they have since had to face repeated violations of their privacy and intrusion from some journalists and media outlets. Does the Secretary of State agree that we have a duty of care to our citizens, especially those who have been traumatised and faced a loss of such magnitude, to protect their privacy and the memory of their loved ones? Will she meet me to discuss this and the recommendations that will be in my upcoming report on deaths abroad and support for families when they face media intrusion?

**Nicky Morgan:** I would of course be happy to meet the hon. Lady to discuss this issue. I am very sorry for everything that has happened to Kirsty's family and friends after that unimaginable tragedy. I hope that at our meeting we can discuss whether in fact complaints have been made and how the system of self-regulation has worked in that case.

### Heritage-Led Regeneration

7. **Richard Graham** (Gloucester) (Con): What assessment she has made of the effectiveness of heritage-led regeneration projects. [912542]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately):** There is overwhelming evidence from academics and respected organisations such as Historic England that heritage-led regeneration provides substantial economic and social benefits. Last month, we were delighted to announce a £95 million investment in high street heritage action zones, which will support ambitious projects to revive our historic high streets, thereby boosting local economies and quality of life throughout the country. I congratulate

my hon. Friend on his constituency's successful bid for £1.9 million from the scheme to revitalise Gloucester's cathedral quarter.

**Richard Graham:** The Government have done wonders for heritage regeneration, and I am grateful for the Minister's confirmation of the successful bid by Gloucester's cathedral quarter to the heritage action-zone fund, which will enable the medieval Fleece hotel to be regenerated after two decades of sitting shut. My hon. Friend knows that culture is also important for inspiring young people to stay and work in small cities. Will she consider setting up a small pot for the 15 unsuccessful runners-up to the cultural development fund?

**Helen Whately:** My hon. Friend is a tremendous campaigner for heritage funding in his constituency. In fact, since he has been MP for Gloucester, his constituency has secured more than £15 million from the National Lottery Heritage Fund, and it has now secured close to £2 million for a heritage action zone. But clearly my hon. Friend wants more. He asked about the cultural development fund, which also supports the use of culture and heritage as a catalyst for regeneration and economic growth; the Government are monitoring the success of the fund and will in due course consider whether there will be future rounds of funding.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I do not know whether the Minister is aware, but we value heritage a great deal in Huddersfield. We have more listed buildings than Gloucester, Bath and York, and we are keen to have our fair share of the money for regeneration. Will she look into the role of some of the people high up in English Heritage who seem to want to stop any positive, forward-looking project if they do not like it?

**Helen Whately:** I believe that the hon. Gentleman's constituency was successful in securing some support from the heritage high streets action-zone scheme, so I congratulate his constituency on that. I look forward to seeing that funding make a positive impact in his area.

### Leaving the EU: Creative Industries

8. **Thangam Debbonaire** (Bristol West) (Lab): What assessment her Department has made of the effect of the UK leaving the EU on the UK's creative, digital and media industries in the last three months. [R] [912543]

14. **Ellie Reeves** (Lewisham West and Penge) (Lab): What recent assessment she has made of the effect of the UK leaving the EU on the UK's creative industries. [912549]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately):** The UK's creative, digital and media industries are a global success story. Our creative industries continue to outperform the wider economy: their value went up from £95 billion in 2016 to £102 billion in 2017. As Europe's leading tech hub, we generate more billion-dollar tech businesses than any other country in Europe. Over the past three years, we have maintained a dialogue with the creative industries on EU exit. I recognise that the movement of

people and goods are among their concerns, but the UK is a global leader in these sectors, and our decision to leave the EU will not change that.

**Thangam Debbonaire:** I refer the House to my entry in the Register of Members' Financial Interests.

Will the Minister guarantee that musicians and others in the creative industries, with their roadies and their techies, will be able to work across the EU as they do now—as they need to do to make a living—if we leave with or without an agreement, taking their instruments, their kit and their merchandise in a system that works across borders without carnets or additional costs?

**Helen Whately:** We are talking to the industry about exactly those concerns. I have already had some conversations along these lines, as has the Secretary of State, who met UK Music earlier this week. It is true that, when the UK leaves the EU on 31 October, free movement as it currently stands will end. In the event of a no-deal exit, creative professionals will need to check whether they need a visa or a work permit for the EU country that they are visiting. I am very optimistic that we will get a deal, and I would encourage the hon. Lady to vote for it when she has the opportunity to do so.

**Ellie Reeves:** The Musicians Union states that most UK musicians rely on performing and touring in the EU to make a living, so a bad deal or a no-deal Brexit will jeopardise their careers. I have listened to what the Minister has had to say, but we are almost at Brexit date. What discussions has her Department had with the Home Office about creating a musician's passport that is inexpensive, lasts for a minimum of two years, and would do away with the need otherwise for permits, permissions and so on, which are unsustainable for the music industry?

**Helen Whately:** I very much appreciate the hon. Lady's concerns and those of the industry, as I have already said. The Secretary of State, in fact, spoke to the Musicians Union earlier this week. We are acutely mindful of the concerns that exist, but I will say yet again that the best way through this is to have a deal and, when there is the opportunity to vote for one, I encourage her to please do so.

**Robert Neill** (Bromley and Chislehurst) (Con): I refer to my entry in the Register of Members' Financial Interests.

I agree with my hon. Friend about the importance of a deal, but she will recognise that the concerns of the Incorporated Society of Musicians are legitimate and need to be addressed. Will she also speak to those who run our major opera companies? Britain is a world leader in this regard and the ability to fly in replacements—often from the EU—at the last minute for roles, which, often, very few people can actually sing, is very important to our international status in this art form.

**Helen Whately:** As my hon. Friend will know, I am new to this post, but I very much look forward to talking to representatives from the opera sector and making sure that we continue to support this hugely successful part of our economy as we leave the European Union.

### Topical Questions

T1. [912550] **Daniel Zeichner** (Cambridge) (Lab): If she will make a statement on her departmental responsibilities.

**The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan)**: As I said earlier, this is my first oral questions since I was appointed, and I am thrilled to be holding this role and working to make the country better connected and more creative.

This week, the Government announced £5 billion further to support the roll-out of gigabit connectivity, delivering greater connectivity to those who need it. Hon. Members will be aware of our ongoing work to keep people safe online and our proposals around age verification for online pornography. I wish to notify the House that the standstill period under the EU's technical services and regulations directive expired at midnight last night. I understand the interest in this issue that exists in all parts of the House, and I will update the House on next steps in due course.

Finally, I am sure that the whole House will want to congratulate Dina Asher-Smith, who won a 200 metres gold medal at the World Athletics Championships. She is the first British woman to win a major global sprint title and the first Brit to win a world or an Olympic sprint title since 1993.

**Daniel Zeichner**: The Government have been taking out full-page newspaper adverts, including in the *Cambridge News*, to warn businesses of the issues ahead. On data issues, they have been inviting businesses to take out standard contractual clauses. One business in my constituency tells me that they will have to take out 72,000 such clauses, so will the Secretary of State tell us how many clauses will have to be negotiated for the entire economy and how many are actually in place?

**Nicky Morgan**: The hon Gentleman is right that, if we are not able to reach a deal with the European Union, one of the ways—the recommended way—to handle the transfer of personal data is to insert standard contractual clauses in relevant contracts, and the Information Commissioner's Office has full details. We have tried to make that as easy as possible. Inevitably, many private businesses are, of course, reliant on, or focusing on, running their business, but I refer really to what my ministerial colleague, my hon. Friend the Member for Faversham and Mid Kent (Helen Whatley), said earlier on: if we want to avoid any of these problems, the best way is to have a deal and for Members to vote for that deal when, hopefully, it is presented to them.

**Sir Henry Bellingham** (North West Norfolk) (Con): Can the Secretary of State confirm that the Prime Minister's very welcome announcement yesterday about broadband access and mobile phone connectivity really will have a transformational impact on rural areas such as North West Norfolk. Can she also confirm that it is actually new money?

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman)** *rose—*

**Sir Henry Bellingham**: I would rather the Secretary of State answer my question actually, if the Minister does not mind.

**Nicky Morgan**: Yes, it is new money, but it is also very much intended to ensure that our rural areas do not lose out in the search for greater connectivity. My hon. Friend will know from his constituency work just how important it is that businesses and households in his constituency are fully connected to the internet and how important that is for driving up productivity in our economy.

**Cat Smith** (Lancaster and Fleetwood) (Lab): Given that spending on youth work has fallen by £880 million since 2010, I was very interested in the Government's announcement this week, but note that it is just £50 million a year in revenue for the sector. Given that at least 760 youth centres have closed their doors and 14,500 youth and community workers have lost their jobs since 2010, does the Secretary of State think that the announcement of just 60 new youth centres really cuts it?

**Nicky Morgan**: I do find it extraordinary that there is no welcome—only criticism—from the Opposition Front Bench for this £500 million youth investment fund to be spent in myriad different ways. Actually, the sector has shown itself to be very strong and resilient. Of course, it is typical of the Labour party to focus on buildings and facilities, not on what is going in or on the support offered to young people.

**Bob Blackman** (Harrow East) (Con): Further to that answer from my right hon. Friend, let me say that the £500 million youth investment fund is warmly welcomed across the country. What steps will she take to ensure that young people can participate in sport, drama and music as a result of the fund?

**Nicky Morgan**: My hon. Friend is absolutely right. I can give him that reassurance. Access to art, drama, sport, and other creative and cultural activities is an absolute right and entitlement for young people. I am delighted and excited to find that this Department is responsible for youth policy outside of school hours. I hope that my hon. Friend will encourage organisations in his constituency to put in bids for this funding when details are announced.

T2. [912551] **David Hanson** (Delyn) (Lab): On the question of online abuse, what steps are the Government taking with regard to those who pour out bile while hiding behind anonymous accounts, so that these people can be held to account for their comments?

**Matt Warman**: As part of our online harms work, we will of course look at the benefits and costs of online anonymity. We are very conscious that online anonymity can be important for purposes such as whistleblowing, but we all also know that people hide behind anonymity as keyboard warriors.

**Stephen Kerr** (Stirling) (Con): The Stirling constituency is the third worst constituency for mobile phone coverage in Scotland. What are the Government doing to remedy this?

**Matt Warman**: As my hon. Friend knows, we have recently announced £5 billion that will cover connectivity in all its forms, and that will of course include Scotland.



It is probably worth saying that I recently met Paul Wheelhouse, my opposite number in the Scottish Government. We got on well and will work well together. It is a good job that we got on well, because broadband needs all the help it can get under the Scottish National party.

T3. [912552] **Gareth Thomas** (Harrow West) (Lab/Co-op): Major national cultural institutions such as the Tate should put their brands as well as the art in their collections behind efforts to support regional and local art galleries and museums. Will the Minister therefore encourage the Tate to support proposals for pop-up Tate galleries at art galleries such as Harrow Arts Centre, which serves my constituents?

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately):** That is an excellent proposal. I have already visited the Tate since becoming a Minister, and I am well aware of the huge amount of work that it and other museums and galleries do to ensure that their collections are available around the country and to support other parts of the country as well as London.

**Jack Lopresti** (Filton and Bradley Stoke) (Con): A number of my constituents are stuck with a single broadband provider, which is in a monopoly position, so it is charging very high prices for very poor service. What steps are the Government taking to ensure greater competition, which will drive down prices and improve the service?

**Matt Warman:** We are acutely conscious that the best possible market is one driven by competition. As we take forward our huge investment to ensure a better connected country, one of our key long-term aspirations will be to develop greater competition.

T4. [912553] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): We have been waiting since July for the Government to raise the charity lottery annual sales limit to £50 million. Every month of dither and delay means good causes across the UK missing out. When will this widely supported and carefully consulted on policy finally be delivered?

**Helen Whately:** As the hon. Gentleman knows, the Government ran a consultation from June to September 2018, reviewed the 1,600 responses and concluded that the per-draw limit for society lotteries would increase from £4 million to £5 million and that the prize limit would increase from £400,000 to £500,000. The Government are committed to making sure that the regulatory framework for lotteries is appropriate and that both society lotteries and the national lottery can thrive. The Gambling Commission will, however, run a consultation seeking views on additional transparency measures before the new limits are implemented.

**Robert Courts** (Witney) (Con): It has been another brilliant year for National Citizen Service schemes in Witney, through which young people learn vital life skills and have great fun at the same time. Will the Minister please confirm that the scheme continues, and will continue, to have the Government's full support?

**Nicky Morgan:** I am happy to provide that commitment. We think the National Citizen Service is a fantastic scheme. I think it is the fastest growing youth activity scheme in the country. My hon. Friend has obviously enjoyed his visits to see it; I very much enjoyed my visits to NCS in Loughborough.

T6. [912555] **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): Yesterday, the Premier League announced a new chief executive, who will face the same old problems: lack of financial transparency, lack of fan engagement and disreputable ownership. The Secretary of State talked about the English Football League review, but she cannot leave our premier sporting and economic asset in the hands of the vested interests of self-regulation. Will she urgently meet fans to ensure that whatever the results on the pitch—as a Newcastle United fan, I know that they can be up and down—fans are the winners off the pitch when it comes to the financial regulation of football?

**Nicky Morgan:** The hon. Lady is right to say that being a fan of a football club is quite an emotional experience; it can be a bit of a rollercoaster. I think that we ought to see how the new appointee decides to embrace the role, but of course I and the Minister with responsibility for sport are always very happy to meet organisations.

**Damian Hinds** (East Hampshire) (Con): Gigabit fast would be fantastic, but a bit fast would be great for many East Hampshire homes and businesses. What comfort can my hon. Friend give to not just the hardest-to-reach 20% and 10%, but the hardest-to-reach 5% and 3%?

**Matt Warman:** My right hon. Friend is absolutely right to raise this issue. In some ways, we have look at the very hardest-to-reach areas first, because while it is important to upgrade commercial areas to gigabit levels, it is in areas where there is very often no broadband at all that we will make the greatest social and economic impact.

T7. [912556] **Jeff Smith** (Manchester, Withington) (Lab): Age UK has warned that the changes to eligibility for a free TV licence are likely to result in a big increase in fraudulent activity targeting vulnerable elderly people. Is that not yet one more reason why the Government should stop outsourcing their social policy and commit to keeping TV licences free for all over-75s?

**Nicky Morgan:** The BBC has provided assurances that it will deliver the most sensitive possible handling for those who are affected and will work with older people's groups, charities and voluntary organisations to design a bespoke system to support all those over 75 that will include new easy payment plans and an information and advice programme. We want everyone who is eligible for pension credit to make sure that they claim it, so that they get the benefit of the free TV licence.

**Mr Philip Hollobone** (Kettering) (Con): I declare my interest as a member of Kettering Borough Council. Will the Secretary of State join me in congratulating the council on its decision to match-fund its successful £2 million bid for a heritage action zone in Kettering

town centre with a further £2 million, and does she agree that that £4 million proactive investment in the local high street must be good news for the local economy?

**Nicky Morgan:** I am delighted to congratulate Kettering Borough Council on its match funding. It shows that Government investment will often unlock other funding, whether from the private sector, the local authority or others, to make sure that our high streets are the thriving places that we all want them to be.

## ATTORNEY GENERAL

*The Attorney General was asked—*

### EU (Withdrawal) (No. 2) Act: Implementation

1. **Thangam Debbonaire** (Bristol West) (Lab): What discussions he has had with Cabinet colleagues on the implementation of the European Union (Withdrawal) (No. 2) Act 2019. [912520]

**The Attorney General (Mr Geoffrey Cox):** I cannot, as the hon. Lady will know, comment on the content of Cabinet discussions, but she will understand that I regularly meet ministerial colleagues to discuss important issues of common interest. It would be inappropriate for me to comment on the detail of those discussions, and I am bound by the convention that neither the fact nor content of Law Officers' advice is disclosed outside of the Government. I make it clear to the hon. Lady that the Government will obey the law, the Prime Minister is subject to the law, and this Government will comply with it.

**Thangam Debbonaire:** Notwithstanding all that, I am going to ask the Attorney General a nice yes-no question. The Act requires the Prime Minister to ask for an extension unless Parliament has agreed a withdrawal agreement or agreed to leave without one, so will the Attorney General confirm that, if Parliament has not done either of those things, the Prime Minister would be acting unlawfully if he nevertheless took us out of the EU on 31 October? Yes or no?

**The Attorney General:** What I can confirm to the hon. Lady is that the Government will obey the law.

**Mr Peter Bone** (Wellingborough) (Con): If Parliament agrees a deal, does that satisfy what is known as the Benn amendment?

**Thangam Debbonaire:** It is an Act.

**Mr Bone:** Sorry—the Benn Act.

**The Attorney General:** If Parliament agrees a deal, having had one brought before this House, that fulfils one of the conditions that means that no extension has to be sought.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Hypothetically speaking, if the Government were seen to be breaking the law, who would arrest the Prime Minister? Would it be the Met?

**The Attorney General:** I do not think it is for me to comment on ridiculous speculations and hypotheticals of that kind, but it is good to see the hon. Gentleman looking calmer this morning.

**Mr Philip Hollobone** (Kettering) (Con): Will the Attorney General confirm that the Government can both comply with the law and leave the EU without a deal on 31 October?

**The Attorney General:** Yes.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): When asked, the Attorney General said that his Government would be adhering to the Benn Act. A day later, when asked by me and others the Prime Minister prevaricated until the end. But when he was asked by the hon. Member for Edinburgh South (Ian Murray) whether he would comply with the law, the Prime Minister's answer was a simple and quite astonishing no. Given the Attorney General's previous answers this morning, will he confirm whether the Prime Minister was wrong?

**The Attorney General:** I have not seen the response to which the hon. Gentleman refers, but I can certainly confirm that the Government will comply with the law. I am not convinced that the Prime Minister said anything contrary to that; I would have to look at *Hansard*.

**Nick Thomas-Symonds** (Torfaen) (Lab): I have the European Union (Withdrawal) (No. 2) Act 2019 in front of me, so perhaps the Attorney General can confirm his interpretation of it. The Act is clear that, if this House has not approved a deal or if it has not approved leaving with no deal, the Prime Minister "must seek to obtain from the European Council an extension" in the terms set out in the Act. Will the Attorney General confirm that that is what this Act of Parliament requires?

**The Attorney General:** The hon. Gentleman has read it out, and he does not need any confirmation from me. He is a superbly competent lawyer—[*Interruption.*] So I am told by others on his side of the House. The reality is that the Government will comply with the law.

**Nick Thomas-Symonds:** I am afraid that confirmation is required from the Attorney General. Let me explain why. We keep being told that the Government will comply with the law, yet the Prime Minister goes around saying that he would rather be dead in a ditch than apply for the extension that he is required to seek under the Act. Does the Attorney General not realise that the Government's ambiguous position towards the rule of law is damaging our justice system, our society and our international standing? Why does the Attorney General just stand by and let that happen?

**The Attorney General:** Because I am quite convinced and completely satisfied that this Government will obey the law.

### Prorogation: Supreme Court Judgment

2. **Rachael Maskell** (York Central) (Lab/Co-op): What recent discussions he has had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament. [912521]

3. **Jo Stevens** (Cardiff Central) (Lab): What recent discussions he has had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament. [912523]

9. **Ian C. Lucas** (Wrexham) (Lab): What recent discussions he has had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament. [912529]

**The Attorney General (Mr Geoffrey Cox):** I cannot comment on the content of Cabinet discussions but, as I told the House last week, the judgment sets out the definitive and final legal position on the advice given to Her Majesty on the Prorogation of Parliament. We are carefully and deliberately considering the implications of that judgment. We need some time to do it, but a Queen's Speech is necessary to bring forward a fresh legislative programme, and a short Prorogation, as announced yesterday, is necessary—we are advised to this effect by the parliamentary authorities—for the Queen's Speech.

**Rachael Maskell:** In the light of the Supreme Court's judgment and the vital role it identified for this House of scrutinising the Executive, what discussions is the Attorney General having with Cabinet colleagues to ensure that we have sufficient time to discuss the proposals the Prime Minister is due to bring forward? How much time will we actually have to debate them?

**The Attorney General:** I know that those matters are being actively considered. I am sure they will be considered in consultation and through the usual channels. As much time as conceivably can be made available will be made available to debate those very important matters. The Prime Minister is making a statement later this morning, and the Government are more than conscious—acutely conscious—of the need for all Members of this House to scrutinise any deal that may be agreed.

**Jo Stevens:** Eight days ago, the Attorney General told the House, in response to a question from the hon. and learned Member for Edinburgh South West (Joanna Cherry), that he would consider disclosure of his legal advice on the unlawful Prorogation of Parliament. Can he now confirm that he will do the right thing and release his advice before Parliament is prorogued next week?

**The Attorney General:** I have been considering that question. I am still considering it. I have not reached a conclusion. When I have, I will make sure the hon. Lady is informed.

**Ian C. Lucas:** If the Attorney General believes in the law, can he confirm that he has discussed with the Prime Minister and the Chancellor of the Duchy of Lancaster the electoral offences committed by Vote Leave?

**The Attorney General:** May I tell the hon. Gentleman that I do believe in the law and I have spent 37 years of my life adhering to those professional values? As for the advice I may or may not have given to any member of the Government, he will know I am bound by the

convention. I cannot tell him whether I have. I understand the purport of his question, and I do not criticise him for it in the least, but I regret that I cannot help him as to the content of any advice I have given.

**Robert Neill** (Bromley and Chislehurst) (Con): I urge the Attorney General to reflect that departing from the norm that Law Officers' advice is not disclosed should be undertaken only with great care, because of the implications for all future Law Officers and all future advice to Government. Is not the rub of this issue simply this: that, as the President of the Supreme Court said, the circumstances that gave rise to the judgment were a "one off"; the Court was asked to rule on a novel point on which, up until then, legal opinion had varied; it has made a ruling; and the Government accept and will abide by the ruling, as they should with any ruling of our independent courts?

**The Attorney General:** I completely agree with both parts of my hon. Friend's question. Plainly, the Law Officers' convention is not a question of personal ownership by any particular Attorney General. It is a long-standing convention that protects all Governments on often extremely sensitive, complex and difficult subjects, sometimes affecting the most important interests of this country. Of course I agree that the Supreme Court's judgment must be respected. It is final and binding as a matter of law, but it is peculiar to its circumstances.

**Alex Chalk** (Cheltenham) (Con): Our courts are scrupulously impartial and independent. In the aftermath of the Supreme Court judgment, some unwise voices have suggested that we ought to move to some sort of US-style process of appointment. Does the Attorney General agree that that would be extremely unwise, and will he confirm that there is no prospect of Her Majesty's Government proceeding down that route?

**The Attorney General:** My hon. Friend, as ever, from a background of practice in the law, feels, as I do, that those kinds of hearings—certainly US-style hearings—would be a regrettable step for us in our constitutional arrangements. The Government have no current plans to do so, but it is fair to say that the implications of the judgment and the continuing development of our constitutional arrangements will no doubt receive, properly, the intense scrutiny of this House.

### Judicial Appointments Process

4. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What recent discussions he has had with the Secretary of State for Justice on the judicial appointments process. [912524]

**The Attorney General (Mr Geoffrey Cox):** The priorities of my office are set out in the published business plan for this year, but on the UK's withdrawal—I beg your pardon, Mr Speaker, I am answering the wrong question. I also beg the hon. Gentleman's pardon—[*Interruption.*] Nobody noticed probably, the answers being the same. I can only plead that I am getting your cold, Mr Speaker, and was up far too late this morning.

Again, I am not going to comment in detail on the content of Cabinet discussions, but the Supreme Court judgment undoubtedly represents a significant development



in our constitutional arrangements. As I said the other day, it is important to take stock of the implications of that judgment not in the immediate aftermath of a ruling, but deliberately, carefully and thoughtfully. We should not jump to hasty conclusions. The UK's exit from the EU will have profound ramifications for our constitutional arrangements. As I have said many times, I think that requires a coherent, careful examination, possibly through some formal channel, of the means by which we are to be governed after we leave the European Union. I am not enthusiastic about the prospect of parliamentary scrutiny of judicial appointments and, as I said in answer to an earlier question, the Government have no current plans to introduce such an appointment system.

**Mr Speaker:** I am glad that the Attorney General eventually reached the matter of judicial appointments. That was very reassuring, not least for the hon. Member for Linlithgow and East Falkirk (Martyn Day).

**Martyn Day:** I am grateful for the Attorney General's answer, and I heard his response to the previous question, but can he categorically rule out any changes that could result in a political appointment system, as I think that is an important point?

**The Attorney General:** The Government have no plans to introduce any such appointment system. The only thing I would say is that this House must have the right to determine the constitutional arrangements of this country, and of course parts of that will have to reflect on the role of the Supreme Court and its constitutional functions. But I agree with him that a US-style appointment system would be a wholly retrograde step.

**Sir David Lidington** (Aylesbury) (Con): Having had responsibility for a time for judicial appointments, including approving those of the current Lord Chief Justice and the current President of the Supreme Court, may I ask my right hon. and learned Friend to endorse the fact that the track record of the Judicial Appointments Commission shows that it makes its recommendations, having looked at the available candidates, with the utmost thoroughness, scruple and genuine independence? We as a House and a country would cast aside that independence, and instead make the appointment of judges the plaything of a temporary party majority in this House, at our peril.

**The Attorney General:** I could not have put it better than that. I agree with every word that my right hon. Friend said. As I have had cause to say in the House only recently, we have one of the finest judiciaries in the world. Throughout the world, they are beacons of impartiality and independence, and the House should do all it can to promote, protect, and preserve those values. I agree that a US-style process of appointment would not be in the interests of this country and I do not think I can improve on the way he put it.

#### Unduly Lenient Sentence Scheme

5. **Michael Tomlinson** (Mid Dorset and North Poole) (Con): What assessment he has made of the effectiveness of the unduly lenient sentence scheme. [912525]

8. **Bob Blackman** (Harrow East) (Con): What assessment he has made of the effectiveness of the unduly lenient sentence scheme. [912528]

**The Solicitor General (Michael Ellis):** The unduly lenient sentence scheme is an important avenue for victims, family members and the general public to ensure that justice is delivered in the most serious cases. That is why the Government have announced an extension to the scheme to cover further child sexual abuse offences such as those that involve the taking, distributing and publishing of indecent images of children. In 2018, the Law Officers referred one fifth of all eligible cases that were considered by my office to the Court of Appeal and, of those, 73% were found to be unduly lenient.

**Michael Tomlinson:** I am grateful to the Solicitor General for his answer. Can he set out how the new announcement on unduly lenient sentences will help victims of stalking?

**The Solicitor General:** The unduly lenient sentences scheme is extremely effective. It has now been in existence for some 30 years. It applies to myriad offences, but we wanted to extend the scheme to include 14 offences of a sexual nature, including child abuse and indecent images. The scheme now includes those and will do so in future. A range of other offences are available for consideration under the unduly lenient scheme that will serve to ameliorate the situation as far as the previous gaps were concerned.

**Bob Blackman:** I thank the Solicitor General for his answer thus far. What action is he taking to alert the victims of crimes, as well as the wider public, on the steps they should take to bring the scheme into operation, so that the public will understand that unduly lenient sentences should be a thing of the past?

**The Solicitor General:** We are very fortunate in this country to have a judiciary who get it right almost 100% of the time. Some 80,000 sentences were passed last year, and of those only about 100 had to be referred to the Court of Appeal and were found to have been unduly lenient. So they are few and far between, but my hon. Friend is right that victims should be aware of the available options if a sentence has been unduly lenient. The Crown Prosecution Service is doing everything it can to make sure that victims are so informed.

#### Sexual Offences: Prosecution

6. **Melanie Onn** (Great Grimsby) (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. [912526]

7. **Kerry McCarthy** (Bristol East) (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. [912527]

10. **Ruth Jones** (Newport 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. [912530]



**The Solicitor General (Michael Ellis):** I engage with the Director of Public Prosecutions regularly on criminal justice issues, including rape and serious sexual offences. Both the director and I recognise the devastating impact that those horrific crimes have on victims. I met with the director only a week or two ago and again this week. The Crown Prosecution Service and my office have worked closely with criminal justice partners in the ongoing Government review of the response to rape and serious sexual offences.

**Melanie Onn:** What reason did the Director of Public Prosecutions give for the dreadful 51% drop in CPS prosecutions in these cases since 2014?

**The Solicitor General:** I am disappointed by the figures that the hon. Lady refers to and I appreciate that they are a cause for concern. However, I would emphasise that they are not indicative of a lack of commitment to prosecute by the Crown Prosecution Service, any of its prosecutors or the Director of Public Prosecutions. We believe that a number of factors have contributed to this. They include perhaps a fall in the volume of referrals from the police and an increase in the volume of digital data. We are looking at the situation closely and a review is under way.

**Kerry McCarthy:** There have been reports that the number of reported rapes, sexual assaults and harassment allegations in universities has trebled in the last three years, including worrying reports that universities are trying to carry out their own investigations of the assaults. What role does the Minister think that his Department can play in trying to ensure that those allegations are taken seriously and go through the proper judicial channels?

**The Solicitor General:** I have also heard about the increased statistics from universities, and I urge them to look carefully at how they handle those matters. It is a particularly sensitive issue which they should handle with professional assistance. The reality is that we must do everything we can to deal with those allegations immediately, sympathetically and appropriately in all the circumstances. They are devastating allegations and must be dealt with sympathetically and appropriately by universities and by everyone else.

**Ruth Jones:** I am alarmed to hear that police forces across the country are demanding highly personal records and data, including health, school and college records and even counselling notes, from potential rape victims before pressing ahead with their cases. Campaigners have long warned that victims will be put off going to the police by that intrusion into their lives. Can the Solicitor General outline what he is doing to combat that?

**The Solicitor General:** I thank the hon. Lady for that question. We want victims to have the confidence to come forward and report crimes. I do not want to see anything that disincentivises victims from making proper reports of crimes. The police and the Crown Prosecution Service continue to work with victims groups that specialise in this area, and with the Information Commissioner's Office when it comes to digital disclosure, to ensure that their approach achieves the necessary balance between the requirement of reasonable lines of inquiry and the victim's privacy.

## No-deal Brexit: Priorities

11. **Hannah Bardell (Livingston) (SNP):** What recent assessment he has made of the effect of the UK leaving the EU without a deal on the priorities for his office. [912531]

**The Attorney General (Mr Geoffrey Cox):** The priorities of my office are set out in the published business plan for this year. The UK's withdrawal from the European Union exercises the interest of my office in supporting the successful delivery of the Government's objectives. We give legal and constitutional advice within the Government and throughout the Departments. Of course I am engaged in supporting preparations for future international co-operation between Law Officers' departments and prosecution and other criminal justice organisations.

**Hannah Bardell:** It would be good to hear the Attorney General recognise the damage that a no-deal Brexit would create and the severe disruption that we know it would create across all Departments, instead of the language that we heard from him last week in the Chamber, when he said that this was "a dead Parliament" and that MPs had "no moral right" to be here. Will he apologise for those comments?

**The Attorney General:** Certainly not. I stand by every one of them. When this Parliament assumes its responsibilities to pass a withdrawal agreement, then I might reconsider them, but certainly not at the moment. We may soon have a chance to assume those responsibilities if we can get a deal from the European Union. I hope then to see the hon. Lady vote for it.

**Mr Speaker:** Some of us, however, will stand up for Parliament at all times. I completely respect the right of the Attorney General to his view. This Parliament is entirely legitimate. It is doing its work, it should be expected to do so and no amount of cheap abuse, calumny and vituperation directed at this Parliament will stop it doing its job. That is the way it is, that is the way it will continue to be, that is the way it has to be.

**Chris Bryant (Rhondda) (Lab):** May I ask about extradition? Obviously we in this country rely on being able to extradite people from other countries in Europe to face justice in this country. We have relied on the European arrest warrant but, as I understand it, four or five countries in the European Union have now stated categorically that, if there is no deal, they will not extradite to the UK. How will we make sure that we get people to face justice in this country?

**The Attorney General:** The hon. Gentleman is quite right; there are some countries that will not extradite their own citizens. In those cases it is a case of bilateral discussion with them. There is the existing Extradition Act 2003, but if they will not extradite citizens, there is of course the option of trying them in that country. That is generally the option that those countries offer in connection with their own citizens.

**Chris Bryant:** Russia.

**The Attorney General:** Exactly, and that presents considerable difficulty, as the hon. Gentleman points out. However, we will be having bilateral discussions with those countries to seek to agree specific arrangements with them.

## Business of the House

10.38 am

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

**The Leader of the House of Commons (Mr Jacob Rees-Mogg)**: I have a supply of throat sweets, Mr Speaker, should you need them, although I admire your stoicism.

The business for next week is as follows:

**MONDAY 7 OCTOBER**—Debate on a motion relating to the appointment of a lay member to the Speaker's Committee for the Independent Parliamentary Standards Authority, followed by motion to approve a statutory instrument relating to the draft Northern Ireland (Ministerial Appointment Functions) (No. 2) Regulations 2019, followed by proceedings in Committee and remaining stages of the Census (Return Particulars And Removal Of Penalties) Bill [*Lords*].

**TUESDAY 8 OCTOBER**—Motion to approve a statutory instrument relating to the draft Plant Health (Amendment etc.) (EU Exit) Regulations 2019, followed by motion to approve a statutory instrument relating to the draft Environment and Wildlife (Legislative Functions) (EU Exit) (Amendment) Regulations 2019, followed by a debate in Government time on baby loss awareness. That may then followed by all the necessary arrangements relating to the Prorogation of the House.

**Valerie Vaz**: May I first acknowledge the fact that the hon. Member for Perth and North Perthshire (Pete Wishart) cannot be with us today? I thank the Leader of the House for the business and for ensuring that the Government comply with the judgment of the Supreme Court, because Prorogation is now just five days. He could have saved all that trouble, but at least we now have a definitive judgment about the “capital A” Advice that the Government give Her Majesty using prerogative powers. That was found to be “capital U” Unlawful.

The Opposition were asking for Parliament to be prorogued on Wednesday so that the Prime Minister could come here and account for himself to the House and to Parliament at Prime Minister's Question Time. But, no show. He is like Macavity the mystery cat; he is called the hidden paw—it is National Poetry Day—although maybe, in the Prime Minister's case, it is the not so hidden paws. However, as the Labour Chief Whip has reminded us, the Prime Minister has done only one out of a possible four Prime Minister's Question Times.

We have had no Trade Bill, no Fisheries Bill, no Agriculture Bill, no immigration and social security Bill and no financial services Bill—all lost. The Government simply do not want to do their job and bring their Bills back. It is no wonder that the Opposition parties have to seize the Order Paper. We need to use Humble Addresses to get the basic documents and impact assessments. As there is such a paucity of business in the House next week, could we have our Opposition day? The last one was on 12 June.

Section 1(4) of the European Union (Withdrawal) (No. 2) Act 2019 states that the Prime Minister must write and deliver a letter to the President of the European Council requesting an extension. Having read the judgment, the Leader of the House will know that Lord Diplock said that the Government

“are accountable to Parliament for what they do so far as regards efficiency and policy, and of that Parliament is the only judge; they are responsible to a court of justice for the lawfulness of what they do, and of that the court is the only judge.”

Will the Leader of the House therefore confirm that the Prime Minister will comply with the law and that the Law Officers have warned him of the consequences if he fails to do so?

Let me turn to other breaches. The Leader of the House will know how important it is that Ministers stick to the ministerial code and avoid real or apparent conflicts of interest. My hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) has asked me to remind the Leader of the House that it is possible that the Minister for Defence People and Veterans, the hon. Member for Plymouth, Moor View (Johnny Mercer) broke the ministerial code when he did not resign from his paid job with a veterans company when he became Veterans Minister. My hon. Friend the Member for Bishop Auckland (Helen Goodman) raised a point of order on Monday on a possible conflict of interest.

The Leader of House will be aware that Crispin Odey, a donor to various parties and people, made £220 million overnight as sterling slumped after the 2016 referendum result. Given that the Government have taken the Labour party policy of having 20,000 more police officers and raising the real living wage to £10, will they now support the shadow Chancellor when he calls for an inquiry into the finance sector, including the regulation of hedge funds?

I hope the Leader of the House will now apologise to you, Mr Speaker, for what he said in his speech at conference, when he accused you of damaging the standing of the House in the eyes of the British public, bringing it to its lowest point in modern history. The Leader of the House should get out more, because if he spoke to people outside, he would realise that there are people cheering out there because of how you have made Parliament more relevant. And this from the person who slandered a good doctor and then had to apologise, and who slouched on these Benches because he felt entitled to and then had to apologise. Funnily enough, we thought he was one of your favourites, because you always called him before all of us when he sat on the Back Benches.

The Leader of the House has not updated the House on the British hostages held in Iran. These are British citizens used as bargaining chips. Nazanin's health and mental health are deteriorating, because she must consider being separated from Gabriella, as Gabriella may return to school in England. This is cruelty. Could we have a statement next week on the Government's policy towards protecting state-held hostages? Warm words are not enough. It is time to act.

It is Black History Month and I want to pay tribute to Dina Asher-Smith, and also to the shadow Home Secretary for her excellent outing yesterday, when she made history as the first black woman to speak at the Dispatch Box in Prime Minister's Question Time. She put women at the heart of her questions, and I, too, pay tribute to my hon. Friends the Members for Dewsbury (Paula Sherriff) and for Walthamstow (Stella Creasy), and also to my hon. Friend the Member for Canterbury (Rosie Duffield), for their bravery. Black History Month reminds us of the contribution our parents made. They had to face terrible racism when they first came here. Racism is pernicious, whether blatant or unconscious.

Finally, Mr Speaker, I want to thank you and your office and all the House staff for ensuring that we returned after the unlawful Prorogation so that right hon. and hon. Members could rightfully take their places here in the House.

**Mr Rees-Mogg:** I will not take those questions in order, Mr Speaker, because I think it would be sensible for me to clarify what I said about you. I do not think I have said anything publicly that I have not said to you before. I have been one of your great admirers in some of the things you have done to help the House hold the Government to account, as is absolutely right and proper, but I disagree, as you know, with some of the decisions made over the last year. What I actually said in my speech to the Tory party conference was that your speakership should be taken in the round, with the bits I think have been tremendously important and the bits that have not been as I would have wished them. That is my position and I think it is respectful to the office of the Speaker and, if I may say so, not unfriendly to you personally. I hope and trust that you will take it in that spirit.

The hon. Member for Walsall South (Valerie Vaz) had the audacity to say that my right hon. Friend the Prime Minister was not appearing in front of the House enough—that he was Macavity. Well, it is a rather odd version of Macavity. In the 10 sitting days since he has been Prime Minister, my right hon. Friend has spent 494 minutes in front of this House. He has been running at an equivalent rate of 49 minutes a day. He will be ready to speak to the House after these business questions. He is speaking at an incredibly dutiful and proper rate, and he can be held to account because in statements, Mr Speaker, you allow considerable latitude—rightly, if I may say so—to the questions asked. Instead of doing a brief Prime Minister's Question Time, he has done 494 minutes. I do not think that anyone can complain about that.

As regards the Opposition day and the Order Paper, I think these two come together. If the Opposition want control of the Order Paper, they can have an Opposition day. They can have it on Monday or Tuesday, for a no-confidence vote. If they have any confidence in themselves, they will do that, though I was in a toyshop recently with my children, who thought they deserved some toys, and there was a plastic chicken, plucked, with no hairs or feathers, and if you squeezed it, it made a squawk. I cannot think why, but it reminded me of Her Majesty's Opposition.

The hon. Lady also said that the Government were accountable to Parliament and that Parliament was allowed to pass its laws, and of course the Government are accountable to the courts, but we all serve one higher authority. The courts, Parliament and Her Majesty's Government are all accountable to the British people, and 17.4 million people voted to leave. Whatever laws we pass and whatever court judgments come through, we must remember that it is the people who have the ultimate say. That is the foundation of our democracy.

The hon. Lady made some points about conflicts of interest. Of course it is appropriate that the ministerial code is followed, and it will be, but moving from the private sector into the public sector fully is not always simple. One sometimes has so many commitments that it is hard to remember all of them. She then criticised

Crispin Odey for making money out of sterling falling. I remind her that one of the major funders—allegedly—of the remain campaign, the remainer funder-in-chief, was one George Soros, who made £1 billion when sterling crashed out of the exchange rate mechanism, which is five times as much as Mr Odey made. I fear that all she is saying is that Mr Soros is a better hedge fund manager than Crispin Odey, who is a great friend and supporter of mine.

The hon. Lady then made a point about the shadow Chancellor, and asked whether I would listen to him. I might listen to him when he apologises to my friend,—my right hon. Friend—the Member for Tatton (Ms McVey) for things that he has said about people being lynched. I think that, until he does that, he should sit in shame, not on that Bench but on the steps of your Chair, Mr Speaker, because it really is so shocking—so shocking—that Members of this House should call for other Members to be lynched. It is something that I think we should all criticise, and I am sure that Opposition Members feel that as well.

As always and quite rightly, the hon. Lady mentioned Mrs Zaghari-Ratcliffe. As she knows, and as I said last week, both the Prime Minister and the Foreign Secretary have been in touch with the President and the Foreign Secretary of Iran respectively, and that is quite right. This issue must be pushed continually. I wish it were in the gift of Her Majesty's Government to achieve the liberty of all the people who are held illegally, unjustly and improperly by foreign states, but we must push wherever we can.

May I add to the congratulations to the shadow Home Secretary, the right hon. Member for Hackney North and Stoke Newington (Ms Abbott)? It is a sign of what a good society we are becoming that we are now completely relaxed about what race people belong to when they appear at the Dispatch Box. I hope that that will continue, and I absolutely endorse what the hon. Lady said about racism being wrong. It is not only wrong, it is evil, and it something that we should all wish to oppose and root out. It should be a sadness to all of us that the Labour party is the second party—after the British National party—to be investigated by the Equality and Human Rights Commission for its anti-Semitism. That should be not something that we use as a party-political point, but something that is bad news in terms of the body politic generally.

As we come to prorogation, I should very much like to thank all the House staff for the terrific work they do. It is very impressive. We rely on all of them, and their commitment and their love of Parliament, which I think is something that many of us share.

**Sir David Amess** (Southend West) (Con): Will my right hon. Friend find time for a debate on the rights of British citizens held in prisons overseas? My constituent's son Mr Lakhbir Sandhu has been held in a Czech prison for nine months without being charged. He is apparently being denied proper legal representation, and, worse still, his family are having great difficulty in obtaining visas to visit him.

**Mr Rees-Mogg:** This follows on very much from what was said by the shadow Leader of the House. The rights of British nationals in prison abroad were the subject of



[Mr Rees-Mogg]

a Westminster Hall debate in March 2018, and I echo the response of the then Minister for Asia and the Pacific, who said:

“The Government are proud to uphold a long tradition of offering British nationals a comprehensive, responsive consular service.”—[*Official Report*, 13 March 2018; Vol. 637, c. 306WH.]

Consular officials in Prague have been assisting Mr Sandhu since his arrest in January 2019, and have remained in regular contact with his family in the UK throughout. I am unfortunately not able to go into the details of Mr Sandhu’s case, but I understand that officials are responding to my hon. Friend’s specific questions, which he has also raised with Her Majesty’s ambassador in Prague. Let me point him in the direction of the Foreign Office’s consular hotline to see what more support can be provided—it is worth reminding Members that there is a hotline for their exclusive use if there are consular problems—and if he will write to me, I will pass his concerns to the appropriate Minister.

**Patrick Grady** (Glasgow North) (SNP): It is disappointing that prorogation is going ahead before Prime Minister’s Question Time can take place next week. My hon. Friend the Member for Livingston (Hannah Bardell) and I have been reflecting on the fact that the former Prime Minister, the right hon. Member for Maidenhead (Mrs May), has probably spent more time on the Back Benches during Prime Minister’s questions since July than her successor has spent at the Dispatch Box, given his absence last week. I do not think that that is anything for the Government to be proud of.

The biggest loser from prorogation will be my hon. Friend the Member for Perth and North Perthshire (Pete Wishart), who will not be able to present his Prime Minister (Nomination) and Cabinet (Appointment) Bill under the ten-minute rule next Wednesday. That will be a source of great disappointment to the House as a whole and, I am sure, the Government in particular, and to my hon. Friend. The only possible compensation will be the elevation to the Privy Council that he so richly deserves.

We are also very disappointed by the lack of Opposition days next week. We have made our requests through the usual channels; and, as we have pointed out before, Standing Orders allocate days to the leader of the third party, which will not now be granted. That must be getting very close to a contempt of the House, and it is at the very least a gross discourtesy to the third party. I urge the Leader of the House to reconsider his allocation of time for next week, important though the statutory instruments that he has scheduled are.

Perhaps we can end on a slight note of consensus. Last week, the Leader of the House spoke about Padre Pio. On 13 October, the Christian community in this country will celebrate the canonisation of John Henry Newman. The all-party parliamentary group on the Holy See will have a delegation representing the House in Rome, and the Prince of Wales will represent the Queen. I wonder whether anyone will represent Her Majesty’s Government. Next year will be the 10th anniversary of Pope Benedict’s visit to the UK and his important speech in Westminster Hall. Would the Leader of the House be willing to meet

those of us with an interest in such things to discuss how that could be appropriately commemorated in the Houses of Parliament?

**Mr Rees-Mogg:** If I may, I will answer the hon. Gentleman’s questions in reverse order. The canonisation of Cardinal Newman is a matter of great joy to Catholics in this country and to other Christians. It is a matter of huge celebration. It is very rare that a Briton is elevated and becomes, by God’s divine mercy, a saint, and we should all rejoice at that. I do not know whether a member of Her Majesty’s Government is going to be at the ceremony. I do not know whether the hon. Gentleman was suggesting that I should go, but if he was, that suggestion is very welcome. However, that is not for me to decide. I agree that it would be suitable to have a meeting to discuss the 10th anniversary of the Holy Father Emeritus’s visit, which was a wonderful occasion on which he gave a very moving speech.

As regards Opposition days, I am going to say what I said to the shadow Leader of the House. Should the hon. Gentleman want to have a vote of no confidence, time will be made available and we will give him a day in which to speak. That would give us the opportunity to speak in the other direction on the many virtues of this fantastic Government.

**Mr Speaker:** I am bound to observe that the Leader of the House’s enthusiasm about canonisation is beginning to sound a little like ambition.

**Sir John Hayes** (South Holland and The Deepings) (Con): Contrary to the claim by the Hollies, who were a well-known musical ensemble, the air that we breathe is not all that we need. But we cannot live without it, as more than 10,000 sufferers of cystic fibrosis know as they gasp for breath each day. Yesterday in this House, the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss) drew our attention to the drug Orkambi, which can be a life-saving treatment. It is certainly a life-changing one for more than half those who suffer. Will the Leader of the House arrange for a statement to be made on how that drug can be made available in the United Kingdom as it has been in Scotland? I know that you admire Edmund Burke as much as I do, Mr Speaker. He said:

“There is but one law for all, namely that law which governs all law, the law of our Creator, the law of humanity, justice, equity”.

In the name of those virtues, please make this drug available for those who suffer in silence.

**Mr Rees-Mogg:** I have raised questions in the House about other drugs, and I would encourage my right hon. Friend to use the facilities of the House to press his point. Mr Speaker, you kindly allowed me an Adjournment debate on the issue of Batten disease, and the drug used to treat that disease has now been made available. Orkambi is being discussed in the usual way between the National Institute for Health and Care Excellence and NHS England to decide a fair price for the medicine. Vertex is the drug company concerned, and I think it would be right to urge it to accept the price that is being offered, but I can reassure my right hon. Friend that the Health Secretary is meeting Vertex again. This is really serious, and it is being looked at, but I would also encourage him to keep pushing.



**Mr Speaker:** I hope that the right hon. Member for South Holland and The Deepings (Sir John Hayes) will take the hint. Adjournment debates, urgent questions, emergency debates—Burke would expect nothing less.

**Sir John Hayes:** Certainly, without delay or hesitation.

**Mr Speaker:** Very well done. I am very glad to hear that.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I wonder whether the Leader of the House would agree that one of the most innovative and successful innovations in recent times was the creation of a Children's Commissioner, particularly with Anne Longfield as a very brave champion for children. Does he agree that we should have an early debate on what she revealed only last week—that 20% of the children coming out of our schools have no qualifications at all? That was not mentioned very much at the Conservative party conference. Is it not about time that we looked at it in a debate in this House, and did something about it?

**Mr Rees-Mogg:** Indeed, yes—I welcome the fact that we have a Children's Commissioner, and share the hon. Gentleman's concern that 20% of children leave school with no qualification. That is the reason for so many of the education reforms that have been going through, and the extra expenditure that will be going to the Department of Health and Social Care should bring about an improvement. That is, of course, a subject that will be easy to raise during the Queen's speech debates; one of the advantages of having a Queen's speech is that many issues of importance like that can be raised, and Members can expect a ministerial response in the debate.

**Philip Davies** (Shipley) (Con): The Government led by my right hon. Friend the Member for Maidenhead (Mrs May) were very supportive of a Shipley eastern bypass, and paid for a feasibility study with a specific intention to complete the bypass when the study had ended. So will my right hon. Friend the Leader of the House arrange for the Secretary of State for Transport to come and make a statement to the House on that subject, so that he can, hopefully, restate this Government's commitment to building a Shipley eastern bypass?

**Mr Rees-Mogg:** What a great place Shipley is. I had the huge joy of visiting Shipley earlier this year to campaign for my right hon. Friend the Prime Minister to become leader of the Conservative party, and it is brilliantly represented by my hon. Friend. I will pass on his message to my right hon. Friend the Secretary of State for Transport, because I am sure we want to follow in the excellent footsteps of my right hon. Friend the Member for Maidenhead (Mrs May), who I notice is sitting behind me, watching proceedings closely.

**Ms Marie Rimmer** (St Helens South and Whiston) (Lab): First, will the Leader of the House advise the House when the Government intend to share with it their black swan scenario for a no-deal Brexit? Secondly, have the business and health sectors been advised accordingly?

**Mr Rees-Mogg:** The Government will produce information in the normal way, to ensure that people are properly informed about what is going on. Bear in

mind that enormous preparations are being made in the event that we leave with no deal, and that the problems are therefore being worked through and sorted out to minimise anything that could happen. Therefore I am not sure that producing a black swan document would be enormously valuable, but the good news is that if the hon. Lady holds on a bit there will be a statement from my right hon. Friend the Prime Minister about the prospects of a deal, which seem to be brightening by the minute.

**Mary Robinson** (Cheadle) (Con): On 1 August, while the media focus was on the dramatic events at Toddbrook reservoir, dozens of residents and businesses in my constituency were flooded, enduring the heartbreak of seeing their livelihoods and possessions engulfed by 4 feet of floodwater as it surged into their homes. Flood projects across the country have benefited from the £62 million recently announced, but in the absence of any applicable project from Stockport Council, my residents will not benefit. Will the Leader of the House give Government time for a debate about the extension of flood resilience schemes, and the requirement for councils and the Government to help those with vulnerable homes and businesses prepare for future flood events?

**Mr Rees-Mogg:** As my hon. Friend says, there was the £62 million fund, and the Government are always there to help when acts of God or natural disasters hit. The awfulness of having 4 feet of water flood a property is very hard for individuals to bear, and they need support in these difficult circumstances. We are quite limited in time for debates, but again, this could come up in the Queen's speech, and I will ensure that my hon. Friend's point is passed on.

**Ellie Reeves** (Lewisham West and Penge) (Lab): I recently met Centrepoint, which does fantastic work on youth homelessness, which is sadly rising, with an estimated 103,000 young people in the UK homeless or at risk. One of the main drivers is that under-25s receive less financial support for housing, which often does not cover local rents. May we please have a debate in Government time on the shared accommodation rate and tackling youth homelessness?

**Mr Rees-Mogg:** One of the things announced at the Conservative party conference was that the age entry rate for the minimum wage will come down, which will help younger people to earn more money—that must be a good thing to ensure that they have the resources that they need. It was also announced that we will be building more houses, because one of the problems is a shortage of them. I think last year was the highest year of all but one in the last 30 for house building, so we are moving in the right direction.

**Sir Greg Knight** (East Yorkshire) (Con): Can we have a debate about making better use of time? Is the Leader of the House aware that in three weeks we will go through that ridiculous ritual of putting our clocks back, thereby plunging the country into darkness and misery by mid-afternoon? Can we have a debate to look at the benefits of staying on summer time all year round?

**Mr Rees-Mogg:** When we had this debate some years ago in this House, I proposed that we should restore the situation to that before the railways came, and that Somerset should go back to its own unique time, because Somerset deserves to be represented in a special way. Do you know, I find that one of the best days of the year is the day the clocks go back? One gets an hour extra in bed, and I have always thought that that is rather welcome.

**Stephen Lloyd (Eastbourne) (Ind):** I do not know whether the Leader of the House is aware of this, but a few days ago at Treasury questions a number of colleagues on both sides of the House pointed out to Ministers that there had been seven suicides by people affected by the loan user charge. I remind the right hon. Gentleman that in July 2018 I urged Treasury Ministers to install a mental health helpline at Her Majesty's Revenue and Customs. My urging was rejected then, but I urge him to go to his ministerial colleagues in the Treasury and get that mental health helpline put in at HMRC before there are any other unnecessary deaths.

**Mr Rees-Mogg:** The hon. Gentleman raises a point of the highest importance. Any Government policy that is linked to suicide rests on the Government's conscience, and I will certainly pass his suggestion on to Her Majesty's Treasury.

**Bob Blackman (Harrow East) (Con):** The hon. Member for Gateshead (Ian Mearns), the Chair of the Backbench Business Committee, is detained on urgent constituency business, so, on behalf of the Committee, I want to draw the attention of the Leader of the House to the fact that the Committee dissolves on prorogation, and therefore the Chair and the members of the Committee will have to be elected as soon after the state opening as is possible.

If I may, I shall make a number of quick pleas. First, can we ensure that that election takes place quickly and expeditiously, so that the Committee comes back into operation? Secondly, we will meet on Tuesday to produce a list of prioritised debates for Backbench Business time, so if the Government are putting on general debates, we will give the Leader of the House an opportunity to select many of those. Thirdly, can we move away from this nonsense of the Committee, including the Chair, being disbanded at the end of the parliamentary Session and having to be re-elected, so that we keep the same process for all Select Committees for the duration of a Parliament?

Finally, on my own behalf, can I invite my right hon. Friend to wish all those Hindus celebrating Navratri jai ambe?

**Mr Rees-Mogg:** On the last point, yes, I am very happy to do that.

In response to the points raised about the Backbench Business Committee, yes, we will ensure that it is re-established quickly, and yes, it is extremely helpful and welcome that the Committee, before it dissolves, will propose a list of debates. May I thank the Committee, and particularly its Chairman, for the terrific work it does? It is invaluable to Back-Bench Members that they have this facility. It is also of immeasurable use to the Leader of the House, because I can often say, "This is a

matter for the Backbench Business Committee," which is something of a stock answer, as Members might have begun to notice. Without it, I might find this question time rather harder.

As regards changing to a longer period of appointment, the Backbench Business Committee has unique powers, which are unlike those of any other Select Committee, including allocating a significant amount of time in the Chamber. Although the Government are happy to think about his—the Procedure Committee might want to think about it too—I am not going to promise any rapid change.

**Chris Bryant (Rhondda) (Lab):** The Leader of the House mentioned IPSA, which is very tempting, but I am not going to go down that route, as I want to make him promise something. The United States has now had two traumatic brain injury Acts, which have made a dramatic difference for many millions of people in the USA, whereas we have never yet had one. Will he therefore include this in the Queen's Speech? Some 1.4 million people in the UK have suffered from acquired brain injury. They often do not get the rehabilitation they need, and we could give them real quality of life if we took action across the whole of Government.

**Mr Rees-Mogg:** The hon. Gentleman, as always, makes an important and significant point. I cannot make promises as to what will be in the Queen's Speech—it is not entirely within my remit as Leader of the House to dictate what Her Majesty will say—but his point is very important. On legislation, once there is a new Session there will again be 13 days for private Members' Bills, and it may be that this matter has the level of consensus to make it very suitable for a private Member's Bill.

**Mr Peter Bone (Wellingborough) (Con):** May I wish you a speedy recovery, Mr Speaker? On next week's business, the Speaker is clearly suffering from a problem with his voice and he puts in enormous hours in the Chair, staying there for quite extreme times and having to shout at times to keep the House in order. Would it be appropriate, or would the Leader of the House recommend—I do not know the propriety of this—that the Speaker is asked not to chair those sorts of debates, particularly on the European Union, in order to protect his health?

**Mr Speaker:** The expression "dream on" springs to mind.

**Mr Rees-Mogg:** It is entirely a matter for you to decide which debates you chair and which debates you do not chair, Mr Speaker, although I would say that for the convenience of previous Speakers in past times, before there were deputies, there was a curtain—

**Chris Bryant** That's not true.

**Mr Rees-Mogg:** Is that not true? It is reported in good history books, but clearly not ones as good as those written by the hon. Gentleman.

**Rachael Maskell (York Central) (Lab/Co-op):** It is with regret that we have learned today that the High Court case for 3.8 million women in this country was lost. May we therefore have a statement from the relevant Minister to set out how this Government are going to address the inequality faced by women in later life?

**Mr Rees-Mogg:** Unlike the hon. Lady, I welcome the decision from the courts today. The Government did commit £1.1 billion to support those affected, and no one will see their pension age change by more than 18 months relative to the 1995 timetable. So it is an 18-month maximum change from 1995 and, crucially, the new state pension is more generous for many women; by 2030 more than 3 million women will gain an average of £550 a year, so I think this policy is worthy of support.

**Jeremy Lefroy** (Stafford) (Con): May I invite my right hon. Friend to celebrate the canonisation of Cardinal Newman by joining us at the parliamentary choir's concerts of "The Dream of Gerontius" in both Coventry cathedral and Westminster cathedral in the coming weeks?

May I also ask my right hon. Friend to arrange time for a debate on the financing of new hospital buildings? I welcome the announcements this week, but of course they will be financed by the Treasury at rates of some 3%, whereas the Royal Stoke hospital is having to pay much more than that under a private finance initiative arrangement, which has been going for almost 13 years and is costing us well over 3%, at some £15 million a year. May we have a debate on that? Let us have equality of funding for new-build and restored hospitals.

**Mr Rees-Mogg:** I am grateful for that invitation. I hope it was to hear the parliamentary choir rather than to join it, as I think they would chuck me out quickly if I started warbling.

My hon. Friend makes such an important point about PFI. As a matter of ordinary routine, the Government are always the least expensive borrower; this was a fundamental flaw in many PFI schemes, hence the 6% rate paid by the Royal Stoke hospital. We could perhaps broaden the debate out into one about the general failures of the previous Labour Government to understand basic economics, because that is where the problem comes from.

**Brendan O'Hara** (Argyll and Bute) (SNP): Overnight, the US Government slapped a whopping 25% tariff on Scotch whisky imports to the USA. As we both know, Mr Speaker, my constituency produces some of the best whiskies we have ever tasted. The tariffs affect jobs, investment and growth, so may we have an urgent statement and debate in Government time to highlight the massive importance of the Scotch whisky industry to the UK economy? What steps will the Government take to tackle the issue and protect this vital industry?

**Mr Rees-Mogg:** I was hoping the hon. Gentleman was going to offer a tasting for right hon. and hon. Members, perhaps in celebration of the Queen's Speech. Many people think that whisky is good for sore throats, so it may be that a bottle will be winging its way to the Speaker's apartments.

The great advantage of leaving the European Union is that once we are outside the European Union, we will not be punished for the failures of the EU and the—  
[*Interruption.*] This action has been taken because of a World Trade Organisation judgment. The WTO has ruled against the European Union giving subsidies to Airbus. If we were not part of the European Union, we

could have separate agreements with the United States and no extra duty on Scotch whisky, which would be very good.

**Robert Courts** (Witney) (Con): RAF Brize Norton is to be thanked for and congratulated on having created a science, technology, engineering and maths inspiration programme with Carterton Community College, as mentioned in the Chief of the Air Staff's report to Her Majesty the Queen. The school has now taken on that programme and created a group that is working with local businesses to further that inspiration. That is a sign of an exciting new era for the college. May we have a debate in Government time so that as a House we can spread examples of good practice and discuss how we can create further links between local organisations and businesses and schools, to create programmes that not only develop the high-tech skills that businesses need, but from which pupils will benefit?

**Mr Rees-Mogg:** My hon. Friend makes a good point and is quite right to advertise the great work done by the RAF at Brize Norton, which I believe is in his constituency and is therefore virtuous simply by that fact. It is certainly true that the Government, business and schools should work together to ensure that technology can be improved. There is wonderful technology in the military that can be built on for civilian purposes. I encourage what my hon. Friend says.

**Thangam Debbonaire** (Bristol West) (Lab): Tempting as it is to ask the Leader of the House whether he will change the Order Paper for Tuesday and bring the Agriculture Bill, the Fisheries Bill or any of the other missing Bills back into the House, I am not going to do that. Instead, I ask nicely whether he would consider supporting my plea to whoever it is we plea to that the Queen's Speech includes a commitment to a travel fund for the families of children with cancer and related diseases. Thankfully, this affects a small number of children, but it is often a huge burden and it would make such a difference to the lives of those children and their families.

**Mr Rees-Mogg:** May I say that my near neighbour always asks for things nicely and with considerable courtesy, both in the House and when we have debated in other forums? I wonder whether I might refer her to the hon. Member for Swansea East (Carolyn Harris), who I see is in her place and who campaigned very effectively for a fund to help parents whose children die by having the costs of the funerals borne by the Government. It was a most wonderful campaign and proved to be effective. That shows what Back-Bench Opposition MPs can do when they have the mood of the country behind them.

**Andrew Jones** (Harrogate and Knaresborough) (Con): One of the harder issues raised with me at constituency surgeries is economic crime, which affects businesses and individuals who fall victim to fraud. Older people can be particularly vulnerable, and it is often hard to get full recovery of funds. I recognise that there is cross-Government work involving the police, financial education and the Crown Prosecution Service. May we please have a debate to explore the issue and to see what the Government are doing to tackle this serious crime?



**Mr Rees-Mogg:** Were I his constituent, I would find going to visit my hon. Friend extremely reassuring. It is hard to think of anybody who could be a better advocate for his constituents in his very beautiful constituency. Economic crime is a terrible scourge. It is amazing the extent to which it is replacing other forms of crime as criminals realise how lucrative it can be. It does of course require a comprehensive response from the Government in different Departments, as well as from the police. There were worrying reports in *The Times* recently that some areas of the police were not taking the issue as seriously as they should. I hope that those revelations have encouraged the police to take such crimes more seriously.

**Carolyn Harris** (Swansea East) (Lab): I thank the Leader of the House for his remarks—I think.

In September 2005, 17-year-old Ben Bellamy, the son of one of my constituents, was brutally murdered in Swansea. The Parole Board has recently recommended that one of his killers be moved to an open prison ahead of an early release. Ben's family are understandably upset about this, particularly about the lack of communication from the probation service. May we have a statement on this lack of communication and what interventions can be put in place to prevent other grieving families facing similar situations?

**Mr Rees-Mogg:** I did actually speak to the Lord Chancellor about this matter earlier today and have an answer that, if I may, I will read out because I hope it provides the equivalent of a statement:

“The murder of Ben Bellamy in September 2005 was a terrible crime, for which Joshua Thomas and Joel Taylor are rightly serving the juvenile equivalent of life sentences. Ben's family are receiving the services provided under the Probation Victim Contact Scheme, as they are entitled to receive under the law. The Probation Service has apologised”—

let me stress that—

“for not notifying the family in 2017 in time that the High Court was hearing Joshua Thomas's application for a reduction in his minimum term of imprisonment. The family's Victim Liaison Officer is committed to ensuring that the family are notified well in time to exercise their rights in relation to both prisoners' future parole reviews.”

I thank the hon. Lady for bringing this to the attention of the House. I believe that the Lord Chancellor has taken this very seriously, that the probation department has taken this seriously, and that this must not and should not happen again.

**Ian C. Lucas** (Wrexham) (Lab): Can we have an urgent statement from the Chancellor of the Duchy of Lancaster concerning his ministerial responsibilities? He is denying responsibility for data protection and for electoral reform, which are clearly within his Department, but, again this morning, a Minister confirmed that he thought he was responsible for these issues. If he is responsible for these issues, I consider that he has obligations under the ministerial code, which I have conveyed to the Department. This is a very serious matter, going to the heart of integrity in Government and I would like a straight answer for once.

**Mr Rees-Mogg:** All answers are straight answers; they are sometimes simply not the answers that people want. These are two very separate concepts. The Chancellor

of the Duchy of Lancaster has his specific responsibilities, and periodically the Government produce a list of ministerial responsibilities. That has been asked for by my office on behalf of the House of Commons, and we will ask for it again and we will release it to the House when it is available.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): In August 2018, the Supreme Court ruled that parents who were not married should be eligible for widowed parent's allowance, but the UK Government have failed to pay this allowance to parents affected, despite the fact that the Supreme Court ruled that failure to do so is both discriminatory and incompatible with the European convention on human rights. Fourteen months after this ruling, I ask again: when will the Government finally do the right thing and obey this ruling?

**Mr Rees-Mogg:** I am grateful to the hon. Lady for that question. As she knows, there is a simplified procedure for amending laws that are found by the Supreme Court to be incompatible with the European convention on human rights, and that is working its way through the system, though I do accept that, though the wheels grind fine, they sometimes appear to grind a little slow.

**Jo Platt** (Leigh) (Lab/Co-op): Following the devastating impact of austerity, my constituency of Leigh has been starved of the investment that we need to unlock the potential of our towns. We are without any rail connectivity and we now find ourselves at the bottom of social mobility rankings, but, incredibly, this Government have chosen not to award us any stronger towns funding or future high streets funding. Can we therefore have a debate on the allocation of this crucial funding to ensure that it has been fairly allocated, based purely on need?

**Madam Deputy Speaker (Dame Rosie Winterton):** The Leader of the House.

**Mr Rees-Mogg:** Thank you, Madam Deputy Speaker. I am glad to see that your voice is in good working order, unlike poor Mr Speaker.

The allocation of funding is always done properly and there are very tight regulations to ensure that, so I can assure the hon. Lady that everything was done with propriety. However, I encourage her to keep on arguing for facilities and funding for her town because that is what we are here to do as constituency MPs: we are here to argue the case for our areas, and I am sure that she will continue to do so.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): Citizens Advice and Macmillan told me that there are extreme difficulties for the terminally ill over explicit consent for accessing universal credit. These organisations are being ignored by this Government, which is preventing them from providing vital support. Can we have a debate in Government time on why the Department for Work and Pensions allows implicit consent for other services, but not for the dying on universal credit?

**Mr Rees-Mogg:** The hon. Gentleman makes a point that has to be looked into. Every possible facility should be given to those who are terminally ill and every



pathway should be cleared for them so that they can receive what they are entitled to. I will take this matter up with the DWP and write to the hon. Gentleman after seeing exactly what the situation is. If it is as he says, I hope that it will be improved.

**Kate Green** (Stretford and Urmston) (Lab): May we have a statement on progress in introducing the parking code? ESPEL, which operates a car park in my constituency, is notorious for its punitive treatment of motorists, and I, its industry umbrella body and the landowner seem powerless to do anything about it. Could the Leader of the House arrange for an urgent update on this matter?

**Mr Rees-Mogg:** I think my right hon. Friend the Member for East Yorkshire (Sir Greg Knight), who was here a moment ago, introduced a private Member's Bill on parking, and I have a feeling that I put my name to it when I was still a Back-Bench MP, so the hon. Lady will understand that I share her concern about the way in which some of these companies behave. What she is saying is unquestionably important. I cannot promise her a debate, but she may want to raise this issue again in relation to other matters in the Queen's Speech.

**Mr Jim Cunningham** (Coventry South) (Lab): Can we have a date, as promised by the Leader of the House, when the Government will bring forward the proposals on private hire taxis and taxis in general? I am told by the Government that the legislation is available, but we have been waiting for months now for a date. When can we have a debate on this?

**Mr Rees-Mogg:** As Prorogation is now going to be on Tuesday, I cannot promise any debates in this Session of Parliament, but there is a new Session coming up, and we will obviously have the Queen's Speech and new business statements then. What the hon. Gentleman has said has been heard and will be borne in mind by me and, no doubt, by the Backbench Business Committee.

**Cat Smith** (Lancaster and Fleetwood) (Lab): As the longest parliamentary Session draws to a close, the Government have had plenty of time to pass their Bills through this place. I am reminded that on 25 July I asked the Leader of the House the whereabouts of the Fisheries Bill, and he reassured me by saying, "all will be well". But all is not well. The Fisheries Bill, the Agriculture Bill and the Immigration and Social Security Co-ordination (EU Withdrawal) Bill will all fall on Prorogation, so my question to the Leader of House is this: how many Bills will fall next week?

**Mr Rees-Mogg:** Any Bill that has not received Royal Assent by the time of the Prorogation will fall. That is the simple constitutional position. What I would say to the hon. Lady is that it is the Government's view that all primary legislation needed to leave the European Union on 31 October is on the statute book, unless we have to have a Bill implementing a deal—it now looks as if such a deal may be achieved—in which case I expect, without giving too much away, that that may be mentioned in the Queen's Speech.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): Just 49% of Glaswegians own a car, which means that the citizens of my constituency are disproportionately

reliant on public transport, which is effectively in the monopoly control of a private company called FirstGroup. This company has been responsible for cutting hundreds of route miles across the city while hiking up fares and benefiting from generous public subsidies. Will the Leader of the House consider calling a debate in the new Parliament, or including in the Queen's Speech provision for a debate, on the municipalisation of our public transport system, particularly with regards to extending public control back over our municipal bus services and advancing Labour's proposals for a universal free bus service? Our plans would ensure that people had a proper quality of life, with access to jobs and services that are otherwise denied to them because of the punitive measures of profiteering private bus companies such as First.

**Mr Rees-Mogg:** I think we may be trespassing on devolved issues. Perhaps the hon. Gentleman is calling for a wider debate on the competence with which the SNP runs Scotland, and how it can ensure that public money is spent efficiently and effectively, because the Westminster Government are doing a great deal to improve public transport—buses and trains. I think £48 billion is to be spent on the rail network, and there is more money for buses, so I think this is really a matter of devolution and the competence of the SNP.

**Jo Stevens** (Cardiff Central) (Lab): The transitional arrangements for those in receipt of the severe disability premium who have been wrongly transferred from the employment and support allowance to universal credit have left them worse off. That includes a number of my constituents who are very severely disabled. May we have an urgent statement on Monday or Tuesday next week, before Prorogation, from the Secretary of State for Work and Pensions about what she is doing to resolve this terrible situation?

**Mr Rees-Mogg:** The hon. Lady raises an important point. The situation is one that many of us have seen in our constituency surgeries, and I know that the Department for Work and Pensions is working to ensure that it is put right. I cannot promise a statement in the time available.

**Gareth Thomas** (Harrow West) (Lab/Co-op): On Sunday, a vigil will take place outside Downing Street in memory of children who lost their life or disappeared at the end of the conflict in Sri Lanka in May 2009. Could we have a statement from the Foreign Office on whether it will ever apply serious pressure on the Sri Lankan Government to allow an international investigation into the very serious allegations of war crimes and grotesque human rights abuses that have dogged Sri Lanka ever since the end of that conflict?

**Mr Rees-Mogg:** I am in the happy position of being the ventriloquist's dummy, because my right hon. Friend the Foreign Secretary is sitting next to me, and I was able to ask him briefly for his view. Of course, the Foreign Office will take this incredibly seriously and will look into it.

**Christian Matheson** (City of Chester) (Lab): We were told by every leading climate scientist in the world that we had only 12 years to act to stop climate change. Unfortunately, that was almost a year ago, and

[*Christian Matheson*]

the clock is ticking, so would it be a good idea for the Government to schedule—perhaps quarterly, at most—a statement or debate to allow the House to monitor and expedite progress towards achieving our decarbonisation aims?

**Mr Rees-Mogg:** I continue to be the ventriloquist's dummy, because the Secretary of State for Business, Energy and Industrial Strategy, who is sitting on my other side, has said to me that we will be doing what the hon. Member for City of Chester (*Christian Matheson*) suggests much more frequently than that. I am pleased to bring that good news to the House.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): One of my constituents is among the 2 million recipients of the personal independence payment whose case is scheduled to be reviewed as part of the “Legal entitlement and administrative practices” exercise, following the Government's defeat in the courts on the issue of the treatment of people with mental health conditions. Without my office's intervention, his case would still be sitting in a huge “pending” pile, potentially for up to two years, and he would have no information on when his review would be carried out. Could we have a debate, or action in the Queen's Speech, on the lack of resources being made available to the DWP for complying with the court's decision? Is this yet more evidence of the Government's cavalier attitude to complying with court judgments?

**Mr Rees-Mogg:** No, not at all. The Government always comply with court rulings, and the DWP will do that, as always.

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): It has been reported that Royal Mail is looking to recruit a director to run its UK operations. I would suggest that the next director stand with postal workers on protecting jobs and terms and conditions, and opposing the selling off of Parcelforce. Does the Leader of the House agree, and will he ask the relevant Minister to make a statement to that effect on the selling off of Parcelforce?

**Mr Rees-Mogg:** I am afraid that I think private companies must make their own decisions.

**Ruth Jones** (Newport West) (Lab): A member of my team went to a chemist in my area this morning and saw a poster outside that said,

“Please don't blame us for the NHS medicine shortages. It's a nationwide problem. Please ask our local MP to help”.

There is clearly uncertainty and fear in the community. Will the Leader of the House, as a champion of a no-deal Brexit, make it clear that there will be no medicine shortages if we crash out of the EU? If he cannot confirm that, will he hold a debate on this issue at the earliest opportunity?

**Mr Rees-Mogg:** Once again, I am fortunate that the Secretary of State for Health and Social Care is sitting at my side. He reminds me that we have had endless debates on this matter. He very wisely put controls on 24 drugs that, in the ordinary course of events, were in short supply—19 of them were for hormone replacement therapy—because the supply of drugs is always a complex issue. Fortunately, the Government have procedures in place in all circumstances to ensure drugs are available, so I can give the hon. Lady the reassurance she requires.

**Alex Norris** (Nottingham North) (Lab/Co-op): In Bulwell in my constituency, we are developing a “pots, pits and people” project with the National Lottery Heritage Fund to celebrate our local heritage, and a successful bid would help to connect our community with our proud past. May we have a debate in Government time about the value of celebrating our local history?

**Mr Rees-Mogg:** I would be tempted to fill all this House's time with debates on local and national history. We could spend hours debating the glories of our wonderful nation, but such a specific example may be more suited to a request for an Adjournment debate.

**Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): As a consequence of new localness guidelines for commercial radio, hundreds of jobs have been lost, studios closed, and listeners are not getting the local news content that they want and need. Can we have a debate in Government time about the importance of local commercial radio, including news coverage, and how best to allow it to thrive?

**Mr Rees-Mogg:** The issue with things that are commercial is that they are commercial, and they will do well if what they provide commercially is successful.

## Brexit Negotiations

11.35 am

**The Prime Minister (Boris Johnson):** With your permission, Mr Speaker, I shall make a statement on the Government's proposals for a new agreement with our European friends that would honour the result of the referendum and deliver Brexit on 31 October in an orderly way with a deal.

This Government's objective has always been to leave with a deal, and these constructive and reasonable proposals show our seriousness of purpose. They do not deliver everything we would have wished. They do represent a compromise. But to remain a prisoner of existing positions is to become a cause of deadlock rather than breakthrough, so we have made a genuine attempt to bridge the chasm, to reconcile the apparently irreconcilable, and to go the extra mile as time runs short.

Our starting point is that this House promised to respect the referendum before the vote. More people voted leave than voted for any political party in our history. The referendum must be respected. Both main parties promised at the 2017 election that they would respect the referendum and that there would be no second referendum. This House voted to trigger article 50 and has voted repeatedly to leave, yet it has also voted three times against the previous withdrawal agreement and for repeated delay. So, as I have emphasised time and again, there can be no path to a deal except by reopening the withdrawal agreement and replacing the so-called backstop.

While, as I stand here today, we are some way from a resolution, it is to the credit of our European friends that they have accepted the need to address these issues. I welcome the constructive calls that I have had over the past 24 hours, including with President Juncker, Chancellor Merkel and Taoiseach Varadkar, and the statement from President Juncker that the Commission will now examine the legal text objectively.

The essence of our proposal is a new protocol on Ireland and Northern Ireland consisting of five elements. In the first place, all our actions are based on our shared determination to sustain the Belfast/Good Friday agreement and the fundamental basis of governance in Northern Ireland, the protection of which is the highest priority of all.

From that follows the second principle, namely that we shall of course uphold all the long-standing areas of co-operation between the UK and our friends in Ireland, including the rights of all those living in Northern Ireland, north-south co-operation, and the common travel area, which predates both the Good Friday agreement and the European Union itself.

Thirdly, we propose the potential creation of a regulatory zone on the island of Ireland covering all goods, including agrifood. For as long as it exists, the zone would eliminate all regulatory checks for trade in goods between Ireland and Northern Ireland.

However, fourthly, unlike the so-called backstop, such a regulatory zone would be sustained only with the consent of the people of Northern Ireland, as expressed through the Assembly and Executive. They will give their consent during the transition period as a condition for these arrangements entering into force. Thereafter,

the Assembly will vote again every four years. If consent were withheld, these arrangements would then lapse after one year.

Fifthly, it has always been a point of principle for this Government that, at the end of the transition period, the UK should leave the EU customs union whole and entire, restoring sovereign control over our trade policy and opening the way for free trade deals with our friends around the world. That is a fundamental point for us.

Under the proposals in this new protocol, Northern Ireland will be fully part of the UK customs territory, not the EU customs union, but there will be no need for checks or any infrastructure at or near the border between Ireland and Northern Ireland. Indeed, I have already given a guarantee that the UK Government will never conduct checks at the border, and we believe that the EU should do the same, so there is absolute clarity on that point.

Instead, under this new protocol, all customs checks between Northern Ireland and Ireland would take place either electronically or, in the small number of cases where physical checks would be necessary, at traders' premises or other points in the supply chain. We have put forward a method for achieving this based on improving and simplifying existing rules, trusting certain traders and strengthening our co-operation with Ireland, in a spirit of friendship and sensitivity to the particular circumstances.

While these proposals will mean changes from the situation that prevails today in Ireland and Northern Ireland, it is their driving purpose to minimise any disruption. To support the transition further, we propose a new deal for Northern Ireland that will boost economic growth and competitiveness and set in train new infrastructure, particularly with a cross-border focus.

The previous withdrawal agreement and political declaration would have permanently anchored the UK within the orbit of EU regulation and customs arrangements, and an indefinite so-called backstop provided a bridge to that vision of the future. This Government have a different vision: basing our future relationship with our European neighbours on a free trade agreement and allowing the UK to take back control of our trade policy and our regulations. We propose to amend the political declaration to reflect this ambition. Our proposals should now provide the basis for rapid negotiations towards a solution in the short time that remains.

I do not for one moment resile from the fact that we have shown great flexibility in the interests of reaching an accommodation with our European friends and achieving the resolution for which we all yearn. If our European neighbours choose not to show a corresponding willingness to reach a deal, then we shall have to leave on 31 October without an agreement, and we are ready to do so. But that outcome would be a failure of statecraft for which all parties would be held responsible. When I think of the conflicts that have wracked Europe in the past, of the immense challenges that we have together surmounted, of the 74 years of peace and prosperity that we have together achieved, I believe that surely, we can summon the collective will to reach a new agreement.

This Government have moved; our proposals do represent a compromise; and I hope that the House can now come together in the national interest behind this



[The Prime Minister]

new deal to open a new chapter of friendship with our European neighbours and move on to our domestic priorities, including education, infrastructure and our NHS. Let us seize this moment to honour our overriding promise to the British people, respect Brexit and get Brexit done. I commend this statement to the House.

11.44 am

**Jeremy Corbyn** (Islington North) (Lab): I thank the Prime Minister for an advance copy of his statement, but what we have before us is a rehashed version of previously rejected proposals that would put the Good Friday agreement at risk and trigger a race to the bottom on rights and protections for workers, consumers and our precious environment. Given the seriousness of this issue and the vagueness of the proposals so far, will the Prime Minister tell the House if and when he plans to publish the full legal text that he must submit to the EU?

These proposals would lead to an even worse deal than that agreed by the former Prime Minister. The Prime Minister signed up to the backstop in Cabinet, and as a Back Bencher he voted for the withdrawal agreement. His letter to the President of the Commission yesterday claims that both are now unacceptable, so perhaps he can tell us what has changed. Why did he support the agreement then but oppose it now? The letter makes his intentions clear: it rejects any form of customs union—something demanded by every business and industry body in Britain, and by every trade union.

The Government want to ditch EU standards on workers' rights, environmental regulations and consumer standards and engage in a race to the bottom. Deal or no deal, this Government's agenda is clear: they want a Trump deal Brexit that would crash our economy and rip away the standards that put a floor under people's rights at work and protect our environment and consumers. No Labour MP could support such a reckless deal that would be used as springboard to attack rights and standards in this country.

The truth is that after three years this Government still have not found an answer to solving the issue of the Irish border and the Good Friday agreement. Where once they were committed to having no border in Ireland, they now propose two borders in Ireland, ripping up the UK-EU joint report from December 2017. Will the Prime Minister confirm that the Government have now abandoned their commitment to the people of Northern Ireland, which was to ensure no

“physical infrastructure or related checks and controls”

on the island of Ireland? [Interruption.] I am sorry, but I am only quoting what the Government said.

While EU leaders have been lukewarm, the response from businesses in Northern Ireland has been stark. Glyn Roberts, the head of Retail NI, said that the proposal would lead to north-south tariffs with “huge negative impacts” on farmers and the agrifood sector. He went on:

“It would also mean two borders requiring renewal after four years, surveillance in border communities without their consent, and checks north-south and west-east.”

Tina McKenzie, chair of the Federation of Small Businesses Northern Ireland, was absolutely clear:

“All the promises of unfettered access have been abandoned... Northern Ireland is a small business economy and this is a death knell for some of those businesses.”

These plans are simply unworkable. What we have before us is not a serious proposal to break the deadlock. Instead, the proposals are nothing more than a cynical attempt by the Prime Minister to shift the blame for his failure to deliver. We can conclude only that his political adviser was telling the truth when he called negotiations with the EU a “sham”. Will the Prime Minister give a clear answer to one question: if he does not get a deal at the October Council summit, will he abide by the law of this country and the European Union (Withdrawal) (No.2) Act 2019 and request an extension to avoid a disastrous no deal?

The Government's proposals are neither serious nor credible. Labour consulted with UK industry, businesses and unions about the need for a comprehensive customs union, close single market alignment and robust protections for workers' rights and environmental standards. We need an extension for a serious negotiation towards the sort of deal that Labour has set out, and then let the people decide whether to leave with a sensible deal or remain.

The current proposals would damage the whole UK economy, and the Northern Irish economy especially, and would undermine the Good Friday agreement. They would lead to a race to the bottom on workers' rights and environmental rights and strip back even the limited protections that the Prime Minister's predecessor had agreed to.

Instead of spending the last few months building consensus in Parliament and across the EU, the Prime Minister has put forward proposals he knows will not be acceptable either in Brussels or Westminster and that would damage UK industry, people's jobs and living standards. The only people who would not suffer are the Prime Minister's hedge fund donors who are currently betting against the pound and running down our fragile economy. He is doing nothing but seeking to divide and risking this country's future for his own political gain—an America first deal with President Trump. The proposals are unrealistic and damaging, and they will be—as I think the Prime Minister knows full well—rejected in Brussels, in the House and across the country.

**The Prime Minister:** I must confess that I am disappointed by the tone and some of the remarks that the right hon. Gentleman has made, because I think that this is a very good basis for a deal. To take his points in turn, and to take his questions seriously, he asks what the advantage is of this deal over the previous withdrawal agreement. Simply, it is that the objections on all sides of the House to the previous withdrawal agreement were based on the backstop, which would, as he knows, keep the UK locked in the customs union and single market with no say on those arrangements. I listened carefully to hon. Members on both sides of the House during those debates and that was the burden of the House's objections to the backstop.

The right hon. Gentleman asked a reasonable question about standards and environmental and social protections. I think that it would be the will of the House under any circumstances to keep our standards the highest in the world. The advantage that we have in coming out of the EU, as I am sure he would accept if he reflected on it, is that we can go further. There are some things that we



can now do that have been long called for by the British people—for instance, on animal welfare—that would be very advantageous. For instance, we can now ban the cruel export of live animals. I am sure that he will see that advantages will flow from that approach.

The right hon. Gentleman asked about physical infrastructure at the border, and I have been clear many times—and the Government have been clear many times, as were the previous Administration under my right hon. Friend the Member for Maidenhead (Mrs May)—that under no circumstances would the UK institute physical infrastructure at or near the border.

The right hon. Gentleman raised the concerns of businesses in Northern Ireland. Of course they must be at the forefront of our minds, and we will ensure that their needs are properly looked after. That is indeed why we have made the compromises that we have for the immediate future to protect their immediate interests. He asked about unfettered access to the GB market, and they will of course have unfettered access to the GB market with no checks whatever. That goes without saying. One thing that is certain about those businesses is that they want a deal. I have talked to them, as I am sure the right hon. Gentleman has. I believe that this is their chance, and our chance, to get a deal.

I listened to what the right hon. Gentleman said about delay and keeping this country in the EU beyond 31 October. That option does not commend itself to me: it would incur another £1 billion a month to no advantage whatever. The people of this country have had enough unnecessary dither and delay. They want to get Brexit done; they want to get on and do a deal. This is a very good basis for a deal, I commend it to the House and I hope that right hon. and hon. Members across the House will support it.

**Sir William Cash (Stone) (Con):** In welcoming indications of progress in the negotiations, does my right hon. Friend agree that the overriding democratic issue is that the referendum result, and the withdrawal Act with 31 October as the end date, confirms the sovereign and inalienable right of the British people to govern themselves and that we need a general election in this country now and to get Brexit done?

**The Prime Minister:** I am grateful to my hon. Friend. The Opposition have many times—at least several times—rejected the invitation to have a general election, for reasons that I think will be apparent to most people in this House and most people in this country. We must leave the Opposition to consider their own decision, but what I can certainly tell my hon. Friend is that under this deal, this country will certainly be taking back control not only of its borders and its money, but also of course its laws.

**Ian Blackford (Ross, Skye and Lochaber) (SNP):** May I thank the Prime Minister for advance sight of his statement?

I want to be very clear with the Prime Minister from the outset. These proposals are unacceptable. They are unworkable. They are undeliverable. It is all about blaming someone else, in this case the European Union when his plan is rejected. It is a plan designed to fail. But of course, the Prime Minister knows that. By his own design, this “take it or leave it” threat is yet another push towards a catastrophic no-deal exit.

For Scotland, these proposals would take us out of the European Union, the single market and the customs union against our will. The UK Government’s document talks about the consent of the people of Northern Ireland as being required. Where is the requirement for the consent of the Scottish people, who voted to remain and whose voices are ignored by this Conservative Government? The Prime Minister may have bought the consent of the Democratic Unionist party with these proposals, but every other political party in Northern Ireland and every major business group is not buying it. They are not alone. The Prime Minister does not have the consent of this House, and he does not have the consent of these islands for this doomed deal or for a devastating no-deal Brexit. Let me tell him now: he will never have the consent of Scotland.

Prime Minister, why is it acceptable for Northern Ireland to stay in the single market of the European Union but not for Scotland? This is not a basis for a deal; it is a half-baked plan from Dominic Cummings and his Brexit fanatics. The Prime Minister knows that he cannot get his proposal approved and he does not care, because the truth is that he either has no interest in getting deal at all or does not grasp the reality of a workable backstop.

The Prime Minister must be reminded that he is duty bound to obey the law and seek an extension to the 31 October deadline. So let me put this to the Prime Minister: the proposed deal was dead even before he left the podium of the Tory conference. The Prime Minister’s contempt for this House—because that is what it is—for democracy and for the people to have their say through their representatives is clear for all to see. This House must take back control, not for us but for the people we serve.

So I want to ask the Prime Minister—and I want him to think very carefully before he answers—and I say to him: give us an actual answer. Will the Prime Minister obey the law as required to seek an extension, and if not, will he commit today, right here, right now, that he will resign? We will not let the Prime Minister shift the blame—[*Interruption.*] It is quite remarkable. We are talking about a Prime Minister threatening to break the law and the guffaws from the Tory Benches say it all.

We will not let the Prime Minister shift the blame for his devastating plans for a no-deal Brexit. The responsibility for the catastrophic threat lies solely and squarely at the Prime Minister’s door. That is why I want to put the Prime Minister on notice: the SNP will do everything possible to secure an extension and to stop a no-deal Brexit. I say to the Prime Minister: be warned—secure an extension or resign. If not, the SNP stands ready to bring this Government down.

**The Prime Minister:** Again, I must say I am slightly disappointed by the tone the right hon. Gentleman has taken. I would remind him that the people of Scotland voted to remain in the UK and in the UK single market. If he wishes to avoid a no-deal outcome, I respectfully suggest to him that the best way to avoid one would be to vote for a deal that we secure, and these proposals do amount to a very good basis for a deal. Finally, if he wants to remove me from office, the best thing he can do is to work on the Leader of the Opposition, persuade him to call a general election and try his luck that way.

**Damian Green** (Ashford) (Con): Many of us, on both sides of the House, want to deliver what people voted for, to avoid a no-deal Brexit and to avoid the process being strung out interminably, so I welcome the Government's latest proposals. Can the Prime Minister assure me that the customs proposals for the Irish border do not involve the construction of any new physical infrastructure, whether at the border or anywhere else?

**The Prime Minister:** I am grateful to my right hon. Friend, who has taken a keen interest in these matters for a long time and has helped to bring many Members together across the House on this question. I can tell him: absolutely not—the proposals we are putting forward do not involve physical infrastructure at or near the border or indeed at any other place.

**Jo Swinson** (East Dunbartonshire) (LD): If the Prime Minister had bothered to go to the Northern Ireland border, he would know the genuine fear that people there feel about his proposals, which they see will result in physical infrastructure for the border, whether that is actually on the border or, as he euphemistically puts it, at some other point in the supply chain. His plans there have been denounced as the worst of both worlds. Will the Prime Minister now go to the Northern Ireland border and listen to the people and communities there, or does he just not care?

**The Prime Minister:** I, of course, understand the concerns of people on both sides of the Northern Irish border and indeed across this country. That is why we are absolutely determined not to have any kind of infrastructure checks at the border or near the border. As I explained to my right hon. Friend the Member for Ashford (Damian Green), they are not necessary. May I invite the hon. Lady also to support these proposals? Perhaps she could ask her Liberal Democrat colleagues to retract their letter to Jean-Claude Juncker urging him not to agree to a new deal with the British Government.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): May I commend the Prime Minister's emphasis on a future free trade arrangement as his desired end state, which is what many of us have wanted all along? Does he recall that, earlier in the year, when the House voted, in the so-called indicative votes, on a number of different options—a customs union, Norway and so on—all those options were defeated bar one? The one option that has ever passed this House, other than the withdrawal agreement as originally presented, was the so-called Brady amendment, the essence of which was to expunge the backstop in favour of alternative arrangements, which passed the House of Commons on 29 January by 16 votes. Does that give the Prime Minister hope that this proposal could get through?

**The Prime Minister:** Yes, it does indeed. I thank my right hon. Friend for his point. He is right also in his ambition for what we can do with this deal because it does liberate us to do free trade deals around the world and take back control of our tariffs and our customs. I am fortified by the knowledge on all sides in the House that this has been going on for three and a half years now. The proposal does represent a very good basis for a deal and I hope that colleagues will support it.

**Hilary Benn** (Leeds Central) (Lab): For the last three years, it has been Government policy that border arrangements between Northern Ireland and the Republic after Brexit would not include checks and controls—that is enshrined in UK law—but now the Prime Minister has announced that there will be customs checks in Northern Ireland. *[Interruption.]* Those are the words he used. He has also entertained the possibility that Northern Ireland will never enter the regulatory zone of which he speaks because, if the Assembly and the Executive do not agree to do so, it will not happen. As a result, he has abandoned that commitment and risks a return to a hard border. How is that consistent with the joint declaration of 2017 signed by his predecessor, with the Good Friday agreement and with the peace and stability in Northern Ireland that has been so hard won?

**The Prime Minister:** The right hon. Gentleman is absolutely right to lay the emphasis he does on the Good Friday agreement and the peace process. In all our conversations, we are driven by the need to protect, and indeed fortify, that agreement and process. The deal we are setting out gives us and communities in Northern Ireland the opportunity to build on that process, but I must stress to him that he is mistaken if he believes that any of our proposals will necessitate any kind of checks at the border—that is absolutely untrue—or indeed any kind of hard border. I must tell him respectfully that that is untrue.

**Sir Graham Brady** (Altrincham and Sale West) (Con): Given that this proposal meets the terms set out in the amendment passed in this House on 29 January, can I urge the Prime Minister to go to his EU colleagues with some confidence and to tell them that there is every likelihood, if not certainty, that this proposition will command the support of the House of Commons and can take us forward and break the deadlock that has been dogging us for so long?

**The Prime Minister:** I congratulate my hon. Friend because it was after all his amendment that went to the heart of what I think the House saw as the fundamental problem with the previous withdrawal agreement. These proposals address those concerns and I hope that right hon. and hon. Members will get behind them.

**Anna Soubry** (Broxtowe) (IGC): Mr Speaker, I am sure you will have observed that the Prime Minister's predecessor, to her credit, at least got things in the right order. She got an agreement with the EU that commanded support, it has to be said, in Northern Ireland, but she could not get it through this place. The Prime Minister thinks he has got the support of Parliament, but he has not got any support from the EU and he has not got the support of the people of Northern Ireland. I congratulate him on getting a deal with the ERG and the DUP, but I remind him that the DUP does not represent the people of Northern Ireland—and I observe that they cannot even be bothered to turn up today. Will the Prime Minister confirm that not one single other political party or any organisation in Northern Ireland supports his con of a so-called deal?

**The Prime Minister:** I am not sure I was expecting support from the right hon. Lady, but I had hoped that she would see the advantages of our proposal. I think

that it offers a way forward for the UK, for Ireland and for all communities in Northern Ireland. It offers security and stability and, above all, protects the Good Friday process and a frictionless border. So I hope it will have her support.

**Philip Davies** (Shipley) (Con): When I launched the Better Off Out group in Parliament back in 2006, I could always rely on the now leader of the Labour party to vote for my proposals in the Lobby. I am sorry that he has now ditched the only popular policy that he ever believed in.

May I ask the Prime Minister whether what he has proposed is the final offer to the European Union? Will he confirm that, if the EU rejects his offer out of hand, it will be the policy of the Government to leave the European Union without a deal?

**The Prime Minister:** My hon. Friend is absolutely right. I cannot account for the unaccountable—I cannot account for the Leader of the Opposition's change of mind on the EU, except that, as I observed earlier, he seems to have been captured by some of his colleagues—but I can certainly confirm to my hon. Friend that we will be leaving on 31 October, deal or no deal.

**Lady Hermon** (North Down) (Ind): The Prime Minister's proposals prove quite clearly that he does not understand Northern Ireland. While he seems to be perfectly happy to dance to the tune of his friends in the Democratic Unionist party, he forgets, or chooses to ignore, the fact—and it is a fact—that the DUP does not represent the majority of people in Northern Ireland. The DUP campaigned for leave, along with the right hon. Gentleman, but the majority of people in Northern Ireland voted remain. The majority of people in Northern Ireland will be extremely concerned by the proposals that he tabled yesterday and has spoken about today, which introduce two borders in Northern Ireland.

I remind the Prime Minister that the people in Northern Ireland certainly do not want the UK to leave the EU without a deal. What people in Northern Ireland really want, all of them, is to continue to enjoy the peace and stability delivered by the Belfast/Good Friday agreement. I want the Prime Minister to go through the statement that he has delivered, and pinpoint for the House and the people of Northern Ireland the aspects of his proposals that guarantee peace and stability in Northern Ireland.

**The Prime Minister:** The most important thing is that we will abide by every clause and principle of the Good Friday agreement. Above all, there will be no border—there will be no hard border at all—in Northern Ireland. Most important, we will be governed by the principle of consent. I should be more than happy to meet the hon. Lady to discuss exactly what I mean, if that would be useful to her. I do accept that these proposals deserve wider circulation and wider explanation, and I should be more than happy to meet her to go through them.

**Alistair Burt** (North East Bedfordshire) (Ind): I commend the tone that the Prime Minister has taken today, and the way in which he has answered questions. That fulfils what was my aim when I supported the recent withdrawal Bill, which was to encourage the Government to pursue a deal as by far the best option going forward.

It is clearly unlikely that every part of the Prime Minister's proposals will be fully accepted, but may I draw the House's attention to a phrase in the letter that he sent to Jean-Claude Juncker yesterday? He wrote:

"this letter sets out what I regard as a reasonable compromise: the broad landing zone in which I believe a deal can begin to take shape."

Do his tone and style today suggest that the compromise that he has been able to propose is not yet finished, and that if it is necessary to handle some of the difficult issues that have been raised, he is still open—in that frame of mind—to take this forward? A deal would now seem to be achievable if that tone is continued.

**The Prime Minister:** My right hon. Friend is correct in his surmise about our intentions, but I think that the House and people watching the debate should be reminded that what the UK has done is already very considerable. We have already moved quite some way. I hope that our friends and partners across the channel understand that, and I hope that my right hon. Friend understands it as well. We have gone the extra mile. What we are doing both on agrifoods and on goods, with the principle of consent, is, I think, a very considerable move towards compromise.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): Will the Prime Minister agree to give evidence on this to the Liaison Committee before the European Council? Will he also confirm that he is proposing to remove the provisions in article 4 of annex 4 to the protocol, in particular the commitment not to reduce fundamental rights at work—occupational health and safety, fair working conditions and employment standards? Will he confirm that, far from increasing workers' rights and the protection of those rights as many Labour Members have urged him to do, he is in fact proposing to reduce that protection and make it easier for Conservative Governments to do what they have always done, and cut workers' rights?

**The Prime Minister:** The right hon. Lady is in error if she thinks that that is our intention. We will be ensuring that this country has the highest standards for workers' rights and for environmental protections. I should be more than happy to meet her to explain what we are going to do.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): I commend the Prime Minister on the serious intent and effort that he is adopting. He is proving many of his doubters wrong. Does he agree that the constructive tone that we heard overnight from EU counterparts stands in stark contrast to the tone adopted by the Opposition, who continue to set their face against their own voters?

**The Prime Minister:** I thoroughly agree with my right hon. Friend, and I hope that all colleagues in all parts of the House will think very carefully about the terms of the deal that we are setting out. As I have said, I am more than happy to discuss them and to explain what we are trying to do, but I think it is incumbent on all of us to get this thing done and get it over the line, and I think that that is what the overwhelming majority of our electorate want us to do. Whether they voted leave or remain, people want us now to speak up for democracy.



**Mr Ben Bradshaw** (Exeter) (Lab): Breaking the Good Friday agreement, putting at risk 20 years of peace, creating two new hard borders and a smugglers' paradise in Northern Ireland, and scrapping all the labour regulations, environmental standards and other standards in the rest of the United Kingdom: this is nothing like what the Prime Minister peddled to the voters in 2016, is it? So why is he scared of sending it back to the people for their consent in a referendum?

**The Prime Minister:** I do not wish to be unnecessarily adversarial today, but that seems a satirical thing for the right hon. Gentleman to say, given that his party is refusing to concede to a general election. I am very happy to discuss these ideas with him. They in no way correspond with the caricature that he has just put to the House. This is a very serious way forward, and it gives the country an opportunity to improve our environmental and social welfare standards.

**James Brokenshire** (Old Bexley and Sidcup) (Con): I commend my right hon. Friend for his clear intent to ensure that we leave with a deal on 31 October. He has set out a detailed and considered proposal and, despite the protestations of the Labour party, I hope that the EU will engage with the proposal constructively.

In this context, the Prime Minister will feel as keenly as I do the continuing absence of a fully functioning Northern Ireland Executive. What further steps will he take to get Stormont back up and running, and what assurance can he give to the people of Northern Ireland in respect of the absolute need for political decision making in its absence?

**The Prime Minister:** My right hon. Friend has a wealth of experience in this regard, and he did a huge amount of good both for Northern Ireland and in the cause of trying to get Stormont up and running again. Clearly, what this deal would offer is the opportunity for the Executive and Assembly of Northern Ireland, and the people of Northern Ireland, to have even more of a say in their own destiny. In that sense, it takes forward and builds on the peace process, one of the great achievements of the last 30 years. I think that it is full of hope for the people of Northern Ireland. In my view it gives them an extra incentive to get Stormont up and running, and I can assure my right hon. Friend that we are working very hard to do just that.

**Frank Field** (Birkenhead) (Ind): I welcome the Prime Minister's statement. May we have a vote on it before he goes to the European summit? In the political declaration, will he affirm what he has said to the House: that this country will be a leader in protecting workers' rights, consumer rights and the environment?

**The Prime Minister:** I am grateful to the right hon. Gentleman, and I hope that he speaks for many colleagues across the House in wanting to move this thing forward. I will reflect on what he has said about having a vote on this, although it would probably be better to get a deal first. I am confident that we can get one, and I hope it will command the support of the House. I can certainly reassure him on his point about standards for workers' rights and for the environment: it is the intention of this Government to go higher still.

**Mr David Gauke** (South West Hertfordshire) (Ind): The publication of specific proposals to deal with the backstop is to be welcomed, as is the Prime Minister's commitment to not having physical infrastructure in Northern Ireland or the Republic of Ireland. His commitment to the Good Friday agreement is also to be welcomed, but could he say a bit more about what obligations he believes we have under the Good Friday agreement to ensure not only that there is no physical infrastructure, but that goods can flow freely between the Republic of Ireland and Northern Ireland?

**The Prime Minister:** I am grateful to my right hon. Friend. Of course, what this offer does is take one step further, by consent, in having regulatory alignment for goods as well, so obviating the need for checks on perhaps 30% of the other traffic from north to south in addition to the 30% that we have already achieved by sanitary and phytosanitary alignment. That is always assuming that consent were to be granted, if he understands me.

**Dr Sarah Wollaston** (Totnes) (LD): The principle of consent requires people to be able to weigh up the risks and benefits of the actual deal, as opposed to the promises that were made during the referendum. I am afraid that there are many detailed questions arising out of the Prime Minister's statement, and they cannot be answered in this format, so may I ask him when he will keep the clear commitment he gave to appear before the Select Committee Chairs in the Liaison Committee, and will he do so before Parliament prorogues?

**The Prime Minister:** I am absolutely committed to appearing before the hon. Lady's Committee, and she will have an answer within an hour of my departure from the Chamber this afternoon.

**Greg Clark** (Tunbridge Wells) (Ind): Most people in this House and in the country want to have a good deal with the EU, so I very much welcome the pragmatic approach and the demeanour that my right hon. Friend has taken today. I look to our European neighbours and, I might say, the Leader of the Opposition to respond in kind. He has set out a new Northern Ireland protocol that would kick in if, and only if, we had not yet concluded a free trade agreement. Is it his expectation that, should the protocol be needed, it would be intended to be temporary? Is it also his expectation that it would involve zero tariffs between the UK and the EU?

**The Prime Minister:** The answer to both questions is in the affirmative. I want to thank my right hon. Friend for his constructive attitude to this, and if there are any more details that he needs to establish from me, I am only too happy to share them.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): With regard to the regulation of goods, as opposed to customs, the Government's explanatory note says that these arrangements must receive the endorsement of the Northern Ireland Assembly and Executive. Paragraph 13 of the paper states that this must happen "before the end of the transition period, and every four years afterwards".

Can the Prime Minister confirm that that means that, even if these proposals were to be agreed by the European Union and subsequently agreed by this House, if they

were not then approved by the Northern Ireland Assembly during the transition period, they would last for only a year, following which we would have no commitment to the common regulatory system that is essential for the open border?

**The Prime Minister:** The right hon. Gentleman is making a very valid point, but the mechanism of consent is clearly vital and we are in the midst of discussions with our friends about exactly how it should work. I will not hide it from the House that he is making a legitimate point, but we will, I am sure, solve this question during the discussions about consent.

**Sir John Hayes** (South Holland and The Deepings) (Con): The test of reasonableness is well understood by legislators, and compromise is intrinsic to all negotiations, as the Prime Minister has said already. But what the British people are most frustrated about is what they perceive as displacement, dither and delay, so will the Prime Minister be clear in his decisive determination to continue to personify the spirit of getting on, getting out and getting ahead?

**The Prime Minister:** That is exactly what we intend to do. The purpose of this deal and these proposals is to get Brexit done and for us all to move on as a country and move on together. I believe that they represent a very good way forward for the UK. They will enable us to do free trade deals and to regulate our own laws and our own system. Above all, they will enable the UK to leave the EU, as the people of this country were promised, whole and entire, and to protect our precious Union with Northern Ireland.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): The Prime Minister's blame game goes down very well on the stage-managed Tory conference platform, but I wonder whether he has stress-tested the technical details of his proposals on the UK's constitution—or did he require only the DUP's consent? I note that his proposal claims to equip the Stormont Assembly with the levers to control the direction of Northern Ireland's national question? Does he not agree that this sets an interesting precedent for the Senedd to be equipped to review Wales's constitutional relationship with Westminster every four years, too? Or does just he hope and pray that somebody will stop him?

**The Prime Minister:** As the right hon. Lady knows, there is a unique situation in Northern Ireland under the Good Friday agreement, and what we are proposing today gives this country the opportunity to develop and intensify that, but I am willing to listen to her pleas for the Senedd and I will consider them closely.

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): I believe that this represents a significant step towards breaking the deadlock, which businesses and the vast majority of the people want to see. Can my right hon. Friend confirm that, in the spirit of goodwill now generated on both sides of the channel, he will negotiate 24 hours a day exhibiting every flexibility to get a deal?

**The Prime Minister:** I will strain every sinew, Mr Speaker. In fact, it was only my desire to appear before you and the House today that restrained me from going off to other European capitals and selling this project.

**Mr Speaker:** I am delighted to hear it.

**Christian Matheson** (City of Chester) (Lab): Can the Prime Minister not accept that a customs post that is sited 20 miles away from a border still represents a hard border and therefore goes against the Good Friday agreement? Why is he willing to prioritise Brexit against the Good Friday agreement?

**The Prime Minister:** I should remind the hon. Gentleman that there has been a fiscal border between the UK and Ireland for many years. Customs checks do not mean customs posts or infrastructure of any kind, as I am sure he appreciates, but if he does not, I am more than happy to share with him our thinking and to explain how it can be done.

**Mr Philip Dunne** (Ludlow) (Con): I remind my right hon. Friend that I voted remain in the referendum. I have voted in the House to deliver Brexit ever since. I congratulate him on the constructive proposals that he has put forward, and wish him every good fortune that the EU will engage with them as it needs to. I remind the House, and perhaps he could confirm, that existing trade across the border in Northern Ireland takes place with different currencies, and with different VAT rates, as he has just been elucidating, without the need for any physical infrastructure; and customs arrangements, following the excellent work done on the alternative arrangements commission, can do the same.

**The Prime Minister:** I thank my right hon. Friend, and if I may say so, I think he speaks with the voice of common sense and pragmatic understanding of the realities that obtain, but also the right measure of optimism about what we can achieve. I thank him very much.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I am sure that the House, like me, is hugely impressed by the Prime Minister's attempts to avoid an Irish border—which resulted in him creating two borders! Clearly, he is not familiar with the contents of the Good Friday agreement.

Given that these proposals are doomed to fail on all counts, and as he seeks to blame the EU for his failure, will he confirm that if he cannot secure agreement, he will obey the law as set out in the Benn Act—or instead, will he have to die in a ditch?

**The Prime Minister:** I reject the suggestion that what we are doing is not in conformity with the Good Friday agreement; indeed, it is intended to build on the Good Friday agreement. If it would help the hon. Lady, I would be more than happy to talk to her about our plans and to elucidate the matter to her.

**Steve Brine** (Winchester) (Ind): On 3 September, I asked the Prime Minister for some evidence of an emerging deal; you will remember it well, Mr Speaker. Last week I asked him again, and I thank him for the outline of the detail that he gave in response to me. Today I do not need to do that, because he has set out some real meat to Mr Juncker in his letter. I am very pleased to see it. I knew he wanted a deal, and he told me he wanted a deal, and I believe him. So can he confirm that consent in Northern Ireland lies at the

[*Steve Brine*]

heart of this over there; and that more importantly, compromise over here, in this House of Commons, is at the heart of getting this done? Can he also confirm that those who want to avoid no deal—like me, like him—now need to do the right thing and vote for a deal?

**The Prime Minister:** I thank my hon. Friend, for whom I have a high regard. I well remember our conversation a few weeks ago. He makes his point with great clarity and force. Those who oppose a no-deal Brexit—I appreciate the sincerity of the feelings of those who oppose a no-deal Brexit—logically really should support this way forward, and I hope that they do.

**Sir George Howarth** (Knowsley) (Lab): As a former Northern Ireland Minister, I am all too painfully aware of how fragile the arrangements are. As my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) pointed out, the Prime Minister's proposals are all contingent on their periodic renewal by the Executive and Assembly. Does he not realise that that will only add to the fragility of the political situation that already exists in Northern Ireland? Is there not a case to consider, given particularly that the Executive and Assembly are not even up and running, for putting the case directly to the people of Northern Ireland in the form of a referendum, to see what they think about it?

**The Prime Minister:** I am not sure that referendums have a great history in our country recently of bringing people together. I appreciate the right hon. Gentleman's experience and the sincerity with which he approaches this subject, and he is obviously right to raise the concerns of both communities, but I think that this proposal offers a way forward for both communities and it is very important that the views of all communities are respected. That is why the principle of consent is at the heart of what we are proposing.

**Mr David Jones** (Clwyd West) (Con): I commend my right hon. Friend for putting forward these positive proposals, which merit an equally positive response from the European Union. He has mentioned the need for amendments to the political declaration, the significance of which is frequently understated. I assume that that includes the deletion of the reference to building and improving on the single customs territory, but can my right hon. Friend say what other amendments he considers will be necessary?

**The Prime Minister:** In due course, the text will of course be made available to right hon. and hon. Members, although this is a negotiation and you will appreciate, Mr Speaker, that we have to hold some things back. However, I can certainly confirm that there will be no reference to improving on the customs union in the way that he has described. The purpose of the political declaration will be to set out how we wish to develop our relationship with our European friends in a positive way, protecting standards, as I have said several times, insisting on the highest possible standards in this country, but also giving us the opportunity to develop a fantastic new free trade relationship—and that is what we are going to do.

**Luciana Berger** (Liverpool, Wavertree) (LD): In an earlier answer, the Prime Minister alluded to the fact that he had support from business for his plan, and yet the director of the Northern Ireland Retail Consortium has said that the Prime Minister's plan is both "unworkable and unpalatable". Will the Prime Minister point to one business that moves goods into Northern Ireland that supports his plan?

**The Prime Minister:** I have met many businesses in Northern Ireland who want emphatically to get a deal. That is the overwhelming view of businesses in Northern Ireland, so I hope very much that the hon. Lady will support them in their ambition.

**Stephen Hammond** (Wimbledon) (Ind): Like my right hon. Friends the Members for Tunbridge Wells (Greg Clark) and for North East Bedfordshire (Alistair Burt), I warmly welcome the fact that the proposals have been set down, and the constructive tone in which the Prime Minister has undertaken the proceedings today. I am keen to understand some of the points of detail. I understand that there will be a change also to the political declaration, in the form of a free trade arrangement zero tariffs. Can he confirm, therefore, that he intends that those zero tariffs, which will require some checks as well, will not be at the border, and will be of a nature that will be relatively de minimis?

**The Prime Minister:** Yes. Not only that, but I can confirm that there will be no checks, as it were, from NI to GB. I think that is very important for the House to understand.

**Alison McGovern** (Wirral South) (Lab): The Prime Minister said some moments ago that the history of referendums in this country was not good, but may I remind him that by 71% the Good Friday agreement was passed by a referendum?

I return the Prime Minister to the detail of his statement today. On page 3, he refers to the regulatory zone for Northern Ireland, and he says that,

"the Assembly will vote again every four years—and if consent were withheld, these arrangements would then lapse after one year."

Lapse back to what?

**The Prime Minister:** Obviously, the default position is that Northern Ireland is part of the UK, and part of the UK legal order and part of the UK customs territory, and it will remain part of the UK's customs territory under any circumstances. What we are proposing is alignment on agrifoods and also on industrial goods. That is to be done by consent. I think it offers a very attractive way forward and I hope that the House will get behind it.

**Mr Peter Bone** (Wellingborough) (Con): May I ask the Prime Minister a little bit more about the political declaration? Do I understand that it will be changed to say that the UK and the EU will use best endeavours to achieve a fantastic free trade agreement? But if we got to the end of the transition period—when would that be?—what would happen if there was not a free trade agreement?



**The Prime Minister:** Well, I think in that very unlikely event, obviously the UK and the EU would revert to WTO terms, but I do not think that that is likely. I think that the UK and the EU—both parties—will be very keen to strike a great free trade agreement. And that is what we will do, and that is what we will set out in the political declaration.

**Grahame Morris** (Easington) (Lab): Over a week ago the Prime Minister told the House, in response to a question by my good and hon. Friend the Member for Ashfield (Gloria De Piero), that he would publish a new EU withdrawal Bill within days. That is important, because it could form the basis, with amendments, to move forward and break the deadlock—amendments on workers' rights, health and safety and environmental standards. Will the Prime Minister honour that commitment and publish the Bill?

**The Prime Minister:** We will of course publish the legislation in due course.

**Sir Henry Bellingham** (North West Norfolk) (Con): May I congratulate the Prime Minister on his statesmanship, and indeed ingenuity, in delivering an offer that is serious and credible? If my email is anything to go by, there is huge support in my constituency.

May I take the Prime Minister to paragraph 1b of the protocol note, which makes it clear that 100% of these unique areas of collaboration will continue? Will he find time to ring the Taoiseach and tell him that there are going to be many areas for collaboration on community projects and on pushing enterprise, investment and wealth creation on both sides of the border?

**The Prime Minister:** I thank my hon. Friend. I talked to the Taoiseach last night and expect to be talking to him quite a lot in the days to come. I will certainly make that point to him as well. It is something we have already discussed.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Does the Prime Minister agree that most people in this country are not extreme remainers or extreme Brexiters? Surely it is his job, and the job of the House now, to look at a deal. What we have heard today is a bit of a deal, but we need a full look. Perhaps we should restart the cross-party discussion so that he can evade the conclusion that he has to break the law and leave without a deal. Can we restart sensible negotiations?

**The Prime Minister:** Of course. I have a high regard for the hon. Gentleman; I remember having many useful discussions with him about higher education when I did that job. I would be more than happy to talk to him about what we are proposing and the way it can take our country forward and bring us back together.

**Sir Peter Bottomley** (Worthing West) (Con): As someone who 30 years ago served as Agriculture Minister for Northern Ireland, may I say that both there and in Great Britain the deal and proposed transition matter, and that issues will have to be dealt with whether we crash out or go with a deal?

I hope we do go with a deal, as does the majority in the House.

I say to my right hon. Friend the Prime Minister that it would be a good thing if he arranged to rescind the withdrawal of the Conservative whip from those of my colleagues who should be back on our side fully.

**The Prime Minister:** I defer to my hon. Friend for his long-standing experience in Northern Ireland, but the agreement that we have, or the deal that we are proposing, is a very good one for Northern Ireland. As for his suggestion on our colleagues, all I can say is that the consequences of the surrender Act—I use that term advisedly—are very serious for our ability to negotiate. I hope very much that, notwithstanding those difficulties, this House will come together and get a deal over the line. If I may say so, to bring the whole country together and to bring this House together, I think that would be the best way forward.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): The Prime Minister has spoken a number of times about consent, but I urge him, particularly as the only representative here in the House at the moment speaking for Northern Ireland is the hon. Member for North Down (Lady Hermon), to listen very carefully to what she said. He talks about consent, but it is clear this morning that there is not consent from many of the other parties in Northern Ireland and many people across the different communities, nor from the business community nor from Dublin and the Irish Government. I urge him to listen very carefully to that.

There is a simple way through this, which is to put a credible deal back to the people, including the people of Northern Ireland, for a confirmatory vote. I urge the Prime Minister to look at that closely. Will he confirm how his proposals are in line with section 10(2) of the European Union (Withdrawal) Act 2018, because I do not believe that they are?

**The Prime Minister:** Mr Speaker, they are completely in line with section 10 of the withdrawal Act, and I would be happy to demonstrate that to the hon. Gentleman. On his request for a second referendum, I really cannot think of anything more divisive or more wasteful of this country's time. *[Interruption.]* If Opposition Members want an election, why do they not talk to the Leader of the Opposition?

**Several hon. Members** *rose*—

**Mr Speaker:** Order. Colleagues, I am very grateful to the large number of people who have come up to the Chair expressing concern about my throat. Their generosity of spirit and humanity are much appreciated, but I want to confirm to the House that the state of my throat, which is purely temporary, is not down to the consumption of a kangaroo's testicle. I would not eat it; it would probably be poisoned.

**Mr John Baron** (Basildon and Billericay) (Con): Mr Speaker, I am glad to hear it.

The devil will be in the detail, but I very much congratulate my right hon. Friend the Prime Minister on his improved proposals as a basis for a deal. However, in straining every sinew to secure a good deal, will he be resolute not only in his intent to honour the triggering of article 50 by an overwhelming majority in this place,

[Mr John Baron]

which clearly stated that we would leave with or without a deal, but in ensuring that we are prepared for no deal? It is inescapable logic that being so prepared improves the chances of securing such a deal, despite the fact that that logic escapes the Opposition parties.

**The Prime Minister:** My hon. Friend is absolutely right. The preparations that we have made for that outcome, a no-deal exit—I thank my right hon. Friend the Chancellor of the Duchy of Lancaster for everything that he is doing—have unquestionably, notwithstanding the surrender Act, concentrated the minds of our friends in the EU and are helping us to get a deal.

**David Hanson (Delyn) (Lab):** Could the Prime Minister genuinely help me? Paragraph 9 of his explanatory note says that

“traders moving goods from Great Britain to Northern Ireland would need... A new notification requirement”

regarding

“the nature of the goods in the consignment... people sending (exporting) and receiving (importing) the goods... where the goods will depart and arrive”

and that these arrangements will not be effective until the transition period is completed.

As the hon. Member for North Down (Lady Hermon) said, that is effectively a second border. Can the Prime Minister tell the House how many of those transactions he anticipates each year, and what the cost would be to businesses and to the Government in establishing that system?

**The Prime Minister:** I can assure the right hon. Gentleman that in so far as such checks were necessary, they would be done electronically. They would be done by UK officials, and they would be instituted only with the consent of Northern Ireland. That is the important point, but I am more than happy, if he would like, to discuss this more with him in person if that would be useful.

**Jack Lopresti (Filton and Bradley Stoke) (Con):** May I commend and congratulate my right hon. Friend the Prime Minister on his statement and on his valiant efforts to secure us a deal and get us out of the European Union on 31 October? May I ask him a question that a lot of my constituents are asking me? When we finally leave on 31 October, if it were to be without a deal, is it not the case that there would be no adverse effect on any UK-European defence collaboration, especially in the fields of procurement, manufacture and wider operations?

**The Prime Minister:** I am grateful to my hon. Friend, and I can tell him that we are proceeding with huge collaborations across the front with our European friends, and I have no reason to believe that any of them will be interrupted.

**Peter Kyle (Hove) (Lab):** From the outset of negotiations, the British Government have, understandably, had their red lines. They are long-standing and unchangeable red lines. It is understandable also that our negotiating partners in the EU have their red lines, which they have

stuck to rigidly throughout. Today and last night, the Irish Taoiseach has said that the proposals the Prime Minister has laid before the House today break those red lines and are unacceptable. In the words of the Taoiseach, “It’s a non-starter.”

Why has the Prime Minister brought before the House proposals that are simply unacceptable to the EU? They are breaking the red lines that the EU has had from the outset. If the EU had done the same to us, he would be using the most outrageous language against it, yet he has brought something here that is completely unacceptable from the outset. Why?

**The Prime Minister:** I appreciate that the hon. Gentleman follows these things very closely, but, if I may say so, I do not recognise his characterisation of the response from our EU friends, even in Dublin.

**Victoria Prentis (Banbury) (Con):** I hope the Prime Minister can hear the collective sigh of relief, which tends to indicate that this might be the beginning of the end, so will he join me— [Interruption.] Oh, we are nowhere near the end of the beginning! Will he join me in encouraging everybody in this House to come together, whether or not as part of the marvellous group “MPs for a Deal”? Will he reach out to MPs from all parts of the House and deal with their genuine concerns on the details of this agreement in the coming weeks?

**The Prime Minister:** I thank my hon. Friend for everything she does to bring colleagues together on this issue. I do not know whether this is the end of the beginning or the beginning of the second half of the middle, or exactly where we are in this process, but there is momentum now behind these proposals. [Interruption.] I am not going to pretend that this will be easy or that this is a done deal. Hon. Members are right to be cautious, but the UK has moved a long way, and I hope that our partners will recognise that and move correspondingly.

**Ann Clwyd (Cynon Valley) (Lab):** As the Prime Minister has repeatedly demonstrated this morning, the information about the political declaration is very vague indeed. It would not protect jobs, rights or security, and does not seek to address the major reasons why Opposition Members opposed the deal put forward three times by the previous Prime Minister. Will this Prime Minister tell us how he thinks the European Parliament will react to his proposals? Has he had any contact with those at the European Parliament? Has he had any indication as to how they are feeling?

**The Prime Minister:** Yes, certainly; I have of course talked to the President of the European Parliament, in which the right hon. Lady served with such distinction. I can tell her and the House that what the European Parliament overwhelmingly wants is a deal, rather than no deal, and I am sure that it will see this is the basis of a very good deal.

**Robert Neill (Bromley and Chislehurst) (Con):** The Prime Minister knows that my constituency probably had as close to a statistical dead heat of a result in the referendum as was possible, with a tiny margin in favour of remain, which was my view. He also knows that throughout the time and since my constituents and I

have urged that this House needs to come together to find a deal and go forward. I therefore welcome what he has done today. I certainly support it, as one who took a different view initially. But will he also recognise the concern and distress that my constituents have that, regrettably, some people in the Opposition seem to rubbish every attempt at compromise and at a constructive way forward? The country and my constituents deserve better than that, and we should give this a fair chance.

**The Prime Minister:** I thank my hon. Friend, whom I know to be a passionate pro-European to the depths of his soul. I respect him profoundly for his desire to get on, do a deal, get Brexit done and then build a new partnership with our European friends, which is what we want to do.

**Kate Green** (Stretford and Urmston) (Lab): Manufacturers in my constituency operate an integrated trading model, whereby they ship goods directly from Manchester to the Republic of Ireland for distribution across the whole of the island of Ireland. Can the Prime Minister explain to me how the deal he is proposing now offers them more certainty, fewer burdens and less cost both than they have now and than they would have had under the backstop?

**The Prime Minister:** All those freedoms would continue, and I can reassure the hon. Lady that, as I have said many times, there will be no checks, for our part, on goods coming from the EU—that is to say from Ireland—into Northern Ireland, into the UK.

**Maria Caulfield** (Lewes) (Con): Is the Prime Minister encouraged, given the empty Benches opposite on Monday when we were debating important Northern Ireland issues, that Members have found their enthusiasm once again for all things Northern Ireland? Does he agree that any customs checks do not have to be done at the border or in customs posts, but can be done at points of origin and destination, as the Northern Ireland Select Committee heard in evidence?

**The Prime Minister:** My hon. Friend speaks with the technological optimism that has too long been absent from this debate. That is the way forward, and everybody understands that. That is what we are going to bring to those solutions, and this agreement offers a way of doing that at a pace and timescale that will reassure businesses and agricultural interests on both sides of the border.

**Tom Brake** (Carshalton and Wallington) (LD): I commend the Prime Minister for rare consistency; when he said “f\*\*\* business” he really meant it. Manufacturing Northern Ireland has described his proposals as an “existential threat” and as being “thrown under the bus”. Can he confirm which businesses in Northern Ireland he consulted on his proposals and which of them supported them?

**The Prime Minister:** All the Northern Ireland businesses that came to No. 10 recently supported a deal, and it would be invidious to pick any one of them. I will not be given any lessons about consistency from the Liberal Democrats, who called for a referendum, and now say that if there were to be a second referendum they would campaign against the result.

**Neil Parish** (Tiverton and Honiton) (Con): I very much welcome the Prime Minister’s statement. May I also welcome his enthusiasm, because for two and a half years there has been so much negativity in this House that we just cannot get this deal through? For goodness’ sake, let us get the deal done. Does he believe it will then lead on to a good trade deal, so that farming, agriculture and business will not have to pay tariffs to the European Union and we can export across the whole of the world?

**The Prime Minister:** Of course. I can tell my hon. Friend that Somerset lamb, cattle and beef—*[Interruption.]* I should say Devon, as he represents Tiverton. *[Interruption.]* He does farm in Somerset, so I should say that Somerset and Devon’s beef and lamb will have the opportunity to find export markets that they are prevented from finding by our current arrangements, such as those in the United States and indeed elsewhere. We have a glorious future ahead of us if we just take the first few steps.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): The Prime Minister seems to be looking for ways for his proposals to pass, and I agree with my near west London neighbour that all our constituents want to move on from this intractable stalemate. I would allow the final version of his deal through, as would many Opposition Members and many Members on his Benches, some of whom he has kicked out of his own party, possibly even his own brother, if it came subject to a confirmatory referendum, disentangled from all the election gimmickry. That would allow people to have the final say. If this is as fantastic as the Prime Minister says it is, he has nothing to fear.

**The Prime Minister:** I warmly welcome the first half of the hon. Lady’s question.

**Mr Steve Baker** (Wycombe) (Con): We now glimpse the possibility of a tolerable deal, and I congratulate my right hon. Friend on what he has done to make that possible. But will he just reassure me that he is going to be able to make progress towards that advanced free trade agreement which we have both so long wanted to achieve, despite the surrender Act which Opposition Members have voted for?

**The Prime Minister:** It is with no little sense of relief that I listened to my hon. Friend, though he and I have talked a lot in the past few days and I knew that that was broadly his view. This is an opportunity to get this done and do it in a way that not only, I believe, satisfies all the requirements we have set out, above all the peace process in Northern Ireland, but allows the whole of the UK to take back control of our tariffs and our customs, and to do free trade deals around the world, in exactly the way that he has described and campaigned for for so many years.

**Mr Chris Leslie** (Nottingham East) (IGC): The Prime Minister is clearly trying his best to placate Members on his own side, but please will he stop the pretence that this is a proposal for anything other than a hard border on the island of Ireland? *[Interruption.]* Well, it has tariffs, checks and inspections, a customs frontier—these are not compatible with the Good Friday agreement.



[Mr Chris Leslie]

I really do not know who he thinks he is kidding. This is too important—too much is at stake for him to just brush aside the consequences purely for the party political interests of the Conservative party.

**The Prime Minister:** As a former shadow Treasury Minister, the hon. Gentleman should know that there already is a fiscal border in Northern Ireland. Far from adding to checks, as he will understand, and as the House understands, we are making a considerable move forward by saying that we will allow, by consent, regulatory alignment for sanitary and phytosanitary goods, agrifoods and industrial and manufacturing. That is a pragmatic way forward, and we are doing it by democratic consent. It is a method of solving the issue that should commend itself to moderate opinion in all parts of the House.

**Stephen Timms** (East Ham) (Lab): In the referendum, the right hon. Gentleman held out the prospect of frictionless trade with the European Union. I think he has acknowledged that, whatever else one says about the proposals, they would not result in frictionless trade. For what reasons has it not been possible to deliver what was promised?

**The Prime Minister:** There will be frictionless trade at the frontier—there will be no borders and no customs checks at the frontier. Of course, there may be de minimis customs checks, but not at the frontier and with no physical incarnation or physical infrastructure. The right hon. Gentleman raises an important point, because as the UK comes out of the EU and we go towards a zero-tariff, zero-quota free trade deal, it will be incumbent on us to use the experience that we are currently going through as we develop our relations with the EU as a whole and as we develop the frictionless systems by which UK-EU trade will continue to operate.

**Mr Tobias Ellwood** (Bournemouth East) (Con): It has been a long and frustrating journey—and sadly one that Labour Front Benchers wish to prolong. I commend the Prime Minister on his efforts to break the Brexit impasse and to seek a compromise with which not only Parliament but the nation can live and work. Does my right hon. Friend agree that the more voices here in Parliament, especially from the Opposition Benches, express their approval in the national interest, the more powerful the message sent to those in Brussels will be as they meet for that critical meeting next week?

**The Prime Minister:** My right hon. Friend is entirely right. He has campaigned passionately on this subject and his own voice is important in this matter. I know how influential he can be in reaching out across the House and hope very much to work with him to do that.

**Brendan O'Hara** (Argyll and Bute) (SNP): How will the Prime Minister sell this potentially ruinous proposal to the farmers and shellfish producers in my strongly remain Argyll and Bute constituency who will be able to see, just 12 miles across the water, their Northern Ireland counterparts being allowed free and unfettered access to the single market? If it is good enough for Northern Ireland, why is it not good enough for Scotland? Are my constituents simply expendable?

**The Prime Minister:** I find that a slightly ironic question, given that it is the avowed policy of the Scottish nationalist party to give back control of Scotland's stupendous marine wealth to Brussels.

**Bob Blackman** (Harrow East) (Con): I congratulate my right hon. Friend not only on his proposals but on his ability to bring together all those of us from all parties who wish to leave the European Union with a deal. Our exchanges today will be observed by our European Union friends, and our ability to negotiate a deal will be subject to the question whether they trust the House to pass the deal that is finally agreed. I commend to my right hon. Friend the idea of holding a vote in the House to test his negotiating strategy and demonstrate to our European Union friends that we are behind it.

**The Prime Minister:** I am grateful to my hon. Friend for his comments. As I said to the colleague who made the suggestion earlier, I will reflect on that. I think that it would be more conventional to do the deal first—the withdrawal Act prescribes that we do the deal and then bring it to the House—and I think that is probably what the House would prefer, but I am happy to have discussions on that matter.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): From listening to today's proceedings, it increasingly seems to me that this is an internal debate within the Conservative party, rather than a meaningful attempt at international diplomacy. [Interruption.] I hear the outcry from the Treasury Bench, but the reality is that the Irish Deputy Prime Minister, Simon Coveney, said this morning that Ireland "cannot possibly" support the Prime Minister's proposals and that the UK should come back with something "fit for purpose". Elaborating on that, he said:

"We cannot support any proposal that suggests that one party or indeed a minority in Northern Ireland could make the decision for the majority in terms of how these proposals would be implemented".

If this plan is to be workable, how will the Prime Minister respond to that challenge?

**The Prime Minister:** The hon. Gentleman raises an important point. I listened carefully to what my friend Simon Coveney had to say. We must get the mechanism of consent right so that all communities—both communities—feel reassured about it. I am happy to discuss that not only with Simon Coveney in Dublin but also with the hon. Gentleman.

**Robert Halfon** (Harlow) (Con): In Harlow, we have already seen the NHS Brexit dividend, with a brand new hospital. The people of Harlow will feel that those who vote against this excellent deal really just want to stop Brexit completely. Will my right hon. Friend confirm that, once we do the deal and leave the EU, we will gain control of our tax rates and be able to reduce VAT and energy bills for our hard-working constituents?

**The Prime Minister:** Yes. Not only will we be able to reduce VAT in the UK, but we will be able to do it in Northern Ireland as well.

**Deidre Brock** (Edinburgh North and Leith) (SNP): Now that the Prime Minister has established the principle that different parts of the UK can have different EU status, Scotland must at least be entitled to claim her place in the single market and customs union. When will that proposal be put to the EU?

**The Prime Minister:** I think most people in the House understand that the Good Friday agreement imposes particular requirements on the governance of Northern Ireland—it is a unique situation. As for the question the hon. Lady raises, the people of Scotland had a referendum in 2014. They voted very substantially to remain part of the UK and were told it was a once-in-a-generation decision.

**Robert Courts** (Witney) (Con): I, too, welcome the reasonable compromise proposals that we have heard today. Will the Prime Minister please confirm that when we speak of customs checks, we must be careful not to conflate administrative customs procedures that can take place in a warehouse with physical customs checks at a border and that the latter are not required, not proposed in his proposals and not needed even for the excise checks that currently take place?

**The Prime Minister:** If I may say so, my hon. Friend has put his finger on the heart of the question and is entirely right. That is the distinction that it is important for all right hon. and hon. Members to bear in mind as they approach this question. We can solve this problem through exactly the means he describes.

**Melanie Onn** (Great Grimsby) (Lab): May I press the Prime Minister on exactly how he plans to ascertain the consent of the people of Northern Ireland? And it is not just about how; when is he going to do that?

**The Prime Minister:** The hon. Lady raises one of the crucial questions that the proposals evoke. It is obviously now a matter for discussion with our friends not only in Dublin but around the EU. We do think there is a way forward, and I am happy to keep the hon. Lady abreast of our way forward as we go there. It must be done, one way or another, by consent.

**James Cartledge** (South Suffolk) (Con): I do not know whether, given his busy schedule, my right hon. Friend will have had time to read the EU's latest free trade agreement, which is with Vietnam, but even a cursory glance shows that the entire agreement is based on tariff reductions in exchange for market access. Does that not show, first, that it is fanciful to believe that we could somehow leave the EU but stay in the customs union and get these types of trade deals? Secondly, is it not a reminder that when we leave, the EU will be negotiating its own trade deals and that it will therefore be in both parties' interests to have a technological way to deal with variations in respective territories' tariff schedules?

**The Prime Minister:** I congratulate my hon. Friend, because he speaks with the voice of technological optimism and understands the details of these questions very well. That is indeed the way forward for this country. A wealth of opportunity will open up if we have the courage to take these steps.

**Chuka Umunna** (Streatham) (LD): The Prime Minister has denied on multiple occasions during this session that what he is proposing involves physical customs checks, but he has just said in his statement—on page three—in relation to the new protocol and customs checks, that there will be a

“number of cases where physical checks would be necessary”.

Is he denying that he said that? Secondly, he refers to the political declaration, but it is a declaration of aspiration with no legal force. Is it not the case that the free trade agreement to which he refers will take at least three years to negotiate? Nothing will be done by this at all.

**The Prime Minister:** As the hon. Gentleman knows, there already are some checks for epidemiological purposes between GB and NI. If there are to be new checks down the Irish sea, they will be de minimis. They will not be on the GB side, and they will be done by UK officials. And, no, there will be no new border posts or borders; there will be de minimis checks. Whatever checks there may be will be done by consent and introduced only by consent. There will certainly be no checks on the GB side, because we say that this is entirely dependent on whether the EU wants them.

On the hon. Gentleman's second point about the political declaration, let me say that that will chart a way forward for the UK-EU relationship, which will be ambitious and positive and allow us to build a new partnership. I hope that he will find that invigorating and that he will support it.

**David Duguid** (Banff and Buchan) (Con): I do have a question on the proposal, Mr Speaker, but may I start by countering, with great respect, some of the claims that have been made by the Opposition? Chief among them is the claim from the hon. Member for Argyll and Bute (Brendan O'Hara), who I thought would have mentioned with some gratitude the growth deal for Argyll and Bute, which was announced earlier this week. On the proposals, if the Opposition were to vote for this deal, the problems that the hon. Gentleman describes would not exist. Perhaps, in the event of a no deal, he could perhaps encourage his colleagues in the Scottish Government to pass on some of the money from the UK Government to local authorities for environmental health inspectors. That would be extremely helpful—[*Interruption.*] I will get on with the question. My question on the proposal for the Prime Minister is that, when this proposal goes ahead and gets accepted, it replaces the backstop, so come the end of the implementation period, will he confirm that that will be no later than December 2020? When we get to that point, because we will have replaced the backstop, there will be no need for any further extension of one year, two years or any extension whatsoever.

**The Prime Minister:** That is entirely right. I thank my hon. Friend for that and congratulate him on everything that he does to promote the interests of Scottish fishing, which is where he shows great leadership and vision. Under our proposals, Scotland would take back control of Scotland's fishing grounds and be able to turn them to the advantage of the people of Scotland. I am sad to say that the SNP would hand back control of Scottish fishing to Brussels.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): I know that the Prime Minister is hopeful about restoring Stormont—we all are right across this House—but it is by no means assured. If he miraculously succeeds to secure a deal, but efforts to restore Stormont fail, will this Government implement direct rule in Northern Ireland to enforce the measures in this proposal?

**The Prime Minister:** We are working very hard to restore Stormont, and I am sure that that has the complete support of the hon. Gentleman—he has already said that and I am glad that it does.

**Several hon. Members** *rose*—

**Mr Speaker:** Oh, what a glittering galaxy of stars from whom to choose.

**Neil O'Brien** (Harborough) (Con): Thank you very much for the personal compliment, Mr Speaker.

The former Liberal Democrat MEP, Andrew Duff, who is the president of the very influential Spinelli group of European federalists, has responded positively to the Prime Minister's proposals this morning. He said that they are politically astute and that they represent a potential landing zone for a deal. Does the Prime Minister agree that that is positive and that those of us in this House who want a deal and want to avoid no deal now need to respond positively and to engage with his proposals, rather than dismissing them out of hand without even having read the final text?

**The Prime Minister:** I am very grateful to my hon. Friend. I do think that there are many people of all political persuasions who are looking carefully at these proposals now and see them as the way forward. I remember Andrew Duff well, and I am very glad that the proposals are finding favour with him.

**Jack Dromey** (Birmingham, Erdington) (Lab): The world of work wants a deal to be done, but the problem with the Prime Minister's proposals is not just to do with Northern Ireland, moving, as they do, our country away from half a century of close economic collaboration with our biggest market in favour of a decade of economic uncertainty. But on Northern Ireland, after 40 years of war, there is peace. A terrible price was paid to achieve that. Nothing should be done that puts that at risk. May I ask the Prime Minister a very specific question? On the movement of goods and his assertion that there will be no physical infrastructure, he makes reference in his letter to a small number of physical checks at traders' premises, or at other points on the supply chain. Where are they, and what are they?

**The Prime Minister:** They will be checks in the way that checks are already made for the purposes of invigilating trade in goods that are subject to excise at business premises or elsewhere, but they would be de minimis checks. On the hon. Gentleman's substantive point about the peace process, I agree with him totally. The peace process and peace in Northern Ireland, as the hon. Member for North Down (Lady Hermon) has already said, is one of the great achievements of our times. These proposals are designed to build on that peace process and to take it forward.

**Alex Chalk** (Cheltenham) (Con): I warmly welcome these creative and constructive proposals and my right hon. Friend's repeated offer to meet Opposition Members to discuss them further. We will all have to compromise across the House, and would not all right hon. and hon. Members do well to remember the aphorism that those who insist on absolute victory risk absolute defeat?

**The Prime Minister:** There again speaks the voice of Cheltenham, and quite rightly so. I do believe that, perhaps, in this conversation this morning people have not paid enough attention to the move that the UK has already made. This is a very considerable advance that we are making in offering alignment in these areas. It is something on which Members do need to reflect. If done by consent, it offers a very positive way forward, and I think the country will understand what we are trying to do.

**Patrick Grady** (Glasgow North) (SNP): The Prime Minister has said that Scotland would take back control of fisheries, so does that imply that he will devolve those powers to the Scottish Parliament? All his interviews at the Conservative party conference suggested that he is intent on a power grab and taking back powers and legislating here for issues that are actually already devolved to Scotland.

**The Prime Minister:** Obviously, what we are proposing is to bring powers over UK fish back to the people of Scotland. It is quite astonishing that the SNP continue to shrug off and to refuse the ability of Scotland to run its own fisheries—quite extraordinary.

**Alec Shelbrooke** (Elmet and Rothwell) (Con): May I welcome my right hon. Friend's approach since he has become Prime Minister to getting this matter moving forward? Indeed, may I thank him for spending well over 500 minutes, getting close to 600 minutes, at the Dispatch Box, answering questions on this issue, and I believe that he has approached it with statesmanship, workmanship and a scientific approach to get things done. Yesterday, when I backed my Prime Minister's deal, I got some—let us just call it—fruity questions on Twitter about how I could be supporting the deal, having always wanted a deal. Does he agree that this is the way to get a deal? For those who want to leave with a deal, this is compromise and it is moving us forward. Those who were quick to bounce down to the media before even the political analysts had a chance to look at the deal gave the game away that they are not interested in a deal and they are not interested in honouring democracy.

**The Prime Minister:** I am grateful to my hon. Friend. I think that it is quite likely that I will spend many more minutes at this Dispatch Box elucidating these matters, and I am very happy to do so. None the less, he is making the crucial point, which is that, of course, many Members of this House are opposed to no deal and what they see as the damaging consequences of no deal, even though, as I have tried to reassure the House, we can greatly minimise those impacts. If Members are opposed to no deal, they really logically ought to support this deal as the way forward. It is very creative and very constructive. It takes the country forward and delivers on the mandate of the people.



**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): But the Prime Minister must recognise that this deal manages to put two borders on or around the island of Ireland while at the same time significantly undermining the north-east manufacturing and exporting economy, and leaving our NHS and our gorgeous landscape open to the depredations of American big business. Is this not just an attempt to put the blame for this ongoing Brexit shambles anywhere but where it belongs—with the Prime Minister?

**The Prime Minister:** I had great pride in visiting North Manchester General Hospital the other day and announcing—[*Interruption.*] Forgive me, I thought the hon. Lady spoke for Manchester. Well, we are investing in the NHS in Newcastle as well, and that is thanks to the hard work that this Government have done to repair the economic ruin of the Labour party. As for her assertion that we are somehow going to do a free trade deal with America that would expose the NHS, she is completely wrong; it is the purest scaremongering and she should take it back.

**Jeremy Lefroy** (Stafford) (Con): Will my right hon. Friend confirm a couple of things for me? First, will he confirm that this is indeed a backstop—a replacement backstop—but that it is not the intention to have it, provided that we can negotiate a full free trade agreement that would obviate the need for these particular arrangements? Secondly, will he confirm that the political declaration is indeed a declaration and does not have the kind of legislative force that the withdrawal agreement would have, so in a forthcoming general election it would be up to politicians of all parties to make the case for something—Norway-plus, Canada-plus or whatever—so that, if they form a Government, they can bring forward their particular version of free trade arrangements?

**The Prime Minister:** My hon. Friend should know that this is of course not a backstop, because we will come out of the customs union. The whole of the UK would be out of the customs union. In so far as Northern Ireland would remain temporarily aligned on agrifoods and industrial goods, that is by consent, so there is no backstop. But he is absolutely right to say that these proposals offer the opportunity to do free trade deals around the world, and that is a very exciting prospect indeed.

**Neil Coyle** (Bermondsey and Old Southwark) (Lab): The Prime Minister has recently admitted that it was wrong to cut our police so much that nine in 10 crimes have been going unpunished, his Government are beginning to admit the massive faults with universal credit and he has admitted the deep damage to the NHS. This unusual honesty is refreshing, so when will he get equally honest about Brexit and admit that these plans would leave our country worse off and less secure, that they risk the very future of the United Kingdom and that as such they should never—and can never—be described as being in our national interest?

**The Prime Minister:** I think the hon. Gentleman will find that many of his constituents voted to leave the European Union. Indeed, the population as a whole voted to leave the European Union and their wishes

must be respected. This House has voted time after time to honour the promise that we made to the British people. We can do so, and I believe—I am absolutely sure—we can achieve a glorious future by coming out with a deal of the kind that we are outlining today.

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): Moses could have come down from the mountain with tablets of stone, and there would still have been those on the Opposition Benches who grumbled. But it is clear from today's exchanges that the grumblers are in the minority. Will the Prime Minister set out in due course some more details of the political declaration that is so important in this case, and his vision for free trade agreements not just with the EU, but across the world?

**The Prime Minister:** Yes, of course. We will make sure that we set out what we want to do with the political declaration and with our very considerable ambitions for FTAs.

**Wera Hobhouse** (Bath) (LD): The Prime Minister is promising to get Brexit done at the end of the month. But the EU is not going to sink to the bottom of the sea, and today's exchanges—lasting almost two hours—have demonstrated that many, many questions are unanswered and nothing has been resolved. Rather than this being “getting Brexit done”, is not this the “never-ending Brexit”?

**The Prime Minister:** If I may, I am going to seize on that because the hon. Lady has it in her hands to help us all to get this thing over the line. This proposal is the basis of a deal; it is not a deal. We have to get it agreed with our EU friends and it will not be easy, but if I am able to return to the House of Commons with a deal like this, I hope—from what she has said today—that she will vote to get this thing done.

**Matthew Pennycook** (Greenwich and Woolwich) (Lab): As with the Malthouse compromise and the Brady amendment, it is difficult to look at these proposals and not conclude that those on the Government Benches are almost exclusively talking to themselves. But taking the proposals at face value, does the Prime Minister accept that even if they do form the basis—however unlikely—for a deal, there is no way that the arrangements set out in this new protocol can be put in place within 14 months, so the logic of what he is proposing is an extension to the transition period beyond December 2020, with all the financial implications that that entails?

**The Prime Minister:** That is an excellent question and a relevant point. I am happy to talk the hon. Gentleman through how we could satisfy all our objectives for the implementation period by the end of 2020 and get to the state we want to be in with our EU friends. He speaks about the need to converse across parties, and I am more than happy to do that with him.

**Paul Farrelly** (Newcastle-under-Lyme) (Lab): The reality is that, in supporting this hotch-potch of proposals, the absent Democratic Unionist party has stood on its head as regards accepting a regulatory border down the Irish sea, and this can only be because the looming no deal from the Prime Minister would be a disaster for Northern Ireland, which voted to remain. So can I ask the Prime

[Paul Farrelly]

Minister: is it not time that the people of Northern Ireland, as well as the rest of the UK, were given a further vote with a much simpler option on the ballot paper, of remaining in the customs union and the single market? What is the Prime Minister afraid of in opposing this suggestion?

**The Prime Minister:** What the people of this country want is their democratic will respected and for us to get Brexit done, and that is what we are going to do.

**Angela Smith** (Penistone and Stocksbridge) (LD): This morning's negative response from both the business community in Northern Ireland and the majority of the political parties there indicates that the Prime Minister has a great deal of work to do if he is to gain the consent of the people of Northern Ireland for his proposals. Does he not recognise that, if he fails to gain the consent of the people of Northern Ireland, he runs a significant risk of visiting damage on the Good Friday agreement, in both letter and spirit?

**The Prime Minister:** I appreciate that point. The hon. Lady is absolutely right to emphasise the importance of getting consensus in Northern Ireland, but that is why we place so much emphasis in these proposals on consent, and that will be a key part of the discussions.

**Daniel Zeichner** (Cambridge) (Lab): Following the discussions this morning, it is now no longer at all clear which parts of the political declaration the Government actually support, so it would be helpful for everyone if they could set out which parts still exist. This is important because, for instance, the other day I was listening to the Universities Minister trying to reassure some of our senior researchers that we will stay as close as possible to the European research frameworks—overseen ultimately, of course, by the European Court of Justice. Is that still the Government's position?

**The Prime Minister:** Of course we will have a very close relationship with all European projects—whether on research, science, education, or whatever it might

happen to be. I will be very happy in due course to share with the hon. Gentleman and the whole House where we are on the political declaration. The objective of the changes to the political declaration is really to set out the difference in this Government's approach to the future relationship on trade and the customs union, and to set out our ambitions to do global free trade deals.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): Could the Prime Minister outline his thinking on the principle of the Northern Ireland Assembly reviewing and voting on these arrangements every four years? Is it because, if circumstances change, it has a right to change its mind?

**The Prime Minister:** That is indeed the case, as the hon. Gentleman will understand, but if he invites me to draw an analogy with the people of Scotland, I remind him that the people of Scotland were repeatedly promised that their referendum was a once-in-a-generation question.

**Mr Speaker:** In thanking the Prime Minister and colleagues, I would just say that there are issues of substance and issues of tone. The substance of policy is absolutely not a matter for the Chair, but I would like to say that the tone of yesterday's very important debate on the Government's Domestic Abuse Bill, and the tone of the exchanges today, represent a huge improvement on last week. I thank the Prime Minister and colleagues.

**Sir Peter Bottomley** (Worthing West) (Con): On a point of order, Mr Speaker.

**Mr Speaker:** If the hon. Gentleman really thinks it is necessary, we will take it.

**Sir Peter Bottomley:** It may not be necessary, but it is a courtesy to say that we appreciate that your calm, quiet voice was just as effective as other voices that you have, Mr Speaker.

**Mr Speaker:** Why did I not realise in advance how generous the hon. Gentleman was going to be? I thank him for what he said; it is very much appreciated.

# Backbench Business

## Women's Mental Health

1.31 pm

**Wera Hobhouse** (Bath) (LD): I beg to move,

That this House notes with concern the rise in mental ill health among women, with one in five now experiencing common mental disorders and young women the most at-risk group; recognises that women's mental health problems are often rooted in experiences of violence and abuse; believes that mental health services often fail to respond to women's specific needs, including their experiences of trauma; calls on the Government to ensure that the gender- and trauma-informed principles of the Women's Mental Health Taskforce are adopted by mental health services and that women's mental health needs, including their experience of violence and abuse, are prioritised and taken seriously in all mental health policy, strategy and delivery.

Constituents often come to us at their lowest point, and we see them going through anxiety, depression and trauma. Poor mental health affects not only the individual, but everybody around them. Women are far more likely to experience serious mental health issues. Young women are at the greatest risk, with one in five having self-harmed and 13% having been diagnosed with post-traumatic stress disorder.

Over the course of this Parliament, there has been a great deal of talk in this House about mental health, which is progress, but the opportunity to discuss women's specific needs when it comes to mental health services has been limited. Ten months after the publication of the final report of the Women's Mental Health Taskforce, little has changed. There is a long way to go before our mental health services work for women. There is an obligation on Government to step in and respond to the growing crisis in women's mental health with a substantive policy.

**Jeff Smith** (Manchester, Withington) (Lab): I very much welcome the work of the Women's Mental Health Taskforce, its report, and the principles laid out in it. Does the hon. Lady share my concern that those principles will not be effectively implemented unless there are clear targets and concrete commitments from the Government, and that the next stage needs to be a full strategy on women's mental health, with those targets and commitments in it?

**Wera Hobhouse:** I could not agree more. We need a strategy. More than half of women who experience mental ill health have a history of abuse, meaning that their conditions are rooted in experiences of gender-based violence. In yesterday's moving debate, we heard many harrowing examples of that. We have a long way to go if we are to change the whole culture around domestic violence and treat its consequences. When it comes to treatment, we must ensure that frontline mental health services for women are trauma-informed. There is a legal framework that we could use; it is called the Istanbul convention. We signed up to it back in 2012, but so far we have failed to bring it into domestic law.

One consequence is that we do not have enough rape crisis centres across the country. Earlier this year, Fern Champion, a survivor of sexual violence, came forward after being turned away by her local rape crisis centre. She launched a petition asking the Government to

ratify the Istanbul convention, which has so far received 171,000 signatures. It is hard to suggest that we can do the groundwork to support women and their mental health challenges effectively when there are fewer than 100 rape crisis centres across England and Wales. This is simply not good enough if we are to support women effectively and prevent them from developing serious mental health problems after suffering abuse. Ratifying the Istanbul convention would mean that the UK was upholding international standards on survivors' rights.

Earlier this year, I tabled a Bill that would guarantee mothers a health check-up six weeks after giving birth. Depression before, during and after birth is a serious condition that is unrecognised and untreated for nearly half of new mothers who suffer from depression. Statistics suggest that mothers are afraid to speak up, and 47% of new mothers get less than three minutes to discuss their mental health with a healthcare professional. Conversations about the reality of motherhood and perinatal depression are still few and far between. This is a huge problem—and not just for the mother; undiagnosed mental health problems in mothers have serious consequences for the newborn child and their development.

I have been campaigning for better treatment of eating disorders. Eating disorders disproportionately affect women, although they do not discriminate. Women in the LGBTQ community are particularly susceptible.

**Tim Loughton** (East Worthing and Shoreham) (Con): I am absolutely in accord with the hon. Lady. Before she gets off the subject of perinatal illness, she will agree, I am sure, that it is a shocking statistic that in the UK, suicide is the leading cause of direct maternal deaths occurring within a year of the end of pregnancy. Perinatal mental illness can actually lead to a loss of life among mothers. We need to do so much better for them in those early mental health checks.

**Wera Hobhouse:** Absolutely. Post-natal depression is hidden, and the NCT's "Hidden Half" campaign addresses that. Anyone who has been a parent knows that parenthood is not easy. Probably all mothers go through some form of depression, or feel really down after birth. I keep saying that if anybody had asked me how I felt, I would probably have said, "Oh God, I am not feeling particularly well." The problem is in not addressing that early on, because these things can develop into something much more serious. That is why it is very important that there be a check-up six weeks after birth for women, not just for the newborn child.

**Jeff Smith:** I thank the hon. Lady for giving way again; she is being very generous. A number of my constituents have been in touch about perinatal check-ups. My constituent Catherine told me of her experience:

"I asked for a 6 week check with a GP—this was, at best, brief. Physical symptoms were looked at, but nothing was checked with regards to my mental health. There needs to be a standard physical and mental health check for ALL new mothers."

Does the hon. Lady agree that we need to do better?

**Wera Hobhouse:** Yes indeed. I talk to campaigners, who are now looking at the new general practitioner contracts that are going out. That is definitely a way forward, but we also need to ensure adequate training, because people have to ask the right questions. The issue is sort of stigmatised; everybody thinks, "You're a



[Wera Hobhouse]

new mum—you should be on top of the world.” Nobody really wants to admit that motherhood can be very difficult, and that one does not always feel great. We need training, so that when new mums come in, they are asked the right questions.

Going back to eating disorders, they have the highest mortality rate of all mental health conditions. There are about a million sufferers from eating disorders. That is an epidemic of illness that is going undiagnosed and untreated. We must do much better. Our NHS is not well equipped to spot the problem early and treat it. Waiting times for adults have been shooting up over the last few years. Outdated methods, such as the body mass index measurement, are still being used to diagnosis the condition, but that fails to recognise that at the core of an eating disorder is a mental health, not a physical health, problem. Despite increasing public and professional awareness of eating disorders, medical students receive only two hours of training in the condition and its treatment during their entire time in medical school.

Those are just a few examples of where our NHS does not work for women's mental health. We need a strategy. The Women's Mental Health Taskforce did some extremely important work, but its recommendations have been left on the shelf. A Government strategy would help individual trusts to make the changes required to implement the recommendations. The Liberal Democrats have championed the fight for better mental health care for many years, and we believe that mental and physical health should be supported equally by our services. I have highlighted a few areas where women's mental health provision could be improved, and I am looking forward to the debate and to the Minister's response.

1.40 pm

**Sir David Amess** (Southend West) (Con): As a man, I make no apology for contributing to this debate, Madam Deputy Speaker, because I come from a household in which four of my five children are women. My late mother had a big role in my life and, of course, I do have a wife. I am prepared to say that I think women are the fairer sex but, by and large, they do have the tougher deal in life. I certainly would never fancy giving birth to a baby, and there are so many other things that women face that men do not.

I congratulate the hon. Member for Bath (Wera Hobhouse) on allowing us to debate this subject. I agree with all her points, and I just want to pick out a few other subjects that colleagues may not talk about later in the debate. With World Mental Health Day just one week away, I am pleased that the hon. Lady has secured this debate because, as she said, reports indicate that one in six people has experienced a common mental health problem in the past week—truly shocking. With a population of roughly 65 million in the UK, almost 11 million people need to access publicly funded support. The prevalence of mental health issues is similar for men and women in the UK but, as I have said already, women have to deal with different challenges. The House of Commons Library's superb briefing on this topic makes it clear that the greater caring responsibilities and a high risk of domestic violence are contributing factors to the challenges that we are discussing today.

I was not in the Chamber yesterday for the Second Reading of the Domestic Abuse Bill—I was in my House of Commons office—but I was dumbfounded by the speeches. The hon. Member for Dewsbury (Paula Sherriff) may sit on the Opposition Benches, but she is a thoroughly wonderful colleague in every respect. She has had some terrible issues to deal with over the past few months and beyond, and I think of her struggle and hope that colleagues are rallying round to support her. We then heard the speech from the hon. Member for Canterbury (Rosie Duffield) the likes of which I have never heard before. It was so brave and truly shocking, but she was prepared to share that with colleagues. The hon. Member for Bradford West (Naz Shah) then told us about her life and I just could not believe it. It must have taken enormous guts and courage to speak publicly about it, knowing that all sorts of people on social media are going to pick up on the issue while not necessarily being sympathetic. It was a wonderful debate, and I absolutely agree with Mr Speaker that the tone used yesterday and today is far better than that used in recent months.

Women are more likely than men to experience anxiety, depression, post-traumatic stress disorder and eating disorders, as the hon. Member for Bath said. We need to entirely recalibrate how the media puts ideas into young women's minds about how they should look and how they live their lives. There is so much pressure on them to have the perfect figure or the perfect look, which is unreasonable and definitely adds to mental health issues. The suicide rate for young women has more than doubled in the past 10 years, which is shocking. Such facts are easy to speak about, but it is for the House of Commons to try to come together to think of some solutions.

I have two former Ministers behind me—my hon. Friends the Members for Thurrock (Jackie Doyle-Price) and for East Worthing and Shoreham (Tim Loughton)—who have more expertise in this subject than me and who did great work. I really am glad that this subject has at long last reached the top of the political agenda. I sat on the Select Committee on Health for 10 years and although we held inquiries into abuse in institutions in which people with mental health issues were detained, we never really tackled what lay behind those issues, so I am glad that we are highlighting them today. Since 2010, Back Benchers have come together to put pressure on Governments of different persuasions to set up the Women's Mental Health Taskforce, which was a clear indication of the Conservative party's commitment to understand and address problems with current women's mental health support. It was also announced at the party conference in Manchester that funding will be made available for 1,000 extra staff in community mental health services.

I congratulate the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Mid Bedfordshire (Ms Dorries), on her appointment, and I wish her well. However, my hon. Friend and parliamentary neighbour, the hon. Member for Thurrock, spent two days at the Dispatch Box just before we—how can I put it delicately?—formed a new Government responding to points about mental health issues. She was a first-class Minister, and I thank her very much for her work highlighting the mental health challenges that women face. I am glad to see her here today, and I shall enjoy listening to her speech.

My hon. Friend used to be the Parliamentary Under-Secretary of State for Mental Health, Inequalities and Suicide Prevention and was kind enough to meet me together with my constituent Kelly Swain and her team at N.O.W Is The Time For Change. Kelly works tirelessly to provide alternative therapies and wellbeing classes to people of all ages. Before my hon. Friend left office, she seemed to have a magic wand, because I find that Kelly Swain is now pushing at open doors in trying to spread her message throughout Essex, so I thank my hon. Friend for that. The all-women leadership team led by Kelly Swain works so well together, and I am glad that local organisations, along with the clinical commissioning groups, are now considering how they can integrate and support the ideas that Kelly has promoted.

Another trailblazing constituent is Carla Cressy. I look to the hon. Member for Dewsbury at this point, because she was present at a meeting with Carla and my hon. Friend the Member for Thurrock. Again, it may seem strange to have a chap as the chairman of the all-party parliamentary group on endometriosis, but it was decided that I should chair it, and I am very proud of that. I now understand the damaging effect that the condition can have on women's mental health, and I salute my constituents. Carla's charity is called Women with Endometriosis, which seeks to provide comprehensive mental health support to any woman facing that uphill battle, and I will continue to support her work in any way that I can.

Something that both those charities have in common, other than the brilliance of the two founders, is a commitment to pulling down barriers and removing any stigma around mental health. As the hon. Member for Bath so rightly said, it is difficult to talk about these topics, and people can be branded very unfairly. We must do something to change people's perception of women who have mental health issues, and there are still more barriers to be brought down. I have been in this place for 36 years—some people might say that that is too long, but I still have a bit more that I want to do—and there are still issues to tackle, and my two constituents have brought the challenges home for me in very different ways. Both their organisations provide tailored support to individuals, and they are always ready to listen without judgment. That is a basic requirement for mental healthcare at any level, and it would be a great asset to our nation if we could provide that service to every person who required it.

As the hon. Member for Bath rightly pointed out, mental health issues are probably the most difficult healthcare issues to deal with. When I first became a Member of Parliament, I did not see many people with mental health issues at my surgeries, but now that is a regular occurrence. Of course, people with mental health issues need our time, but Members of Parliament are not necessarily equipped with the expertise to give advice and support; we try to signpost people in the right direction. I am sure all Members would say that, although they are very grateful for their local mental health services, we could all do better. That is where the real investment needs to be made.

**Wera Hobhouse:** I go to many schools. Mental health problems often start early, when people are teenagers, so does the hon. Gentleman agree that it is important that mental health services are also provided through schools? That is where we are falling very short.

**Sir David Amess:** I entirely agree. That is why I am so pleased with my constituents Carla and Kelly. That is exactly what they intend to do: we have written to schools, and they are going to go in to try to help and support not just sixth-formers but younger children. The hon. Lady is absolutely right about that.

I want the Government to ensure that people throughout the country who are not fully aware of the challenges women face are aware that there is help and support available. I know my hon. Friend the Minister will share with the House what support is available.

One group that needs particular attention is women who are serving time in prison. To express some sympathy for people who are in prison perhaps is not the cool thing for a Conservative to do, but we used to have a women's prison local to me—Bullwood Hall, in the constituency of my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois)—and I remember visiting it for the first time and being shown around. Of course, so many of those women were convicted not as a result of violence but following domestic abuse, infanticide and all sorts of issues like that.

I am grateful for the briefing from the Howard League for Penal Reform, which states that a recent study found that more than 50% of women in prison report a history of violence and trauma, which contributed to 8,317 cases of self-injury in 2017 alone. We all understand that prison's fundamental role is to deliver justice to people who have done wrong, but as the focus shifts towards rehabilitation, I very much want the Ministry of Justice to re-evaluate the practical support that is made available to female inmates.

I must say, Madam Deputy Speaker, that I am delighted that there are five Members from Essex in the Chamber. We have a real issue with mental health provision in our county, and I know that we all speak with one voice not only in expressing gratitude for the services we have but in hoping they will be developed and expanded. Of course, my hon. Friend the Member for Chelmsford (Vicky Ford) has the prison in her constituency.

As I said, a recent study found that more than 50% of women in prison report a history of violence and trauma, and the issues of self-injury are very distressing indeed, but I am glad that in 2018-19 the NHS in England spent £12.2 billion on general mental health. That is a huge amount of money, but I think we all want to ensure that it is well spent, and I would be very pleased if some of it found its way to Carla Cressy's charity and Kelly Swain's charity.

I am proud of my party's continued effort to treat mental illness with the same seriousness as physical illness. In all the discussion of figures, it is essential that Ministers and officials remember that women's lives are on the line. Every year, 1,604 women commit suicide. That is absolutely horrendous. Looking at these Benches, I am reminded that it was reported nationally only this week that a young member of my party committed suicide, which must be awful for those who loved that individual. Units are busier than ever before and, as a result, they are under increasing stress. If we do not take swift and effective action to address these challenges, there is a very real risk that the number of suicides and instances of self-harm will increase further.

I have received a number of briefings from various groups asking me to call on the Government to introduce various plans and schemes, and I am sure colleagues

[*Sir David Amess*]

will be supportive of such programmes. My message, though, is plain and simple. As a group of politicians, whichever party we belong to, we should always remember that we are sent here to serve our constituents. That is why I am so pleased that my constituents Carla and Kelly have got off their backsides with real enthusiasm for sharing the message that we must support women with mental health issues. I pay tribute to Carla, Kelly and all those women throughout the United Kingdom who are doing everything they can to improve the care of women who suffer from mental health issues.

1.56 pm

**Ellie Reeves** (Lewisham West and Penge) (Lab): It is a pleasure to speak in this debate. I thank the hon. Member for Bath (Wera Hobhouse) for securing it.

Although the issue of women's mental health is wide-ranging, I will limit my contribution to maternal mental health, an issue that is close to my heart given that I am eight months pregnant with my second child. In response to a recent survey by the National Childbirth Trust, 50% of women reported that they experienced mental health or emotional difficulties at some time during their pregnancy or in the year after their child's birth, yet many women are reluctant to admit to having difficulties. Society tells us that being pregnant and having a baby should be a wonderful, joyous time, but for many the reality can feel quite different. All too often, women do not discuss their problems because they feel embarrassed, ashamed or worried that health professionals would think they were not capable of looking after their baby.

I think it is important for me to say that I was one of those women. With my first son, I suffered from pre-natal depression, which led to an exacerbation of anxiety and obsessive compulsive disorder. At the time, I did not have enough knowledge of the condition to do anything about it. It is not something that gets talked about, so I did not know how to ask for help. This time around, I have been able to spot the triggers and deal with any problems before they escalate. I also had the confidence to tell my history to my GP, who was able to give me some options. At times, preventing the onset of pre-natal depression this time around has felt like a daily battle, but it is one that I am pleased to say I have won. However, for too many new mums, their mental health difficulties remain hidden, with research by the NCT showing that nearly half of new mothers' mental health problems are not picked up by a health professional.

A simple solution would be to ensure that the six-week mandatory post-natal baby check included a mandatory maternal check. However, despite National Institute for Health and Care Excellence guidance, a six-week maternal check is not included in GPs' contracts, which means there is no specific funding for it. As a result, the NCT found that a third of mothers had three minutes or less for their maternal six-week check; a fifth of mothers were not asked about their mental health at all at their six-week check; and half of mothers who wanted to discuss an emotional or mental health problem at their six-week check did not feel able to do so. With rushed appointments and without the right questions being asked, it is not really surprising that many women keep their problems hidden.

**Mr Kevan Jones** (North Durham) (Lab): My hon. Friend is making a very good point. Does she agree that we need not just to look at GPs and that one visit, but to try to ensure that we embed in health visitors and other professionals who come into contact with new mothers the importance of looking for early signs of mental illness?

**Ellie Reeves:** That is absolutely right. Health visitors have a huge role to play, and we know from our constituency work that they are under a huge amount of strain and often the same issues apply. Health visits are often rushed, not through any fault of the health visitor, but because of the pressures and constraints they are under. The situation for both GPs and health visitors needs to be considered.

The NCT is currently running a campaign that I fully support. It seeks full funding for the six-week maternal post-natal check, so that GPs have time to give every new mother a full appointment. It also seeks to improve guidance for GPs on best practice around maternal health, with dedicated appointments for the six-week maternal check, and to encourage the disclosure of maternal mental health problems. Finally, it wishes the NHS to support GP education in maternal mental health. The consequences of not tackling maternal mental health are far reaching, with around 20 new or expectant mothers taking their own lives every year. Maternal mental health problems are considered an adverse childhood experience, and urgent action is needed.

I will end by championing some of the great support that is available to new and expectant mothers in my constituency, and which plays a fundamental role in maternal health and wellbeing. Bromley, Lewisham & Greenwich Mind offers a Mindful Mums course and a volunteer-led maternal befriending service. Our children's centres offer drop-ins, mindfulness and breastfeeding support. Mytime Active offers a comprehensive pre and post-natal fitness program in Bromley leisure centres, which I know has been instrumental in me not developing pre-natal depression this time around. Bromley Libraries offers free Baby Bounce and Rhyme and other activity sessions, and there are local NCT groups and baby cafes, to name but a few. I thank the dedicated staff and volunteers, without whom such services would simply not exist.

However, those organisations cannot do it alone, and their budgets are already stretched. Since 2010, 12 children's centres in Bromley have shut. Bromley library staff have been on strike since June due to cuts to the service, and Mind is operating with waiting lists, such is the demand for its maternal services. Without proper investment in maternal health, and without breaking down the stigma surrounding pre and post-natal depression, women will continue to suffer alone. I hope that the Government are listening, and that this debate will be the start of much needed change.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. Before I call the next speaker, may I say to the hon. Lady that however difficult it might be, it is wonderful to hear the truth spoken in this place, especially in an atmosphere that for decades—indeed, until very recently—considered childbirth to be some form of weakness, rather than the process through which every human



being arrives in this world. Speaking the truth, and dealing with matters as people deal with them in their everyday lives in the constituencies that we represent, is terribly important, and it marks a refreshing new attitude to the way we do business in the House of Commons.

2.3 pm

**Tim Loughton** (East Worthing and Shoreham) (Con): I concur with every word of your comments, Madam Deputy Speaker, and the response to this debate, and the one we held yesterday on domestic abuse, has shown this Chamber in a much better light than that of a week or so ago. These are things we can agree on and that are of acute, everyday importance to our constituents.

As I have said previously, I have been in this House for 22 years and we never used to debate subjects such as this, and rarely held debates on children's issues or many social issues. It is absolutely right that we hold such debates much more regularly these days, and they are enhanced by the personal, often emotional, harrowing and brave testimonies of hon. Members who bring such experience and richness to the debate. They show that we do have some understanding of the complex, complicated and challenging issues that face so many of our constituents every day.

I had not intended to speak in this debate, but I was moved by the contributions from my hon. Friend the Member for Southend West (Sir David Amess) and the hon. Member for Lewisham West and Penge (Ellie Reeves). I have a long-standing interest in this issue, and I declare an interest as chair of the all-party group for conception to age two—first 1001 days. That issue has growing traction and importance, and it should be mainstreamed. I also chair the charity Parent Infant Partnership, PIP UK, and co-chair the all-party group on mindfulness. If any hon. Members present have not attended a mindfulness course, I reiterate that they are available on Tuesday afternoons, usually at 5 o'clock in Committee Room 7. Given the stress of recent weeks, attendance has been noticeably higher and perhaps of more benefit than usual.

I am slightly daunted by speaking in this debate. Yesterday I said that I was daunted by speaking in the fantastic debate on domestic abuse, on the basis, first, that I am a man, and, secondly, that I am not from Wales. Today I am daunted, first because I am not a woman, and secondly because I am not from Essex, which seems to have a dominant geographical impact on the contributions that we have heard and will hear.

Next week we will celebrate Mental Health Awareness Week, and we will also relaunch the charity PIP UK. I have just written a letter to the Minister, and I very much welcome her and the huge amount of experience that she brings to her role from her health background. I am glad that perinatal mental health featured in the remarks of the hon. Members for Bath (Wera Hobhouse) and for Lewisham West and Penge, because that is where I think we can have the biggest impact on the mental health of future generations.

A few years ago, the Maternal Mental Health Alliance produced a valuable piece of work that estimated that perinatal mental health issues affect at least one in six women. Too often that happens in silence, which is why it is so important that the hon. Member for Lewisham West and Penge recounted how it happened to her—why would it not happen to somebody just because they

happen to be an MP? The cost to the nation of perinatal mental health issues was estimated at £8.1 billion every year, which is probably an underestimate. We can add to that the cost of child neglect in this country, which is estimated at £15 billion and is often born out of problems with attachment in those early years, even before the child is born, and particularly if a woman is facing huge stresses and challenges, or domestic violence and so on. The statistic that I gave yesterday, which I still find hard to believe, is that a third of domestic violence cases start during pregnancy. The cost of getting this issue wrong is more than £23 billion a year. That is so much more than the more modest investment we could make to get this issue right and prevent those problems and the huge issues they create, financially but also socially—problems that are often lifelong for future generations.

We need better attached children, and attachment dysfunction has gone under the radar for so long. It is therefore essential—I am glad that the hon. Members for Bath and for Lewisham West and Penge mentioned this—that the vital six-week checks on new babies should also include the physical and mental health of new mums, particularly first-time mums. I make no apology for repeating that health visitors have been an important component in helping with those checks, and one great achievement of the coalition Government—I was also part of the shadow health team when we worked on this—was the substantial increase in health visitors. That was based on the Kraamzorg programme in Holland, which we went to see. It showed that if we work intensively with new parents in those early stages, we can prevent many problems from happening later on. Health visitors are such a good investment to ensure happy, healthy, stable new parents who are able to interact in a sensible, robust, proper and healthy way with their children, and that is in the best interests of kids and their parents.

**Wera Hobhouse:** The health visitors in the early weeks when I was first a mother, and subsequently, were wonderful and a real lifeline. We do need to continue with that, but the problem is that it is not systematic enough. Making sure that a mandatory six-week health check is done by a GP and a health professional is the way forward. Currently, the system is too haphazard and we need to have a much more watertight system to get help to every woman who needs it.

**Tim Loughton:** We need both. The health checks are NICE-recommended, but alas not mandatorily funded or instituted across the country. Frankly, all GPs need better training on mental health and mental illness prevention generally, and especially on perinatal mental health.

It was a huge success of the coalition Government that we recruited almost the 4,200 target for health visitors that was set back in 2010. We have lost as many as 30% of those now, since the responsibility for health visitors went from the NHS to local authorities. I am not saying whether that was the right move or not, but, given the cash constraints on local authorities, health visitors have turned out to be a soft target. That is a hugely false economy and certainly needs to be revisited as a priority by the health team.

The lifelong importance of early attachment should not be underestimated. It has been judged that for a 15 or 16-year-old suffering from depression—an all too

[Tim Loughton]

common problem among teenage children in schools—there is around a 99% likelihood that his or her mother was suffering from depression or some other form of mental illness during or soon after pregnancy. The correlation is as close as that. Not getting it right during the conception to age two period will have an impact on many children for their childhood years and, for too many, continuing into their adult years too. Maternal mental health is very important, not just for the mother herself but for her children and the surrounding family.

Let us not underestimate the impact this has on fathers as well. I will be ruled out of order if I go too much into the subject of male mental health—although I hope we have a debate on male mental health too—but the impact of poor attachment between a mother and baby has significant impacts on fathers. It is important that they are also given every help and support to have that attachment to their children. Too often, children's centres and other support mechanisms are mum-centric and we overlook the role of the father. The father has an important role to play in the life of the child and an important support role to play in the physical and mental health of his partner, the mother.

The Government have done an awful lot in recent years to raise the profile of the importance of mental health and flag up how we need to do much more. Importantly, they are also investing much more in mental health. We talk about the parity of esteem between mental health and physical health, and we all agree that that is necessary. Much has been done to reduce the stigma that was attached to mental illness just 20 years ago. It is good that so much more money is going into the area. We have a shortage of mental health practitioners and we need to make sure that we prioritise recruiting, training and getting them in service as soon as possible.

The criticism I have is that last year's Green Paper on mental health included a lot about school-age children, which is important, but virtually nothing on pre-school-age children and perinatal mental health. Shifting the age profile forward and making it more about prevention and early detection—rather than dealing with the symptoms of a child who may already be damaged because their mother was damaged in their early years—is the way we have to go. We have to do much more in schools, but we need to do so much more before children get to school, by working with their mothers and fathers at an early stage.

**Jeff Smith:** The hon. Gentleman made an important point about the reduction in funding for local authorities. When it comes to trying to provide holistic support to the family and mother, does he share my regret at the closure of so many hundreds of Sure Start centres since 2010?

**Tim Loughton:** I do not want to make this a partisan issue. We can have a debate on this subject, and there have been some cuts to support services that have obviously not been helpful and will have some of the long-term impact that I have mentioned. I have visited, and even opened in my time as Minister, several children's centres, and many of them do a fantastic job. But many were not doing a fantastic job and were failing to do a job of work for the 15% of the most deprived communities for whom they were originally most intended.

The failure to comprehend the importance of children's centres is to put too much trust in bricks and mortar. Many of the outreach services that went with children centres were more important, and they were not getting out enough. We have children's centres that have worked really well in my constituency, and we have not closed any in West Sussex, largely because we put them in the right places and turned them into what I call a Piccadilly Circus of services. They have district nurses, health visitors, mental health nurses and social workers hot-desking and sharing information about various families, especially vulnerable children and others, to give a wrap-around, comprehensive support mechanism. The challenge so often for children's centres is getting the parents—particularly dads—to come across the threshold. Some children's centres do that really well, but many do not. I know about the importance of children's centres, but I also know some of their weaknesses. It is the services they offer and the outcomes they achieve that are so much more important than the amount of bricks and mortar that exist to provide them.

**Jeff Smith:** The hon. Gentleman is making an important point, but, with the greatest respect, West Sussex did not have the kind of cuts to its local authority funding that many more impoverished areas such as Manchester and other big northern cities did. He is right that it is not just about bricks and mortar: it is the support services that were also cut that have had the greatest impact on young families in those areas.

**Tim Loughton:** Nice try. West Sussex was the least funded shire county in the whole of England. Do not try and tell me that supposedly affluent areas such as West Sussex have not faced financial challenges. I do not know about the hon. Gentleman's constituency, but the gap between the per capita funding that children get in my constituency and many of the London and other municipal boroughs is substantial. It is a question of how that funding is used and prioritised.

**Mr Kevan Jones:** Will the hon. Gentleman give way?

**Tim Loughton:** I will give way, now that I have set this hare running.

**Mr Jones:** The hon. Gentleman is making the fundamental mistake that Members on the Government Benches often do—the idea that every area in the country is the same. I am sure that there are many more looked-after children in inner cities such as Liverpool, Manchester and others—and even in Durham—than there are in his area. That comes with a cost, and the areas cannot be treated the same.

**Tim Loughton:** That shows a fundamental misunderstanding. I declare an interest because this was my issue. Where children are placed is not necessarily a reflection of how many children are in the care system in that authority. Children in care placed in other authorities, such as Kent, where accommodation is cheaper than in London, are paid for by the placing authorities, and they can cause challenges to the host authorities. That is a wholly different issue. The original point that the hon. Member for Manchester, Withington (Jeff Smith) made was that children's centres are part of the solution. We need children's centres with well-trained people offering well-targeted support services to those who need them, but

saying that this is purely a numerical issue, because now we have 3,200 children's centres as opposed to 3,500, is missing the point. It is about the quality of the care offered to those who most need it.

I will wrap up now—as I see you want me to, Madam Deputy Speaker—by touching on a couple of other points affecting older girls. They include the impact of bullying, social media and bullying online, peer pressure relating to body image, the reports by groups such as the Girl Guides and the surveys showing the number of young teenage girls who do not like their appearance and would, if they could, pay for plastic surgery, which is hugely alarming. We have to give young women in particular the confidence to be able to say, “I am who I am. This is who I am, and if you don't like it—tough.” That is something that we have a major role in getting across in society, and frankly social media need to be part of those positive messages. We still have problems with the internet and social media companies hosting sites that masquerade as sites giving advice to people with eating disorders, but which are in fact malignly encouraging anorexia and things like that.

**Mark Tami** (Alyn and Deeside) (Lab): Does the hon. Gentleman agree that social media companies that hide behind the claim that they are just platforms and are not responsible for the content need to take a serious look at themselves?

**Tim Loughton**: The hon. Gentleman is absolutely right, and I am glad that the Government are doing that with proposals, which are currently being consulted on, to fine social media companies that do not take down harmful comment. I am not just talking about hate crime or terrorism; this is about how it can undermine impressionable young people in particular. There are laws in places such as France about such sites, and Germany has introduced heavy fines that can be imposed on social media companies.

This is a big problem. Mental illness is a particular problem for women who might be affected by relationship breakdown, domestic violence, homelessness, housing difficulties, missed education opportunities, unemployment, financial difficulties, debt, ill health, substance misuse and interaction with the criminal justice system. Mental illness takes different guises and different forms, but the earlier we act, and with the most appropriate support, the more likely we will be to do the best job for future generations, and that starts at conception.

2.22 pm

**Mr Kevan Jones** (North Durham) (Lab): I congratulate the hon. Member for Bath (Wera Hobhouse) on introducing the debate and welcome the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries), to her new position.

I welcome this debate because it is another opportunity to talk about mental health. As was said earlier, at one time it would not have been spoken about, but our debates, which have in large part been cross-party and consensual, have changed people's attitudes. That is the real difference that we have made. The hon. Members for Southend West (Sir David Amess) and for East Worthing and Shoreham (Tim Loughton) were right that this is the House at its best—disagreeing politely, but ensuring that issues that frankly are not very popular

are debated consensually. I welcome that. These debates have made a real difference in changing people's attitudes to mental health. I pay tribute to the charities that have recently been involved in various campaigns, because eradicating stigma is a big issue that we still need to work on in our discussions about mental health.

The hon. Member for Bath pointed out in her introduction to the debate that one in five women can at some stage experience a common mental health issue, whether depression or anxiety. Often, they are the ones at greatest risk, especially young women. Although all the evidence suggests that men are more likely to take their own lives, there is an increasing danger among young women of taking their own lives. The statistics have not really budged since 2012, and I think the same is true for the suicide rate among women generally, which at the moment I think is 5.4 per 100,000 of the population. Those rates have remained static for the past 10 years. Some great work has been done on suicide prevention, which led to a slight drop—although I notice that the figures recently went up again—but we need to put more effort into looking in detail at the underlying reason why the suicide rate among women remains static.

The other issue is that women are more likely to suffer from mental illness because of trauma, such as domestic violence and sexual abuse, and issues around body image, which the hon. Member for East Worthing and Shoreham spoke about and which I will come on to.

I welcome the work of the women's mental health taskforce, which reported in 2018. Let me put on record my thanks to the hon. Member for Thurrock (Jackie Doyle-Price) for the work she did. She was a great champion not only for women's mental health but for the entire mental health agenda. Not only was she always available to speak to Members, but I know from speaking to charities and others working in the field that her door was always opened. She listened; she made sure she got change; and she can be proud of the work she did.

The taskforce's report touched on something that is quite self-evident, but which we sometimes forget—namely, the clear link between poverty and socioeconomic conditions and women's mental health. It found that 29% of women in poverty experience poor mental health. Another issue touched on, which was raised by the hon. Member for Southend West, was prisons. The report highlighted the depressing statistics for women self-harming in prison, which are obviously linked to other issues such as poverty, which has already been mentioned, and substance abuse.

I agree totally with the report's conclusion that we need to link those issues up and take an holistic approach, but I would go one step further. I have spoken about this before, but we also need to hard-wire mental health and wellbeing into all public policy, whether nationally or locally. We need a system whereby any policy being developed should be tested against a matrix of mental health indicators before implementation, and I would include spending decisions in that. The hon. Member for East Worthing and Shoreham talked about spending cuts, and although we might disagree about their effects on Sure Start centres for instance, making what the Treasury might see as easy cuts leads not only to problems locally but to more expense for the taxpayer in the



[Mr Kevan Jones]

long term. We should certainly look at that when we are spending money, because while the call is often for more money—which we do need in mental health—we also need to ensure that it is spent correctly and joined up. We could achieve a lot more if we took a joined-up approach.

Let me give two examples of where not having that prerequisite for testing is leading to problems and costing the taxpayer and society more. One is the Department for Work and Pensions and its employment and support allowance assessment. I am clear that people should be encouraged to work, and we all—let us be honest—know that the right type of work is good for people's mental health. However, we should not have a system that is very blunt in terms of assessment and that takes little account of those living in our communities with long-term mental health problems.

A constituent in her late 50s came to see me a few months ago, having lived with long-term mental health issues in the community. She went for her ESA assessment and got no points. She was then virtually suicidal. I intervened, although, frankly, it should not have taken me to intervene. She then had a mandatory reconsideration, and her payment was reinstated. If we look at that woman's history, it is clear that she is not going to work, but the process did not take that into account. If that person had then been sectioned, had gone into hospital or had—let us be blunt—taken her life, that would have been a huge cost to society.

**Wera Hobhouse:** I have been an MP for a relatively short time, and I find increasingly that trying to access services or get universal credit throws perfectly healthy people into mental health problems, because it creates anxieties and delays. I am not surprised that a lot of people are being thrown into mental health problems, because our public services are increasingly not responding in a humane way to people's needs.

**Mr Jones:** I agree, and I will come on to the other example I have in a minute. Those problems then result in a cost to the taxpayer. If we had road-tested the ESA policy in terms of mental wellbeing and assessment when we were developing it, that would have helped the situation.

The other example, which the hon. Lady has just referred to, is universal credit, which is creating huge problems for many of my constituents. They are going up to six weeks without any money. That is having a huge effect on women's mental health, because the main carers in most of these households are women, who have to juggle budgets. Again, we should have thought beforehand about the cost to society and the taxpayer of the added mental health problems generated through this policy.

On women in prison, it saddens me a little that the Government have now taken up the "lock them up and throw the key away" agenda in the criminal system. We need to reduce the number of people who are actually in prison, and especially women. If we look at the evidence and at the reason why women are in prison, we see that it is linked to domestic violence, mental health problems and substance abuse.

In County Durham, I pay tribute to Durham police and the crime commissioner Ron Hogg, who introduced Checkpoint in 2011. He did that because he was sick and tired of putting women shoplifters through the criminal justice system when what they really needed was help. If we look at the statistics and at the changes that the programme has made, we see that it is cutting reoffending rates. It is addressing the real issue, which, in most cases, is domestic abuse and mental health issues.

In addition, we need clear pathways. The report says we need joined-up local services. That is not just about the acute sector and GPs; it is about the voluntary sector as well, and we need to ensure that it is part of that joined-up local system. Certainly, in my experience, it is delivering local services and good value for money very effectively for local communities. In my constituency, I have a fantastic project called Just for Women, which deals with women who have faced domestic violence and mental health problems and who have been in probation. The project staff do one simple thing: they allow time, and they talk to people. They use crafts and other things to get women's confidence back. If we sit and talk to the women in that project, we find that most of them have been through every programme possible—they have gone through systems and systems. We need to ensure that we put in place a system that works.

Finally, I want to touch on body image. I welcome this year's report by the Mental Health Foundation, which focused on the link between body image and the nation's mental health. In the report, one in five UK adults said they felt ashamed of their body image and 43% of women had low self-esteem when it came to their body image. That does lead to psychological effects.

I agreed with the hon. Member for East Worthing and Shoreham when he talked about the internet companies. They have a huge responsibility in ensuring that the messages they put out do not perpetuate the myth of the perfect body image. That is leading not only to psychological problems but to people having unnecessary cosmetic surgery and interventions, which are harmful to them.

I have challenged Facebook, for example, to ask why it continues to carry adverts for Botox, which is a prescription drug. Just try to take one down; my constituent Dawn Knight, who has been campaigning on this, tried to take one down, but it cannot be done. These companies should take a proactive approach to blocking these adverts, because they are not only perpetuating the image of the perfect body, but are, in some cases, I think, actually breaking the law. If social media companies such as Facebook will not change, there needs to be legislation.

In conclusion, I welcome the debate, because we are talking again about mental health. Is this about money? Yes, it is. We do need investment in mental health services. However, we also need to ensure that we have that joined-up approach to not only services but methods and processes. That can reduce people's mental illness and ensure not only that we have a society that is content with itself but that, when people do get into crisis, there is a service and support there for them.

2.36 pm

**Jackie Doyle-Price (Thurrock) (Con):** It is, as usual, a pleasure to follow the right hon. Member for North Durham (Mr Jones), who is always a fixture in these

mental health debates, as, indeed, is the hon. Member for Bath (Wera Hobhouse), and I congratulate her on securing this debate.

I thank the hon. Member for Lewisham West and Penge (Ellie Reeves) for her very honest contribution. It is about time we were honest about the fact that childbirth is hard and that what happens after we have given birth is hard. We could be forgiven for buying into the myth that it is all hearts and flowers, but the reality is very different indeed for many women and their families. It is absolutely fantastic that she made that very honest contribution today. Those of us in this place need to be frank about our own experiences to make the system better.

It is a glib thing to say that it is a man's world, but, frankly, it is. On so many levels, the health service, in terms of both physical and mental health, does not work well for women. I was therefore pleased to have chaired the women's mental health taskforce with Katharine Sacks-Jones from Agenda, and I thank her today for her contribution. It is important that we look at women's mental health, as distinct from that of men. In the same way, we ought to look at mental health through the prism of other things that end up being discriminatory. For example, there is the whole gamut of neurodiverse conditions, autism and attention deficit hyperactivity disorder. There are more mental health issues in people who have those conditions, and, frankly, we are not doing enough for them. That also plays out in further discrimination against women, because they are often diagnosed much later with autism and ADHD, and they are then not equipped with the tools to manage their conditions.

It was absolutely fantastic to get buy-in from people with real experience on the women's mental health taskforce. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) talked about perinatal, and that was of course a big part of it. It is interesting that we are debating this issue today, just a day after that amazing debate on the Domestic Abuse Bill, because abuse is often a common factor underlying the prevalence of mental ill health in women.

We set up the women's mental health taskforce because we were seeing an increased prevalence of mental ill health among women between the ages of 16 and 24. There is no doubt in my mind that an underlying cause is abuse, particularly the rise of sexual abuse and violence.

The women's mental health taskforce concluded that we needed more by way of community services to support women, and one important part of that was improving the support for victims of sexual violence. I completely agree with the right hon. Member for North Durham about the contribution that voluntary services can make in this space. When I was the Minister, one of the messages I always gave to commissioners was not to medicalise everything. Voluntary services, particularly in mental ill health, can give so much additional support to people. That wraparound support can be as important to someone's recovery or ability to manage their condition as any medical intervention. In welcoming my hon. Friend the Minister to her post, I ask her to continue giving that message to commissioners, not least because, as well as delivering the services well, voluntary services often provide much better value for money. So let us continue to do that.

I was pleased that earlier this year the NHS published its strategy to deal with sexual violence and to provide sexual violence support services. Within it was a commitment to a lifelong package of care for survivors of sexual abuse. The voluntary sector—the hon. Member for Bath mentioned rape crisis centres—has a huge role to play in making sure we continue to support victims of sexual abuse.

Women are often a secondary consideration in the way we deal with many problems, and by definition that becomes discriminatory. We have had a lot of debates in recent months about gangs and the problem of young men carrying knives and stabbing each other and the fact that there are far too many deaths, but another aspect of that gang culture that is not talked about enough is the grooming of girls. It is almost like Rotherham never happened. We must make sure that when we look at gang culture, we do not just talk about young men stabbing each other or the drug trade that goes with it; we must also tackle the grooming of young women, otherwise the incidence of mental ill health among women aged 16 to 24 will only continue to rise.

One thing not yet mentioned in this debate is the review of the Mental Health Act 1983. We must make sure that when we look after women with severe mental ill health we are not doing harm. We need to deal with some of the practices that still exist in our treatment of people with mental ill health. We used to think of people with mental ill health as an inconvenience to be managed. Thankfully, we are becoming much more enlightened, but there is still poor practice that needs to be weeded out. I repeat that abuse is often the underlying trigger that exacerbates a woman's mental ill health, and when we treat women, we should not compound that harm by handing over the control of someone who has been sectioned to their abusive partner. Under the Act, however, when someone is sanctioned, the next of kin is effectively given control over them, which only compounds the harm. I have heard some incredibly distressing testimony from people who have been through exactly that. As that work continues, we must empower patients, including women who are victims of domestic abuse.

We have heard reference to eating disorders. We have actually made considerable progress in improving eating disorder services, but we need to do much more for adults. The health service needs to empower women, not just tell them to run along. Many Members will be aware of the campaign by Hope Virgo, the Dump the Scales campaign, but the really telling thing about Hope's testimony is this: she has been through anorexia, she understands her condition, and she can see when she needs help, but when she goes to her GP, she is weighed and told she does not have a problem. That shows a fundamental misunderstanding about how eating disorders play out and how they should be managed. Members have discussed the need to make sure GPs behave better. One reason GPs do not behave as well as they should when dealing with mental health is that they are not adequately trained. I encourage the Minister to have that conversation with the royal colleges to make sure mental health training is a mandatory part of doctors' training. The earlier we identify someone who needs help, the more effective that support can be.

I want to finish by picking up on an issue raised by several colleagues, including my hon. Friend the Member for Southend West (Sir David Amess): that of people in

[Jackie Doyle-Price]

prison. We all know that prison should be a place where people go when they have done bad things, but anyone who visits a prison wanders around thinking, "A lot of these people shouldn't be here at all." They are people who have fallen out of society and been failed by the state. That is particularly the case for women. The more we can do to get that early intervention the better. We should not be allowing people to fall out of the care of society and then dealing with them only when they become a nuisance. That applies to people who have been through the care system and been victims of abuse.

**Mr Kevan Jones:** Does the hon. Lady agree that one of the problems that pertains particularly to women prisoners is that of short sentences, which do not give enough time for rehabilitation and over time disengage people from services outside and, in a lot of cases, from families and other support networks?

**Jackie Doyle-Price:** The right hon. Gentleman puts it very well. In those instances, we are just doing harm. We should be able to identify when somebody needs help. Just taking them away and putting them in prison without any programme of support only puts them on a conveyor belt to more offending. We need to make sure we are picking people up. There are some fantastic tales of how people do that. I once met a lady who had been convicted of drink driving after she reported herself. She had gone through a period of grief. What good would it have done to make her serve a prison sentence? It would have compounded her grief; she would have been away from her family; and she would have lost her job and probably her home—if she was renting—which would only have put her on a conveyor belt to disaster. We must be much more enlightened and make sure that our prisons are for people who are going to harm society, not people who are harming themselves.

I could say so much more, Madam Deputy Speaker, but time is limited, so I will finish there.

2.47 pm

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I thank the hon. Member for Bath (Wera Hobhouse) for bringing forward this important debate about women's mental health.

As the hon. Member for Southend West (Sir David Amess) and the right hon. Member for North Durham (Mr Jones) indicated, the prevalence of poor mental ill health among women is similar to that among men, but there is undoubtedly a marked gender difference in the rates for different types of mental illness: as we have heard, women are more likely than men to experience anxiety, depression, post-traumatic stress disorder and eating disorders, and we know that young women and girls are at more risk of self-harm. Recently, in my constituency, I had the privilege of visiting a mental health charity called Penumbra, which is in Ardrossan. It supports young people living with self-harm, as well as a range of other mental health challenges.

Reports published recently by organisations such as the Women's Mental Health Taskforce have highlighted the fact that particular social inequalities faced by women, such as having greater caring responsibilities and sexual and/or domestic abuse, can have a negative

impact on their mental health. Most commonly linked to poor mental health is the issue of living in poverty. In view of those facts, it is helpful and informative to debate mental health challenges faced by women in particular.

As the hon. Member for East Worthing and Shoreham (Tim Loughton) reminded us, there was a time, not so long ago, when poor mental health was not really talked about, but now we are more enlightened. There is a recognition that our mental health is as important as our physical health and that, when we face challenges with mental health, it is nothing to be ashamed of. It is therefore right and fitting for the subject to be debated in the House. Our concern with mental health ought not to be a party political matter. We are all concerned about it. Resourcing the illness and safeguarding those who are at risk matters a great deal.

Let me now say a few words about measures that we are taking in Scotland to try to deal with this problem, although whatever action is taken, it will never be enough to provide the treatment and support that women who suffer from poor mental health—and, indeed, anyone who suffers from poor mental health—need and deserve.

In Scotland, as in every other nation, we face challenges relating to mental health provision. I am pleased that, in the face of those challenges, the Scottish Government were the first Government in the United Kingdom to have a ministerial post dedicated to mental health, I am also pleased that they invested £1 billion in mental health in 2017-18, and that mental health spending increased by 3.2% over that period. With some innovation, I think, they have outlined their vision for approaching women's mental health in their "Mental Health Strategy 2017-2027", adopting a rights-based approach to mental health which realises the rights of women as outlined in the United Nations convention on the elimination of all forms of discrimination against women.

The Scottish Government's "Programme for Government," published only a couple of weeks ago, pledged to improve existing mental health support for women throughout Scotland, including perinatal support, and support for women who need more specialist help and those with the most severe illness. In terms of pounds and pence, that commitment was part of a programme budget for mental health increasing by £15.3 million, from £70.2 million last year to £85.5 million—an increase of nearly 22%. Of course, in the face of what some people may call a poor mental health epidemic, there is always a need for more resources, and it is the challenge of all Governments to work to meet those demands.

I want to say a word or two about the particular mental health challenges that can affect new mothers. They have been mentioned by a number of Members today, including the hon. Member for Bath, the hon. Member for Lewisham West and Penge (Ellie Reeves) and the hon. Member for East Worthing and Shoreham. New mothers and expectant mothers are an "at risk" group when it comes to poor mental health, and I am pleased that the First Minister of Scotland has given a commitment to spend £50 million on improving access to mental health services for them.

Of course treating mental health and providing support services for women who live with, or are at risk of developing, poor mental health is important, but it is also important that we all understand how much more can be done to safeguard women's mental health in the



first place. We obviously need a more joined-up approach. In Scotland, child and adolescent mental health services are working with schools, which is very important, but we should seek to deliver better training for teachers as well as GPs—who were mentioned by the hon. Member for Thurrock (Jackie Doyle-Price)—to deal with, and identify more confidently, poor mental health in children. We can always do better in that regard, as well as, of course, not forgetting to address the mental health of the GPs and teachers who are in the front line.

It is also important and necessary to mention—and it would be remiss of me not to do so—the effect of austerity measures on women and their mental health. We know that they are most affected by such measures, because much research by, for example, the Joseph Rowntree Foundation bears that out. Psychologists Against Austerity has made clear that cuts to public services are directly linked to mental health problems, and that women living in poverty are more likely to suffer post-natal depression. That finding was backed up by a study in *The Lancet*, which found that poverty increased maternal depression.

Actually, that should not surprise us. Poverty can be very isolating. If you are living in poverty, you have few choices about how to spend your time. You cannot always afford to meet up with friends, or afford the bus services that provide access to local services and amenities. You cannot simply leave your home for a change of scene, as you may struggle to treat yourself to a visit to the local café. All around, your world shrinks if you are living in poverty. Sometimes finances are so desperate that your world shrinks to simply your own four walls, and that sense of isolation can form a direct bridge into poor mental health. As the hon. Member for Thurrock set out, that overlaps with conditions such as autism, which often lead to poor mental health, as a sense of isolation of any kind has a significant impact on our mental health.

We know that austerity disproportionately affects women and, sadly, we also know that single household payments as the default for universal credit payments can exacerbate that isolation and loss of financial control. The loss of financial control is a common element in abusive relationships. I am proud that my former colleague, the former MP for the constituency of Banff and Buchan, Eilidh Whiteford, brought forward a private Member's Bill to ratify the Istanbul convention. Sadly, the convention has not yet been ratified by the UK Government, which is deeply disappointing.

When we know that universal credit has been implemented in ways that negatively impact claimants' mental health, we should seek to do something about it, as the hon. Member for Bath has pointed out. We know that single parents, 90% of whom are women, are more than twice as likely as any other group to experience persistent poverty. There are obvious things we can do to better safeguard the mental health of those women. As the right hon. Member for North Durham has said, that could actually save money in the end.

I sincerely hope that the Minister will be persuaded, in the light of the debate today, to have conversations, which may not always be easy, across Government Departments about how women's mental health—and, indeed, mental health in general—can be better supported. This is not just about us thinking about resources to treat poor mental health, important though that is. It is also about giving more thought, more effort and more

understanding to what is needed. It is about determining what factors lead to poor mental health and dealing with them, so that ultimately we see fewer people, fewer women, needing treatment for poor mental health, which affects far too many of our constituents. Dealing with the underlying causes of poor mental health is not just about what we can afford to do; it is about what we can afford to leave undone.

2.56 pm

**Paula Sherriff** (Dewsbury) (Lab): I congratulate the hon. Member for Bath (Wera Hobhouse) on securing this important debate and thank all Members who have spoken in it. I also welcome the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries), to her new role. I look forward to having some robust debates with her across the Dispatch Box in the weeks and months to come.

We have heard some excellent contributions this afternoon. The hon. Member for Bath discussed how important it is to consider trauma-informed services. She also talked about eating disorders, and I thank her for the excellent work that she has done in that area. My hon. Friend the Member for Southend West (Sir David Amess)—may I call him my hon. Friend?—spoke passionately about his constituents, Carla and Kelly. I have had the pleasure of meeting them, and I would like to applaud them for the wonderful work they do on endometriosis, which, as he knows, is a subject close to my heart. He also talked about prisons. I had the pleasure of visiting a local women's prison on the edge of my constituency a few weeks ago, and it was incredibly interesting to talk to the women about their experiences there. It was striking to learn just how many of them had a history of mental health problems.

My hon. Friend the Member for Manchester, Withington (Jeff Smith) discussed how crucial it was that post-natal women were offered a six-week standard maternal check. My hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) talked movingly about her own experience of pre-natal depression and how important it is that the mum's mental health is considered at the post-natal check. We also heard from the hon. Member for East Worthing and Shoreham (Tim Loughton) about the importance of maternal mental health and about how crucial it is that early intervention is offered as soon as possible. That is something that the whole House can get behind, and I thank him for his contribution.

My right hon. Friend the Member for North Durham (Mr Jones) mentioned something that really resonated. He said that we must hard-wire mental health information into every public policy. Once again, I am sure that all of us in the House would agree with that. It is really good to see the former Minister, the hon. Member for Thurrock (Jackie Doyle-Price), here. I thank her for the excellent work that she did and for her collegiate and collaborative approach. She also made some excellent points today, particularly about the impact that sexual violence can have on people's mental health.

Last but not least is the hon. Member for North Ayrshire and Arran (Patricia Gibson). Like others, she began by saying that mental health problems are nothing to be ashamed of. We cannot repeat that enough; it is incredibly important. Stigma does still exist, although some excellent work is being done to reduce it. Still, we must keep repeating this until people believe it.

[Paula Sherriff]

We know that we face a mental health crisis, and women are certainly not exempt from it. Women are more likely than men to have a common mental health problem and twice as likely as men to be diagnosed with an anxiety disorder. That feeds through to service delivery. Women account for around two thirds of referrals to the improving access to psychological therapies programme. While some of this might come from different attitudes towards sharing mental health problems, it still speaks to an undeniable truth that we must prioritise women's mental health. In particular, we must pay attention to the mental health of young women: while 20% of women overall have a common mental health problem, that figure rises to 28% of women aged between 16 and 24.

Mental health conditions do not arise in isolation. They are not inherent to a person and are not always unavoidable. Instead, they are bound up with the circumstances in which a person lives their life. They are also closely linked to the way we are treated by others. That is something that all of us in this place should consider carefully at a time when many of us in this Chamber, women in particular, have received death threats and other horrendous abuse.

Before I go on to mention two situations that might have a particular impact on the mental health of women, I want to mention the broader issues that affect our mental health. One of the consistently recognised causes of mental health problems is financial stress: whether it is struggling to find work or being trapped in a job that does not pay enough to make ends meet, this can be a source of enormous stress. As we have heard from a number of hon. Members, there is clearly a link between poverty, austerity, deprivation and mental health. That in turn leads to people developing mental health problems: 35% of women who are unemployed have a common mental health problem, compared with only 20% of women in full-time employment. We know that women are more likely to be unemployed or in lower-paid roles than men. Industries that rely largely on minimum wage workers on zero-hours contracts, such as social care, overwhelmingly employ women.

As well as being a cause of mental health problems, economic instability can open women up to abuse by others, whether that is their employer or a controlling partner. One woman in four will experience domestic violence. As well as the physical trauma of that abuse, survivors can be left with long-lasting mental health problems. Women who suffer domestic abuse are three times more likely to develop a mental illness, including severe mental illnesses such as schizophrenia and bipolar disorder.

Addressing that serious issue works two ways. We need to ensure that services for the survivor of domestic violence, whether the police, shelters or other organisations, are better at recognising mental health problems. Our mental health services need to get better at recognising the signs of domestic abuse. One way they can do that is to be more aware of the reasons a woman might not attend a follow-up appointment. Controlling and coercive partners can easily stop someone going out to attend a medical appointment. Mental health services should be awake to that possibility, and not simply move straight to discharging people.

We have an opportunity to address that through the Domestic Abuse Bill. This is a crucial Bill that, thankfully, has not been lost due to Prorogation. We should use the Bill to bring domestic violence and mental health services closer together so that fewer people are lost between the two. Like many colleagues, I pay tribute to the emotive speeches that were made yesterday from both sides of the House—in particular, the contribution from my hon. Friend the Member for Canterbury (Rosie Duffield). We can all agree that she was incredibly brave when she made her extraordinary contribution. We thank her for that. Will the Minister say what conversations she has had with her colleagues about joining up mental health and domestic violence services?

Unpaid family carers in the UK are more likely to be women, and therefore more likely to be providing round-the-clock care for the people they care for. Caring for a friend or family member can have a significant impact on a person's own mental health. That is particularly true for women carers, who are more likely to be sandwich carers, caring for young children and elderly relatives at the same time.

A survey from Carers UK found that more than two thirds of carers have suffered poor mental health as a result of caring. Carers looking after children and young people, and those who have been caring for 15 years or more, are also more likely to have poorer mental health. Carers are being let down by this Government, and this is taking its toll on their mental health. One carer told the Carers UK survey:

"I was admitted to hospital after a breakdown due to exhaustion and chronic pain. If I had had more breaks from my caring role or adequate mental health support, I might not have had the breakdown at all."

Access to adequate support and carers' breaks are crucial to ensuring carers do not reach crisis point. Carers' breaks are particularly important for mental health, as nearly half of carers have used their breaks to attend their own medical appointments. The Government's failure to set out plans to support carers properly, or address the crisis in social care, is taking its toll on the mental health of unpaid carers. We have had a watered-down action plan that promises very little action to support carers. It is time for a full national carers strategy that sets out plans to ensure carers have adequate support, including with their mental health. So will the Minister outline how her Department intends to ensure that carers have access to the support they need? Furthermore, will she commit to increasing access to carers' breaks?

All of this has caused a mental health crisis among women. As I have mentioned, women are far more likely to be referred for basic therapy than men, reflecting both the prevalence of mental health conditions and a willingness to seek help. But a referral to these services is not a guarantee that someone will get the help they need. Talking therapies through IAPT still have a noticeably higher recovery rate for white women than they do for black and minority ethnic women. They also are not working for young women. A 16 or 17-year-old woman accessing IAPT services has a lower chance of recovery than a woman of any other age—or than a man in any age group. We have to do better than this. It simply is not acceptable that someone's chances of recovering on the primary NHS care pathway for mental health is so dependent on their age, gender and ethnicity.

I wish to take this brief opportunity to thank some of the peer support groups in my constituency, which work so incredibly hard, particularly for those who struggle to access traditional NHS services. Stevie Morley from Take Ten offers the most phenomenal service for those who are suffering from mental health problems, and I wish to use this opportunity today to thank her. I also wish to thank Auntie Pam's, which is based in Dewsbury and supports young mums, expectant mums and those who are just having problems, perhaps even problems conceiving. Auntie Pam's is made up of local young mums and they are just wonderful.

The current situation is why Labour will ask the National Institute for Health and Care Excellence to carry out a full review of the psychological therapies available on the NHS, to ensure that everyone is able to access therapies that are appropriate and work for them. For some people with a mental health condition, it may be necessary to go beyond talking therapies or community support. When that is the case, we should be working to ensure they receive the best treatment possible. But too many women are still being mistreated in mental health units. Last year, more than 4,000 women held under the Mental Health Act were subject to restriction. Each woman was subject to an average of 12 restrictive interventions, which is far more than the average man was.

One example of how this excessive restriction can look in practice is seen in the case of a woman called Alexis Quinn. Alexis is an autistic woman who has spent years of her life trapped in a mental health unit. Since she escaped this unit she has shared her experience, and it is truly harrowing. After she tried to leave the unit, which she was on as a voluntary patient, she was held down and forcibly sedated. When she complained, she was locked in seclusion for more than a week. Alexis was restrained 97 times and secluded 17 times, although there were numerous seclusions which went unrecorded. When somebody seeks support from mental health services, they deserve better than that. It can never be right that we fall back on violent restraint and seclusion.

There is a crisis in mental health support for women. Today's debate has called for more mental health support tailored specifically to women. Members have called for greater access to mental health support for domestic abuse victims, and greater support for young women and girls and for carers.

In conclusion, we need urgent investment in mental health. Our mental health services should be comprehensive and universal, and we need to invest in early intervention as a priority. Women should be able to access specialist, gender-specific, in-patient and community services that recognise the traumatic nature of domestic violence or abuse. Women experiencing a mental health crisis must be treated with dignity and respect, but too often this is not the case. On all these areas, the Government are simply not doing enough. Women deserve better than being ignored or fobbed off with services that do not work. It is time to act and deliver a mental health system that truly delivers for everyone.

3.9 pm

**The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries):** I hope everyone will concur that this debate has followed on in tone from yesterday's debate on the Domestic Abuse Bill.

I thank everybody for their contributions. I thank the hon. Member for Bath (Wera Hobhouse) for opening the debate. I also thank my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), who I understand originally secured the debate—when he took up his ministerial position, the hon. Member for Bath took the debate forward on his behalf, for which I thank her.

I give many thanks to my predecessor, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), who did a hugely commendable job when she held this position. I am determined to continue the work that she began—not least because I am sure she will be breathing over my right shoulder in every debate that I take part in. I wish to pick up on one of her comments, which fitted the tone of debate. She said that we should all share in this place the results of our own personal experiences. I was not going to mention why women's mental health is so important to me, but that comment has sat on my shoulders since she made it—as have, indeed, the other brave contributions.

Women's mental health, particularly perinatal depression, is incredibly important to me because a very close member of my family had perinatal depression and took her own life—and not only her own life but that of her baby and her two existing children. It was an act that has since reverberated through my family, and for many other people. Perinatal depression is incredibly important to me, as is this role, and that is why I take so seriously all aspects of my role but particularly women's mental health.

Women have broken down barriers, not only in mental health but in this place. I remember well the time when a previous Madam Deputy Speaker was pregnant. She spent most of her time in the ladies' room at the back because the fact that she was sat in the Chamber and was pregnant at the time was not quite appreciated. Times have changed and sharing our experiences has now become commonplace. I think that has helped to break down the barriers in here so that we can discuss issues that are so important to so many people.

**Andrew Griffiths (Burton) (Con):** I thank the Minister for sharing her personal story with us. The more we hear from Members from all parties who have themselves suffered from poor mental health or whose families have felt the footprints of poor mental health, the more we will help to break down the stigma and the more we will show to people who are listening to this debate or watching on TV that it can happen to anybody. There is nothing to feel embarrassed about and there is nothing to be ashamed of. The most important thing we can all do is talk about our mental health.

**Ms Dorries:** My hon. Friend is absolutely right: it is about breaking down the stigma in mental health. When somebody breaks their leg, they wear a plaster cast and we can see that they have broken their leg. We cannot always see when someone is suffering from a mental health issue, so it needs to be destigmatised. It also needs to be given the same consideration as physical illness, and I think it is.

Obviously, my speech has now been dumped, because so many points were raised in the debate and I feel that I have to answer them. I shall start with the hon. Member for Bath, who raised so many points when introducing the debate. I want to answer some of her questions.



[Ms Dorries]

One of her first points was about rape crisis centres; this year, we will spend £35 million and fund 47 sexual assault referral centres, to ensure that when sexual violence occurs, there is the best possible response for victims. The centres are available to all victims—male and female, adults, children, and current and non-current victims of rape and abuse.

I want to mention the approach the Government have taken to mental health. I took up this post just as we announced £2.3 billion of expenditure on mental health. Let me put that into perspective: my hon. Friend the Member for Cheltenham (Alex Chalk) informed me that that is more than half the entire yearly prisons budget; that demonstrates how much money we are investing in mental health. The money is going into many areas, but in almost all areas it will have an impact on women and young girls—and this debate is all about women's mental health. It is important that women are at the centre of all mental health policy. They should be not just be siloed off into their own particular areas; they should be at the centre of everything.

**Mr Kevan Jones:** I understand what she says about the increase in budgets, but does she not also realise that cuts in other areas are actually adding to the problems? Therefore, it does not matter how much money we pour into mental health services. Public health funding, for example, which is devolved to local authorities such as Durham, has had a 40% cut, which means that existing services, such as those for substance abuse, have had to be cut. Putting money in one way and taking it out in another does not solve the problem.

**Ms Dorries:** The NHS budget is not bottomless, but the mental health budget is growing faster than the overall health budget, and the budget for children and young people is growing even faster than that. One Member—I think it was the hon. Member for Lewisham West and Penge (Ellie Reeves)—said that more people are presenting with mental health issues now than ever before. In fact, GPs agree with that, and say that a lot more people are presenting with those issues at their surgeries. That is due to many, many reasons. One Member raised the issues of the postings on Facebook and Instagram, of body image and of dieting. There are many reasons why people are suffering from mental health issues, and it is not just to do with service cuts, which are being addressed.

I need to race on with my speech because I have just three minutes left. On the maternal six-week check, we hope to ensure that that happens in all our GP contracts going forward.<sup>1</sup> The hon. Member for Bath mentioned the Istanbul convention. The Government signed the Istanbul convention in 2012 to reaffirm our strong commitment to tackling violence against women and girls. She also talked about eating disorders—I know that she has brought forward other debates on this issue. She also mentioned body mass index. We want all GPs to adhere to the NICE guidelines, which means that they must take a holistic approach to young women who are presenting with potential eating disorders. I am talking about taking a look at dental records, considering whether those women are still living a full life and still working, whether they are seen to be eating or whether they are absenting themselves after a meal. We need to look at everything in the round. Nobody should be

referred for having an eating disorder based on their BMI alone. That is in the guidelines. We are raising awareness of that, and introducing more training for GPs, so that they are aware of this, too. The hon. Lady may be aware that I wrote an article on this subject recently, emphasising that point.

Perinatal mental health, as we discussed, is also important. According to one study published in 2014, a shocking 10% to 20% of women develop a mental health illness during pregnancy, or within the first year of having a baby. From April 2019, new and expectant mums have been able to access specialist perinatal mental health community services in every part of the country.

The NHS long-term plan, which I referred to earlier, commits to ensuring that an additional 24,000 women will have access to specialist perinatal mental healthcare, with more support for fathers and partners. I am pleased to see that NHS England has expanded the capacity of in-patient mother and baby units, which are in-patient services that support women with serious mental health issues, keeping them together with their babies, which is so important.

My hon. Friend the Member for Southend West (Sir David Amess) talked about female offenders. I know that women in prison often have a disproportionately high level of mental health problems, and there are also worrying levels of self-harm. We have recently published standards for healthcare for women in prison and are looking at improving care for pregnant women in prison.

The hon. Member for Lewisham West and Penge talked about health visitors. Earlier this year the Prime Minister announced our commitment to modernise the healthy child programme to reflect the latest evidence on how health visitors and other professionals can support perinatal mental health.

My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) talked about the closure of children's centres. We are investing £84 million over the next five years to support up to 20 local authorities that are seeing high demand for children's social care. This will help to support the most vulnerable families, and I am sure that that is welcomed by everyone. It is up to local councils to decide how to organise and pay for services in their areas, as they are best placed to understand local needs.

The right hon. Member for North Durham (Mr Jones) talked about social media and about his constituent trying to get Facebook to take down an advert. I actually congratulated Facebook and Instagram recently for removing all the diet advertisements for miracle cures and diet teas that simply do not work. That is a step in the right direction. I also thank all the women in my constituency who have emailed me on that the issue and others.

**Mr Kevan Jones** *rose*—

**Ms Dorries:** I do not have any time; I have only 30 seconds left.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) spoke about poverty. Many of us in this place understand the impact of poverty and have experienced poverty ourselves, and we know that it can cause anxiety not only for women, but for young girls. We absolutely understand those issues.

1. [Official Report, 7 October 2019, Vol. 664, c. 11MC.]

Let me say to the shadow Minister that our £2 million programme Standing Together Against Domestic Violence looks at how the whole health system can better respond to domestic abuse. Like her, I was delighted that the Domestic Abuse Bill passed its Second Reading yesterday. On carers and increased access, the carers action plan published in 2018 sets out a range of ways that we will improve support for carers. We published a progress review in July this year to ensure that we focus on delivering the plan.

The shadow Minister also spoke about the use of restraint, which is abhorrent. The Government fully supported the Mental Health Units (Use of Force) Bill—a private Member's Bill that became an Act of Parliament on 1 November 2018. The Act imposes requirements regarding the use of force, the publication of data, and how and when physical, mechanical and chemical force is used, as well as requirements for improved staff training. We want to end restraint. We know that it continues to be a routine occurrence on many wards, affecting women and girls disproportionately. That has to end.<sup>1</sup>

I will conclude by stating again that we are putting £2.3 billion into mental health, and that will benefit women and young girls. Never before have any Government ever considered mental health in such a way—with regard to policy, and finance to drive that policy and back it up. I thank the hon. Member for Bath for raising this very important issue. We are making progress, and I am determined that we will make more. I recognise that there is more to do and we will certainly be working on that.

3.22 pm

**Wera Hobhouse:** I thank the Backbench Business Committee for granting this debate, everybody who has made vital contributions this afternoon and the Minister for her responses. If I could take one thing out of this afternoon it would be for the Government to take seriously my request for the Women's Mental Health Taskforce recommendations to be put into a full strategy in order to bring everything together.

*Question put and agreed to.*

*Resolved,*

That this House notes with concern the rise in mental ill health among women, with one in five now experiencing common mental disorders and young women the most at-risk group; recognises that women's mental health problems are often rooted in experiences of violence and abuse; believes that mental health services often fail to respond to women's specific needs, including their experiences of trauma; calls on the Government to ensure that the gender- and trauma-informed principles of the Women's Mental Health Taskforce are adopted by mental health services and that women's mental health needs, including their experience of violence and abuse, are prioritised and taken seriously in all mental health policy, strategy and delivery.

## Ministry of Justice Spending

*[Relevant documents: Twelfth Report of the Justice Committee on Criminal Legal Aid, HC1069; and Sixteenth Report of the Justice Committee on Prison population 2022: planning for the future, HC483.]*

3.23 pm

**Robert Neill** (Bromley and Chislehurst) (Con): I beg to move,

That this House has considered the spending of the Ministry of Justice.

It is a pleasure to open this debate. I thank the Backbench Business Committee for facilitating it, and my colleagues on the Justice Select Committee who are in attendance today. May I welcome the Under-Secretary of State for Justice, my hon. Friend the Member for Croydon South (Chris Philp), to his place on the Front Bench for the first time? It was good to see him at the opening of the legal year, although I hope there was not too much information overload from the practitioners he met. He is a fairly close London MP neighbour of mine, as well as a good friend, and I hope that this is the start of a long career on the Treasury Bench for him.

The Ministry of Justice has a portfolio that is varied, frequently overlooked and frequently under-appreciated. It employs—directly or indirectly—some immensely dedicated, talented and brave people, who frequently do not get the credit they deserve, but the work that it does is fundamental to any civilised society. The tests of a civilised society include how we deal with those who break the rules and offend; how we try constructively to prevent that; how we protect the public from further harm; and how, whenever possible, we seek to rehabilitate and turn around those who have transgressed, to make their life better.

That key part of the Ministry's work largely relates to the criminal justice system, but the Ministry also deals with another part of the justice system and of our court system: access to justice in matters of civil and family litigation, and the myriad types of cases that go through the tribunals. All those are a key part of our social infrastructure, too. There is no point having rights if we cannot access them. Providing the means of accessing those rights, and of seeking redress when wrong is done, is equally important. That is sometimes overlooked a little in these debates.

The difficulty that the Ministry and all Ministers contend with is that it is a downstream Department: it inherits the consequences of things that started to go wrong much earlier in an individual's life or career, and of things that went wrong under the remit of agencies outside the control of the Ministry. It therefore has greater pressures on it, and in many ways it cannot control those pressures.

Also, the Ministry is an unprotected Department. For a number of years, our Select Committee's concern has been that the Department runs the risk of being in a near-perfect storm in that regard. I therefore welcome the Chancellor's statement only the other week, which added significant sums of money back into the justice system. That is much needed. As we are able to open up spending a little in a careful and targeted way in areas where it can make a difference, we will bang the drum loudly for the justice system getting its fair share of that. I hope it will be recognised that spending should

1. *[Official Report, 7 October 2019, Vol. 664, c. 12MC.]*

[Robert Neill]

not be used as a sticking plaster: there should be opportunity for significant reform so that we spend the money more effectively and more cleverly. The most obvious example of that is the situation in our prisons.

On Monday nights when we are not in a packed Chamber, as we have been for the past couple of weeks, Members will I hope have had the opportunity to watch the Channel 4 documentary “Crime and Punishment”; if they have not, they can find it on Catch Up. It is a profoundly disturbing but very effective documentary by highly experienced journalists. What it found did not come as a surprise to any of us on the Select Committee, who have visited prisons over a number of years and seen the conditions there. The documentary focuses on HMP Winchester, which ended up in special measures quite early on in the series.

In the documentary, we see brave, dedicated prison officers struggling in almost impossible circumstances, in a crumbling Victorian building. They try to deal with people with a background of serious issues—violence; addiction or abuse of drugs, particularly new psychoactive substances; and real issues of mental ill health and self-harm. These are people who have committed crimes and are a threat to themselves as well as to the staff who are tasked by the state with keeping them in custody. They deserve better. We have a real concern that spend at the moment does not enable prisons to offer the safe environment that they ought to, as a basic. The previous Minister with responsibility for prisons, the right hon. Member for Penrith and The Border (Rory Stewart), very much recognised that, as does the current one, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), and the Secretary of State.

We need to get out of the vicious circle whereby we imprison more people than any other country in western Europe, but also have some of the worst reoffending rates. We are unable to turn lives around as much as we should, and, as a result, reoffending costs the economy about £18.1 billion, through direct economic, and indirect social and then economic, costs; we ought not to forget that. That is not a wise use of money. We need to get things safe, first of all.

I am glad to see that money has been put into the recruitment of more prison officers, which is critical. Of course, we must remember that getting experienced prison officers take some time, and one of the really worrying things in the documentary was the number of dedicated young people who came into the service—a young prison officer called Ellie has been referred to quite a lot on Twitter—who do their level best and then leave. One young lad gets “potted” on more than one occasion, which means that the contents of the slopping-out pot—faeces and urine—are thrown over him. He is probably getting paid less than a barista would do in some parts of the south-east. What concerned me was that there did not even appear to be a proper exit interview for those people. We need a much more systematic strategy, as our Select Committee has suggested, for not only the recruitment but the retention of prison staff and experienced people. Money is part of that, but joining things up is critical.

While there has been a significant increase in the resource departmental expenditure limit budget, we also need significant capital spending. The estate has deteriorated appallingly, and the prison maintenance

backlog now runs to many hundreds of millions of pounds. That cannot be sustainable, so I hope that the Government will, in addition to this year’s initial money, set out a greater programme both for the human side of prison assets and for the estate side. Many of us regret that the disposal programme has stalled somewhat, and that also needs to be looked at again.

I understand the reasons behind the Government’s desire to spend more money on catching criminals, recruiting more police officers and recruiting more staff in the justice system, but all those things flow down. The more we spend on policing, the more criminals we catch, which may not be a bad thing in itself, but that will have a knock-on effect on the court system that has to try those criminals, and then in due course on the probation service, which has suffered difficulties over recent years. I welcome the bold, radical changes that the previous Justice Secretary, the right hon. Member for South West Hertfordshire (Mr Gauke), initiated in grasping the nettle of some failed contracts, and I welcome the changes to the prisons themselves. The money that has been offered this year is worth while, but it needs to be part of a much more holistic plan. The money is unprotected, so we have seen a major reduction since 2010 to about 40% of the Department’s budget. That is not sustainable, and it must start growing back as the economic circumstances permit, thanks to the success of our coming out of the economic mess that we inherited.

As for the courts budget, Her Majesty’s Courts and Tribunals Service has virtually staked the house on an ambitious programme of modernisation and on the introduction of technology. That is not a bad or undesirable thing in and of itself, but I am worried that too much reliance is being placed on the introduction of technology, because it is ambitious and, frankly, Governments of all shades do not have the best of track records on grand technological projects. I do not want it to be seen as the silver bullet, because it does not deal with the question of physical access to courts. Some 256 court facilities have closed over recent years. In some cases, that is understandable and legitimate, but we have to think very hard about how that enables vulnerable court users in particular to get to court.

Again, this is not just about criminals, victims and witnesses, because it applies to the civil side, where people may be party to stressful family litigation, for example, and may be going through bad times in their lives. For someone who has to go to court to deal with a possession hearing because they have got into debt and are about to lose their home, having actual physical access is important to them. We also must ensure that we have decent facilities where the hearing can take place.

As you and others may know, Madam Deputy Speaker, I practised for some 25-plus years in the criminal courts in the south-east of England. When I have visited the courts that I knew and was fond of in those days, I found conditions there pretty shocking now. For years—literally years—a corridor in the judge’s area of one of our major London Crown courts had a bucket to catch the drips from the ceiling. In the robing room at Southwark, the wall had not been repainted for so long that the telephone number scrawled up by the telephone—when people used those rather than mobiles—was still an old-fashioned number from before we had 0207 and 0208. That shows the lack of investment in our courts.



We cannot expect to recruit quality people to serve in our judiciary if they have to work in those conditions. A number of surveys have indicated concern about judicial morale. The principal issue is that judges often do not feel valued, and the working conditions are part of that. Neither is it fair to expect practitioners to be able to advise people properly if they do not have proper facilities to have a conference and instead have to try to find a corner in what might be a crowded room. We need much more significant investment in the day-to-day bricks and mortar of our Courts Service. The National Audit Office expressed concerns about the operation of the reform programme and noted the concerns about the growing maintenance backlog. We need to look at investment. We are prepared—I am glad to say that this is my party's slogan—to “invest, invest, invest”. Investment in the structure and fabric of the system is massively important.

There are also places where a small amount of money would make a real difference. For example—this is the final thing I will say about courts—I welcome the work by the Criminal Bar Association to expose rather shocking statistics about the underuse of the court facilities we have. I used to practise quite a lot at places such as Chelmsford and Basildon. As of two days ago, only two out of five courts at Basildon, and only three out of six at Chelmsford, were sitting. The same applied not far away at St Albans, where two out of six courts were sitting. This is not the summer recess; this is the autumn, when our courts are normally at their busiest. At the same time, cases are being listed for trial in 2020 in relation to allegations from 2018. That is not just. There is truth in the old saying that justice delayed is justice denied. It is not fair on defendants or witnesses.

I regret to say that that is happening because of the arbitrary measures taken by Her Majesty's Courts and Tribunals Service to limit the number of sitting days. We used to make up the slack in sitting days by having recorders—part-time, fee-paid judges—come and sit. Now, many recorders are not being asked to sit even the minimum number of days they are required to sit under their contracts. To my mind, that is pretty serious mismanagement by Her Majesty's Courts and Tribunals Service, and I suspect our Committee may wish to look at that further. That cannot be right. That is not big money; it is just about clever use of the assets and resources we already have.

There are small things that would make a difference in other areas. Jurors are expected to come to court. A constituent of mine—one of my councillors—did jury service recently. The allowances we pay to jurors have not been updated in years. They actually end up out of pocket by the time they have forked out for their lunches. We cannot expect people to do a public duty and treat them in that way. That small change in a budget that, after all, is only 1% of total spend would make a difference to the quality of the outcome. The same applies to magistrates' expenses. Magistrates are sometimes deterred from sitting in court centres distant from their homes because of the poor rates of expenses they get.

Putting more money into the legal aid system to ensure early access to legal advice in criminal, civil and family matters would not be a great cost in the overall scheme of things either. The Government have already shown a willingness to put more into the system. I urge them to continue with that, because access to legal aid

often leads to the swifter resolution of cases: represented defendants' cases are dealt with more swiftly, sounder advice is given, unmeritorious claims are not pursued, and meritorious ones are often resolved sooner. That would be investment to save in the long term.

I have given an overview, and I know other Members of the Committee will touch on general issues. Although this often is not the politically sexiest of topics, it is very important; it is as fundamental a part of our social services and our social fabric as anything else. That is why this chance to debate it and to hear the Minister's response to some of the issues we raise is most welcome.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. We have seven speakers, so if everybody takes about eight minutes we should be able to get everyone in comfortably for the winding-up speeches.

3.39 pm

**David Hanson (Delyn) (Lab):** May I welcome this debate, as well as the introductory remarks from the hon. Member for Bromley and Chislehurst (Robert Neill)—in this case, he is my hon. Friend—who spoke on behalf of the Justice Committee? Like him, I pay tribute to staff who work throughout the justice system. Today's estimates pay their wages, provide their conditions of work and give them the tools to do the job that I know they are committed to. Therefore, while exploring these estimates, I hope we can focus on some of the real challenges faced by those staff.

I welcome the Minister to his new job. It is 10 years since I was Minister of State in the Ministry of Justice—a long time ago. When I was Minister—this is one of the challenges we face—there was 40% more expenditure on justice matters than is proposed today. Although changes were made by the Government in August this year—we will touch on that—there has been a 40% reduction in the amount of resource going into the Ministry of Justice over that time. Those provisions were volunteered up by Ministers, some of whom are not even members of the Conservative party these days in terms of their political affiliation.

The Ministry of Justice budget fell from £10.6 billion in 2010 to £7.9 billion in 2020. Let no one be mistaken: those reductions have had a consequence on the services delivered by the Ministry of Justice, on the performance of staff under pressure and on the safety of staff in prisons across the estate for which the MOJ is responsible. They have also had a consequence on the MOJ's ability to improve reoffending rates and reduce crime and to provide a service to consumers and constituents of mine and every Member of the House regarding work on legal aid, access to justice, fighting for employment rights through the tribunal system and a range of other matters. That 40% reduction has made a real difference, and I wish to explore with the Minister the proposals for the revised sums he has brought forward.

Let us take this year's figures. In many prisons, the safety of staff and those sentenced to prison is at higher risk than it was 12 months ago. We must address that issue to ensure a solid performance across the prison estate and achieve the reoffending rates that I know the Minister would want. Over the past 12 months, there

[David Hanson]

has been a 24% rise in incidents of self-harm, to a record high of 57,968. The number of assaults has also risen to a record high of 34,425 in the past 12 months—an 11% increase on the previous year. In the 12 months to March this year, there were 10,300 assaults—11% of which were serious assaults—on staff and those doing their job to try to turn around those offenders in our prisons. That figure is up by 15% on the previous year.

The funding settlement needs to address ways to recruit more staff and to retain existing staff and support them in the workplace. We must try to professionalise and support staff on the front line. We know about the situation in prisons and about issues such as drugs entering prison, new psychoactive substances, increasingly violent prisoners being placed in prison and a range of people with mental health problems that cause aggressive behaviour. Those are real challenges, and the reduction in funding to date has meant they have been exacerbated by having a smaller number of staff, by the loss of experienced staff and by not allowing people out of cells to achieve some of the rehabilitation work, drug training courses or educational work that they need to turn their lives around. This settlement—the expansion in resource that the Government propose—needs to focus first and foremost on safety in prisons. Without safe prisons, we cannot have rehabilitation on the scale of our ambitions.

In August, the Government made a series of additional spending announcements. They announced additional police officers—I have also been the Police Minister—with 20,000 more officers to replace the 20,000 that have been cut. The Government announced the recruitment of police officers and prison officers: some would say that it is about recruitment of votes, rather than staff. The key point for the Minister to explain today is how he will address the issues. The policy announcements that have been made to date include 10,000 additional prison places, including investment in prison security—undoubtedly welcome—and an additional prison building programme. But we have no detail yet on how, when, where and at what stage those prison officers are to be recruited. We have no detail about the period over which those new prison places are to be built and whether they will replace new prisons or are genuinely new and additional prison places.

At the same time, a review has been announced by the Prime Minister of sentencing in England and Wales. It will not look at increasing community sentences or tackling short-term sentences, which the former Justice Secretary, the right hon. Member for South West Hertfordshire (Mr Gauke) wanted to look at. Instead, it will look at how we can put longer prison sentences in place. How will that all fit together? There were no policy details in the budget announcement in August about the condition of the prison estate, despite the fact that the prison estate is key to improving the rehabilitation of prisoners. The MOJ estimates a current backlog of some £900 million of repairs that need to be done in our prisons. There was nothing in the announcement in August that I could see about how much money will be put towards the maintenance work needed to ensure that we have safe cells. Fixing draughty cells, dangerously fitted cells, old cells and cells that people cannot leave to undertake education and training is material to improving reoffending rates.

Reoffending costs us £18 billion a year, which is far more than the Ministry of Justice's budget for investment in prisons and probation. Reoffending, especially by prisoners with short-term sentences, is extremely high. We had a lot of rhetoric six to nine months ago about tackling short-term prison sentences. I have seen nothing in the estimates about a change to super-charge community-based sentences as an alternative to short-term prison sentences of under six months, particularly for women offenders, many of whom are in prison on a short-term basis that will not secure their long-term rehabilitation back into society.

I will discount the 40% cut for now, even though it has been significant over the past nine and a half years. Instead, I ask what steps will be taken, under the current budget settlement, to make the prison estate a place of safety for staff and prisoners. What steps are being taken to ensure that we recruit and retain professional staff? What steps are being undertaken to super-charge the effort to reduce reoffending? What steps are being taken to ensure that people on short-term sentences see a real and effective shift in the time they are in prison? What steps are being taken to reduce the female prison population as a matter of urgency?

There are real arguments for reviewing short-term sentences, supporting alternative sentencing for women and looking again at the rehabilitation and employment links that require money. The emphasis on a capital building programme is wrong. We should look at investing in and improving the existing estate, retaining and improving the quality of staff and making prisons safe. I welcome the debate, because there are some serious discussions to be had. I wish the Minister well in what is a tough old job for him and his team, but real dividends can be achieved and real changes can be made. It will require political drive, but that drive seems to have shifted back towards longer term prison sentences and away from community-based rehabilitation in the statements made since the Prime Minister took office.

3.49 pm

**Alex Chalk** (Cheltenham) (Con): Let me say what a pleasure it is to follow the right hon. Member for Delyn (David Hanson), who speaks with such authority, particularly on prisons. It was a privilege to serve alongside him on the Select Committee on Justice.

It is important to put this debate on spending into context by setting out how much money we are talking about and where it sits in the grand scheme of things. The useful briefing provided by the Justice Committee makes it clear that the MOJ's resource budget for 2020-21 will be a little over £8 billion. True, the total amount spent will be a little more, due to annual managed expenditure, but the departmental expenditure limit is about £8 billion. To put that in context, total Government expenditure is anticipated to be over £850 billion, the point being that, whether it is a little less or a little more, the MOJ's budget is at or around 1% of total Government expenditure. That may or may not be remarkable in and of itself, but the items that the MOJ has to fund and secure could not be more important in our society.

The right hon. Gentleman talked about the funding of prisons, and while that is critical, what he did not touch on—this is no criticism of him—was legal aid. The danger when discussing legal aid is that there could

be a misconception in society—which could even be reflected among the relatively modest number of hon. Members present in today’s debate—of legal aid and access to justice as a “nice to have” rather than a fundamental and essential part of a functioning democracy.

That critical nature was recognised back in the 1940s, when British politicians were grappling with what the shape and nature of the welfare state should be. At that time, they considered the NHS, but they also considered the provision of legal aid to people of all means to be a critically important duty. In reaching that conclusion, they no doubt drew on some of the learning that came from Magna Carta, which said:

“We will sell to no man, we will not deny or defer to any man either Justice or Right.”

Those ancient words convey something extremely important: if we are to be equal before the law, we must have access to the law. And so it was that, in the White Paper that preceded the Legal Aid and Advice Act 1949, these words appeared:

“no one would be financially unable to prosecute a just and reasonable claim or defend a legal right”.

That must be the underpinning of a fair society. If people are granted rights by this place, they should be able to prosecute and defend them.

What has happened since 1949—no doubt, to cater for the increasingly complex world—is that the rights available to people are themselves more complex, whether it is to do with the employment sphere, protecting data or securing contact arrangements with children, which may be increasingly complicated, with one parent living abroad and so on. However, securing those rights is no less important now than it was then. The Supreme Court gave a trenchant judgment back in 2017 in the Unison case, when it had to consider whether employment tribunal fees were set too high. Ultimately, it concluded that they were, but the point that Lord Reed made—I am not quoting but paraphrasing—was that unless every person can get access to justice, the laws made in this place are liable to become a dead letter. He said that the work done in this Parliament would become nugatory and, in a memorable phrase, that

“the democratic election of Members of Parliament may become a meaningless charade.”

In those powerful remarks, Lord Reed encapsulated a fundamental truth, the importance of which I suspect hon. Members from across the House will have experienced in their constituency surgeries. I had a constituent—I will not name her, for reasons that are obvious—who faced a very upsetting set of circumstances. Her child was subject to contact arrangements made in a French court, which meant, putting it very simply, that she was unable to have access to her child, because there was a conflict-of-laws issue that needed resolving. Of course, she could not get legal aid to help her with that. Ultimately, she was assisted by a lawyer who gave tens, if not hundreds, of hours entirely pro bono to assist her. Justice was done because that lawyer was able to show that she had indeed been wronged by the courts process and that her rights needed to be asserted.

I want to take this opportunity, if I may, Madam Deputy Speaker, to pay tribute to all those lawyers up and down the country who give of their time to speak truth to power, to redress grievances and to do so entirely free of charge. They really do heroic work. It is

unfashionable in this place to pay tribute to lawyers, but those who work pro bono are some of the best in our society.

The total budget for legal aid is at or around £1.7 billion, and I want to conclude by putting that figure into some context. To the Syrian crisis alone the UK will be giving—in a gesture that is no doubt entirely appropriate and that entirely speaks of our humane and responsible nature as a nation—something like £2.7 billion. That may be entirely appropriate, but we should not neglect the legal aid budget. I do, of course, declare an interest as a legal aid lawyer, but that experience has taught me that, unless we properly resource legal aid, there will be a number of outcomes.

First, there will be the sorts of cases I referred to a few moments ago, with individuals being denied justice. Secondly, there will be an increase, which we have already seen, in litigants in person, who have to contend with an extremely alien and sometimes forbidding environment—a situation, by the way, that several judges find extremely difficult to deal with, despite their best efforts. The third and most important thing is manifest injustice. I went along to the Gloucester Law Centre, and it was really troubling to hear from hard-working and dedicated lawyers that they do what they can but that they recognise there are large areas that simply cannot be addressed.

The fourth thing—we do not want to scaremonger, but we must keep this in mind—is that if people cannot get access to justice, there is always a risk that they will take justice into their own hands. Although I suspect that the British people do not get quite as exercised about issues of legal aid as they might about the health service or education, they do recognise injustice when they see it. We all recall the case of Liam Allan, a young man who had been accused of rape. It emerged that, because of failings in the prosecution, critical text messages on the mobile telephone in that case were not disclosed. When they were, it emerged that he had been wrongly charged, and he was ultimately acquitted. When the British people became aware of that, they were rightly horrified, and the Government and the House have a duty to ensure that they will not be horrified in future by people not being able to seek access to justice.

I know that the Government are doing fantastic work in this field and that the overall budget has gone up by £4.9 billion. I also know from speaking to my hon. Friend the Minister’s predecessor that early advice and assistance have been given very close focus. As my hon. Friend begins his ministerial career, which I know will be long and successful, I urge him to give the closest possible attention to access to justice. We cannot have a society where the finest courts, which we have, and the finest judges, which we have, are truly accessible only to those with the means to pay. If we want to continue to be a shining light, with an international reputation for upholding the highest standards, those standards and that justice must be available to all.

3.58 pm

**Ms Marie Rimmer** (St Helens South and Whiston) (Lab): It is a pleasure to follow the hon. Member for Cheltenham (Alex Chalk), my right hon. Friend the Member for Delyn (David Hanson) and particularly the Chairman of our Select Committee, the hon. Member for Bromley and Chislehurst (Robert Neill).



[Ms Marie Rimmer]

I want to repeat some of what previous speakers have said. The Department has seen its budget slashed by more than 40% since 2010—the greatest cuts of any Department. A great man, Winston Churchill, said, “You judge a society by the way it treats its prisoners”. He would not be very proud of the way we have treated them in recent years. Last year, the Ministry of Justice’s total budget was £8 billion—just 1% of total Government expenditure, as the hon. Member for Cheltenham (Alex Chalk) said—but the cost of reoffending has now risen to £18 billion a year.

I want to focus on prison and probation. I want this to be considered against a backdrop of increased demand, which is not in the MOJ’s control. We have seen budget cuts of 40%. Planned efficiencies taken into account in budget planning did not materialise. We have also seen cohort changes: historical sex offenders and elderly people with ill health issues requiring care, attention and hospital escorts for heart attacks, strokes, diabetes, rheumatism and mental health illness. It is shameful to see these people in prison. We have young people with learning difficulties, autistic people, people with drugs and substance addiction and women, particularly young mums, separated from children. There is the issue of short-term sentences. Ten per cent. go through the gates—thank God it’s 10% and not more. Those women could be treated much better outside, with the support they need to keep them away from crime. They could be rehabilitated and it would save us money as well.

It has been chaotic in the prison system. Most of the prisons are Victorian. There is no planned maintenance programme. Everything is reactionary. It is an inefficient use of what capital resources we have. The capital allocation for 2009-10 was £716 million in real terms. In 2010-11, that changed to £63 million, a real-terms cut in the allocation—it is important to remember that this was a one-year allocation—of £654 million. That was a 91% cut in the first year. The annual allocation steadily reduced from £63 million a year to just £33 million a year, a real-terms cut of 47%. It was as low as £13 million in 2015-16, a real-terms cut of 50%. This is capital investment not going into this old estate that people are living in. We are supposed to be rehabilitating them so that they do not reoffend.

In 2016, the Government announced £1.3 billion for a prison estate transformation programme to create 10,000 prison places by 2020. That was then revised to 2022. Two new prisons were to be constructed and four were to be redeveloped. In 2017, the planned maintenance programme was postponed. Two of the redevelopments were put on hold. The building of a new prison in Wellingborough has started and the construction of a second, Glen Parva, is planned for 2020.

Here’s the interesting part: the MOJ agreed with the Treasury that the capital funding not being utilised could be used to fund current spending—that is day-to-day resource allocation—and £385 million was transferred from capital to resource. This was a one-off, so it won’t be there next year. Once it’s spent, it’s spent. It is not sustainable. It was essential to providing the day-to-day services and to paying the salaries of people in the prison system. There was not enough resource allocation.

The £385 million could be seen as a further cut to planned, shall we say, capital investment in our prisons, on top of what we talked about earlier. In 2019, we had

an announcement of £2.5 billion, which we were told was capital investment and would be spent on creating modern and efficient prisons. I sincerely hope that it is, because previous allocations have not been spent. The £385 million went over to resource spending and the £230 million under the previous Prisons Minister was spent on increasing prison capacity. This leaves just £685 million of the £1.3 billion allocated for new spend. The outturn—actual spending—on allocations is down to 39% in some years and that is not good. It is all very well to make the announcement, but if the money is not spent, we have an announcement with nothing to show for it.

The basic conditions in our prisons are absolutely shameful. Most of them are Victorian. The cells are deplorable. People come out brutalised. Some of them have to remain locked up for 23 hours a day. What chance is there of rehabilitation?

The cost of keeping young people locked up—and that is what they are, locked up—is much higher. In one young people’s prison, Werrington, it is just pounds less than £125,000 a year. I am sure that there are much better ways in which we can help those young people to become better citizens and contribute to society when they come out of prison. The prisons are violent, ineffective and overcrowded. The cost of imprisoning an adult is £40,000 a year. We need to do something radical to reduce the prison population, so that people who need to be and should be in there can be rehabilitated, and those who need help outside and can be dealt with outside are dealt with outside.

The spending has been chaotic. As we heard earlier, the rate of reoffending is at 48.3%, and the rate among those serving short sentences is 64%. Someone serving a short sentence is much more likely to go back to prison. The revolving door of reoffending goes round about 11 times. The reoffending rate among young people is 65%.

I beg the Minister: please get someone to sit down and do some strategic planning and thinking, because at the moment it is just a case of hand-to-mouth spending and putting sticking plaster over where it is needed. There is a lot of money, but it is not being used efficiently because this is not being planned.

4.6 pm

**Ellie Reeves** (Lewisham West and Penge) (Lab): It is a pleasure to speak in the debate, and I thank the hon. Member for Bromley and Chislehurst (Robert Neill) for securing it. It is also a pleasure to follow my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer).

Ministry of Justice spending accounts for just 1% of total Government spending, yet the Department has received some of the most vicious cuts over the last nine years, with overall budget cuts of 40% by 2020. That dramatic decrease in funding has been felt across the justice system, and has had an impact on victims, families, local communities and vulnerable individuals, and their ability to gain access to justice. The modest increase in funding for the Ministry in the September spending review provides a 4.9% budget increase in real terms, but it is nowhere near enough to deal with the pressure that is being felt throughout the justice sector.

Owing to time constraints, I shall limit my comments to cuts in civil legal aid. The Legal Aid, Sentencing and Punishment of Offenders Act 2012—LASPO—reduced

civil legal aid expenditure from £1.02 billion in 2012 to £678 million in 2018. The cost of that has been significantly reduced access to justice, areas of the justice system being overwhelmed by litigants in person, and the sustainability of the publicly funded legal profession being deeply threatened. All that means that the Ministry's demands on the Treasury are likely to increase over the long term, countering the savings made by the LASPO reforms.

LASPO removed from the scope of legal aid vast areas of law, including most private family law, and law relating to employment, welfare benefits, housing, debt, clinical negligence and non-asylum immigration. It also instigated tighter financial eligibility criteria for civil legal aid by changing the financial means test for areas of law that remained in the scope of legal aid. That included the ending of automatic eligibility for those in receipt of means-tested benefits, and reducing the limit on the maximum income and capital that an individual can have to qualify for legal aid. As a result of these reforms, many people who have previously been eligible for legal aid have been unable to gain legal assistance to pursue their cases. Instead, they must now pay for legal advice or representation themselves—often an impossible task—try to find free support or navigate the problem on their own. This greatly reduces the likelihood of an individual case receiving justice. The Amnesty International 2016 report states that the LASPO reforms have resulted in a two-tier legal system, open to those who can afford it but closed to those who cannot.

The reforms have impacted on access to justice in wide-reaching ways. For example, early legal advice is no longer in scope for legal aid, so cases that could otherwise be resolved early are now escalating into more complex cases, pushing further costs on to local and national Government. For example, Shelter has documented how this approach to housing advice has led to increased costs of temporary accommodation being borne by local authorities. LASPO has also led to the emergence of advice deserts in some parts of the country, especially in rural areas. Many solicitors have given up legal aid work because there is no longer funding for it, and this has particularly impacted on immigration and housing law.

The human cost of all this is often all too real for my constituents. For example, one constituent who was the victim of female genital mutilation, who had hepatitis B and who had fled a forced marriage needed urgent help to make a Home Office application or otherwise face removal. She was not entitled to legal aid and had nowhere to turn other than to a charity rather than getting proper legal advice and assistance. Another case I dealt with involved a 63-year-old woman with breast cancer who had her benefits stopped and was told by the jobcentre to look for work. Her benefits issue was out of scope for legal aid so, while also battling cancer, she had to try to find free legal representation from overstretched charities to challenge her benefits refusal at tribunal. It is likely that she will end up having to represent herself.

The crux of this is that a lot of vulnerable people in desperate situations are being refused legal aid. Often the issue is not in scope, and when it is, the means test makes legal aid really difficult to access. The Government say that they are saving money, but in reality this is costing a great deal, both to society and to the Treasury.

The recent Equality and Human Rights Commission report on the impact of LASPO found that unresolved welfare benefits issues were resulting in financial deprivation, including the risk of homelessness and an inability to pay for necessities such as food, heating and electricity, and that the difficulty of resolving legal issues in general was causing physical, emotional and mental health problems. Ultimately, the cost of this is likely to be far greater than providing legal aid in the first place.

The Government have a duty to provide a justice system that ensures that members of the public are able to obtain the advice and representation that they reasonably need, but the system that we now have under LASPO is clearly failing in terms of its ability to give people access to justice. Not only does it undermine the rule of law but it has serious consequences for the lives of many. If we are to avoid long-term and potentially irreversible damage to our justice system, the Government must properly fund legal aid to ensure that members of the public are able to secure appropriate advice and representation. This would require the reintroduction of legal aid for the areas of law removed from scope, and the introduction of more generous financial eligibility criteria. These reforms are necessary if we are to have any confidence in the justness of our legal system, and if we are to see the reversal of the development of a grossly unfair two-tier justice system.

4.14 pm

**Andy Slaughter** (Hammersmith) (Lab): This afternoon's debate does feel like a meeting of the Justice Committee. It is very nice to see everybody, but the attendance for the debate may be a clue as to why the Ministry of Justice, as a Department, has suffered the largest cuts since 2010. I am not saying that it is our fault that that has happened.

Justice, as a subject, tends to be a little bit niche, and the public do not perhaps feel that it impacts on them directly in the way that cuts in other public services do. The reality is, though, that if legal aid is not there when we need it, we may not get a fair settlement in a civil dispute or get fairly treated by the criminal courts; and if we do not get the prison system right, even people who have not been to prison feel the impact, whether through recidivism or levels of criminality. The sad truth is that since 2010 every aspect of the Ministry's work has suffered, whether it is prisons and probation, the Courts Service or legal aid.

In the past few weeks, we have talked a lot about the rule of law. There is perhaps a greater public awareness of the crucial importance of the judiciary and their role—thanks in large part to the Prime Minister and his unlawful acts. However, I do not think there is always a realisation that money is an essential driver of the justice system.

It is perhaps rather sad, therefore, that the one area of the MOJ budget that is receiving some attention financially is the Prison Service. Yes, we have heard about investment in new prison officers, but it is a shame that we lost the experienced ones that we had, and are still 2,500 below the 2010 level. There have been initiatives such as the 10 prisons project, set up by the former Prisons Minister, the right hon. Member for Penrith and The Border (Rory Stewart). Although I am sure it was well intended, I thought it was a bit gimmicky, in the sense that it addressed one or two important aspects—drug use and

[*Andy Slaughter*]

assaults. It was not entirely successful. In the case of one of the 10 prisons, Wormwood Scrubs in my constituency, assaults actually increased by 50% between the second quarter of 2018 and the second quarter of 2019—the period of that programme. Even in the areas that the programme was designed to tackle, it did little more than tackle superficial elements and was very limited. I note that the inquest figures showed that in those 10 prisons, over the first 11 months of the programme, there was actually a 20% increase in deaths. So even where there have been initiatives, they are not necessarily working.

The saddest thing is that if there is going to be substantial capital investment in prisons, it appears to be all to do with new prison places—the 10,000 extra places that we have heard about. I am afraid that what the new Lord Chancellor announced this week is an extraordinarily retrograde step, and appears to be no more than a political crowd-pleaser. It appears that the restrictions on short sentences, championed by the previous Lord Chancellor and Prisons Minister, will not be going ahead, despite all the academic work that was done on that approach. That has now gone out of the window. Instead, we shall see longer time served for certain categories of prisoner.

That is all very well, in an attempt to get a tabloid headline; but in fact there already exists a power, in the case of very serious and dangerous criminals, for judges to specify an extended sentence for public protection—that prisoners should serve two-thirds rather than half their term, for example. All that is being achieved here is to push an already very high and inflated prison population even higher, and that will deplete the limited resources that are available. We will not see improvements in the appalling prison conditions that colleagues have spoken of, or tackle the lack of treatment and the lack of ability to treat mental health problems and addictions.

I look forward to hearing what the latest Minister has to say on that, but if we can get neither the personnel nor the policy to stay in place for more than a few weeks or months, we are not really going in the right direction.

On the Courts Service, all eggs have been put in one basket, which is digitisation. A huge amount of money is being invested in courts going paperless and things being done remotely. I do not think that anybody is against that in the Courts Service any more than in other parts of the public service, but it is a leap of faith. The real problem is that the money that is going to pay for a lot of that is from the closure and sale of about half the courts in the country, but that is being done in advance of seeing whether this remote access and digital processing actually work in that way.

There is real chaos in the way the court systems are working now. There has been a drop in prosecutions—down 45% over the last eight years. Even though some more money is going to be put into the Crown Prosecution Service as a response to the hope that there will be more activity by the police, more arrests made and more people charged where offences have taken place, I doubt that it is enough to correct what has happened. The consequence is that many courts are standing empty for large parts of the time—ironically, given that many courts have been closed or sold off—yet at the same time we are introducing extended court days. In my

local area, for example, we will now have no courts in the borough. The county court has been moved three times so far in the last five or six years. That work is now being sent an hour or more's journey away. Many courts are at the same time standing empty because there are not the judges to fill them and, as I have said, the court day is being lengthened, so hearings are taking place at 8 o'clock in the morning. Who has got a grip on what is happening in the Courts Service? It does not appear to be coming from the top.

Let me—[*Interruption.*] I hear you clearing your throat, Madam Deputy Speaker, which is a shame, because I did want to spend some time talking about legal aid. I will do that very briefly, given the time.

A huge number of law centres and other not-for-profit providers have closed over that time. We have had no increase in fees for criminal defence solicitors for about 20 years now. As a consequence, we have both legal aid deserts and practitioners either not continuing or not being prepared to go into that type of work. There is a review of criminal legal aid, but that is not due to report until next year.

I ask the Minister to have a sense of urgency in dealing with the crisis in legal aid and to look at legal aid for inquests again. It is a scandal that that is not being dealt with. I also ask that we have a proper review of LASPO and its consequences, because, frankly, what is being proposed barely touches the sides.

4.22 pm

**Bambos Charalambous** (Enfield, Southgate) (Lab): It is a pleasure to follow my hon. Friend the Member for Hammersmith (Andy Slaughter).

On Monday, I attended Hazelwood Primary School in my constituency, which is holding school council elections this month and learning more about democracy. In the hallway of the school is a display about British values as part of the curriculum. These include liberty, mutual respect, democracy, tolerance and the rule of law.

The rule of law underpins our unwritten constitution and is rightly given prominence in education. Unfortunately, over recent years, it has been wilfully neglected and what should be a stable pillar is now crumbling due to years of under-investment and spending cuts. Despite last month's announcement from the Government of a funding increase of 4.9%, by 2020 the MOJ will have seen cuts totalling 40% since 2010.

What is worse is that the additional funding has already been earmarked for certain policy initiatives announced by the Home Secretary, which might make for good soundbites but makes little logical sense. We know that part of the £2.5 billion announced is earmarked for an extra 10,000 prison places—no doubt the Home Secretary is expecting an increase in offending—but the reality is that the United Kingdom's incarceration rate, with a current prison population of 82,600, is the highest in western Europe.

Violence in prisons is at record levels, due to lack of staffing and poor conditions in our existing prisons. At an average cost of £40,000 per year per prison place, our money would be far better spent on reducing reoffending rates. Reoffending rates are now at 48.3%, but this increases to 64.4% for those released from short sentences of less than 12 months. My hon. Friend the



Member for St Helens South and Whiston (Ms Rimmer) made that point excellently. The annual cost of reoffending is £18.1 billion per year, so why is more money not being invested in preventing people from entering the criminal justice system in the first place? Why is more money not going to health, housing and local authorities? In recent years, we have seen the abject failure of the privatised probation service, and the Government threw good money after bad in an attempt to salvage it. Having now abandoned the probation privatisation experiment, I hope that the Government will properly fund the probation service, which can make a huge difference in preventing reoffending, if it is adequately resourced.

The proposed new funding for the MOJ is also linked to the additional new police numbers, but, once again, this fails to look at the current trends and to address existing problems. According to the Howard League, across 2017-18 some 103,000 women and girls were arrested, which cost the police an estimated £1 billion in time and resources, yet only 7,745 were sent to prison. Surely that demonstrates the need for more funding for women's centres and other preventive measures, which would be much cheaper than prison.

Still on the issue of criminal justice, the additional funding for the Crown Prosecution Service is welcome, but there is nothing for criminal legal aid. Unless there is investment across the entire criminal justice system, it will not deal with the problems that are so plaguing the system. One such problem is the growing shortage of criminal duty solicitors. The Law Society estimates that in five to 10 years' time there will be insufficient criminal duty solicitors in many regions, as far fewer solicitors are entering the profession. The average age of a duty solicitor in England and Wales is 47. That is hardly surprising as legal aid rates have not increased for more than 20 years. Unless steps are taken now, this problem will only get worse; we are at the tipping point right now, and urgent action is needed. It is not just criminal law that is affected; there are now legal aid deserts for housing law across England and Wales. The Law Society estimates that 37% of the population are living in areas that have no housing legal aid providers. At a time when we hear horror stories about homelessness, evictions and disrepair, we are in desperate need of these types of lawyers. More investment is needed in this area and in others. As part of the LASPO review, it has been accepted by the Government that early legal advice can help save time and money for all concerned. The Government should be pouring more money into early legal advice, which will benefit everyone.

After years and years of slashing the Ministry of Justice, the additional funding for the MOJ is welcome, but this is like putting a sticking plaster on a gaping wound. To cut the MOJ budget by 42% and then re-provide 4.9% and hail it as a wonderful policy announcement is akin to breaking all the windows in a house but then saying that at least you have painted the front door. The additional funding is not enough, it is a false economy and it is going to the wrong places. If the Government are serious about reducing crime and re-offending, they will invest in preventive measures such as women's centres, healthcare and addiction services, housing, employment, education and diversionary measures. There also needs to be investment in our courts, our legal aid system, and prison and probation. As I mentioned

at the start, the rule of law, one of the pillars of our society, cannot be allowed to crumble. We need true investment in it, and we need it now.

4.28 pm

**Grahame Morris** (Easington) (Lab): As always, it is a pleasure to follow my good and hon. Friend the Member for Enfield, Southgate (Bambos Charalambous). This is an important debate, and I thank the Backbench Business Committee for granting time for us to discuss these issues. I must declare an interest, in that I am a member of the Justice Unions Parliamentary Group and I am proud to represent the interests of prison officers campaigning for a basic right: the right to a safe working environment. I also want to pay tribute to the dedicated and hard-working staff throughout the justice system—in the prisons, in probation and in every aspect of the Department's work—whose work is often overlooked.

Time is short, so I shall touch on just three issues: other Members have covered the financial cuts to the Ministry of Justice, so I will refer to them only briefly; I want to talk briefly about the loss of experience in the Prison Service because of budget cuts; and I will address the consequences of cuts for prison staff who are trying to maintain a safe working environment.

I read a most disturbing article in my local newspaper, the *Evening Chronicle*, entitled "Seven staff stabbed at North East jail as prisoners leave officers 'black and blue'". That is from 13 July. The article quoted the Lord Chancellor and Secretary of State for Justice, who said in response:

"The Government is taking unprecedented action to improve safety in prisons."

In the light of those comments it is important that, as part of our responsibility to hold the Government to account, we consider their record on law and order.

The Department has suffered cuts of more than 40% since 2010 and, according to some work that I have read by the New Economics Foundation, the indications are that that proportion will rise to more than 50% by 2023. My concern is that the cuts are a false economy. Several Members, including the Chair of the Select Committee, mentioned that the Ministry of Justice budget was around £8 billion and the estimated annual cost of reoffending is now more than £18 billion.

Ron Hogg, the police and crime commissioner in Durham, is a wonderful man who is currently struggling with a most debilitating illness. He pioneered the Checkpoint scheme in an attempt to address the issue of reoffending. Ron joined me on a delegation—in fact, he led the delegation; I joined him—to see the Secretary of State for Justice and put forward a powerful case for taking a new approach to tackling reoffending.

Private prisons are inefficient and are wasting resources. Although private prisons accommodate approximately 15% of the prison population, the Government spend nearly a quarter of the total prison budget on them. The main aim of a private prison is clearly to make profit for shareholders. Public service and staff safeguarding are secondary. Private companies aim for a profit margin of around 8% to 10%, so for every pound paid to a private prison operator, 10p is immediately top-sliced, to be given to shareholders rather than being spent on making our prisons safer.

[Grahame Morris]

The other method that the private sector has used to improve prisons' profitability is to reduce wages, cut staffing levels and accommodate more prisoners. A report by *The Guardian* newspaper, based on parliamentary questions, found that private prisons are up to 47% more violent than public prisons, as a consequence of understaffing and overcrowding. Put simply, private prisons cost more and deliver less.

The House will remember that the Secretary of State said:

"The Government is taking unprecedented action to improve safety in prisons",

so let us look at the evidence in the little time I have left. The Tory-Liberal coalition cut 7,000 prison officers, leading to the loss of more than 80,000 years-worth of prison staffs' accumulated experience. The recruitment of new prison officers, to which I understand the Minister will refer, even if to the same level the Government inherited from the previous Labour Government, will not replace the lost years of experience for many decades to come. The Government's unprecedented actions over the past decade have damaged prison safety and increased violence, through the loss of prison officers and the valuable experience that they have in running our prisons.

At Holme House near Stockton, which is the prison nearest to my constituency, seven staff were stabbed. Meanwhile, 11 staff at HMP Northumberland suffered fractures and another 22 needed stitches. Across the north-east, there were 46 incidents of prisoners spitting at staff, and 29 other serious incidents that resulted in injuries to staff were recorded. Indeed, the annual report of HM inspectorate of prisons for England and Wales found that among category B and C prisons staff shortages have

"been so acute that risks to both prisoners and staff were often severe, and levels of all types of violence had soared."

The Government are failing in their duty of care to prison staff: their workplace is unsafe; prison officers' wages have been cut in real terms for a decade now; and their retirement age has been increased from 60 to 68.

This Government, facilitated by the Liberal Democrats in coalition, are to blame for our prisons being unsafe and for failing in their primary duty of reducing re-offending and rehabilitating prisoners. Unless prisons are safe, secure and decent, rehabilitation is simply impossible. Our prisons have become, in many cases, universities of crime, with career criminals in control of prison landings.

In my opinion, the Secretary of State, or his Minister, should start by apologising to prison staff for a decade of failure. He should apologise for devaluing their jobs through real-terms pay cuts, and apologise for creating an unsafe working environment by cutting the number of officers, losing valuable experience, increasing the retirement age and expecting prison officers approaching 70 to tackle and deal with violent inmates who are in their 20s, 30s and 40s. He should apologise for allowing private prisons to profit at the expense of staff safety, for undermining our criminal justice system, for imposing a decade of cuts at every level—to policing, to legal aid, to our courts and to our Prison Service. I was frankly aghast to hear Conservative Back-Bench Members at the start of this debate wringing their hands about cuts to legal aid. I must have dreamt that Tory Members

trooped through the Benches into the Division Lobby in 2012 to vote for cuts to legal aid. I do hope that the Government will acknowledge their role and start immediately to repair the damage they have caused over the past decade.

4.36 pm

**Richard Burgon** (Leeds East) (Lab): I thank the Justice Committee for securing today's debate. Its members play a crucial role in highlighting the failings in our justice system and in offering very constructive ways to tackle them. I also welcome the new junior Justice Minister to today's debate. It is a shame that the Justice Secretary himself could not be here; perhaps he is busy having to defend the rule of law again after some not very anonymous briefings from Dominic Cummings, his boss. Perhaps he does not want to defend his own record that we have just heard about of voting for Conservative cuts, which have caused such damage to our justice system. Our justice system is in a Tory-created crisis. The driving cause is cuts of billions of pounds over the past decade, with the Ministry of Justice the second most cut Department.

We have heard a lot today about percentages here and millions there, but beyond that there is a real human cost to these cuts. What effect does the Minister believe that Government cuts have had on public safety? Does he believe that halving youth offending team budgets, along with wider cuts in youth services and elsewhere, has contributed to the violence that has seen the loss of too many young lives? What impact does he think that these justice cuts, along with those to the police and the CPS, have had on tackling serious crime? For example, what impact does he think that they have had on the all-time record lows of rape convictions that mean that women's groups are warning that rape is now effectively decriminalised.

I want to be clear that the Conservative party's cuts have left our criminal justice system less able to keep our streets safe and ensure that victims of serious crime get justice, and have enabled a wave of violence that affects too many families. That is the record of the Conservative party and we will never let its members forget it.

Cuts have consequences, and nowhere is that clearer than in our prisons. Slashing hundreds of millions of pounds every year from prison budgets and axing thousands of staff unleashed unprecedented levels of prison violence. Political choices at the very top caused that. Prisoners, staff and the wider public paid the price. Recent one-off funding awards to prisons are simply tinkering at the edges. Everybody knows that tackling understaffing is key to making prisons safe, yet there are still thousands fewer officers than in 2010. The latest figures show numbers falling again. Is the junior Minister aware of any plans to return levels to those of 2010 as the Labour party has committed to do? None was announced at the Conservative conference. Will he confirm that any prison officers recruited above the 2,500 announced in 2016 have been funded not through new Treasury funding, but within existing Department budgets? Could he clarify what else has been cut in justice to fund them?

Over the summer the Prime Minister pledged funding for 10,000 new prison places; 10,000 new prison places were also promised by each of the five previous Justice

Secretaries in every year since 2015 and by the last two Conservative Prime Ministers. Will the Minister apologise to the public for trying to pass this off as a new announcement, as he and the Prime Minister have both done? We do not need 10,000 new prison places or repeats of the errors of the past. We need effective alternatives that are proven to keep the public safe. As we have heard, women's centres are one such alternative. Members of the Government's own advisory board on female offenders have expressed frustration at this underfunding, stating that at least £20 million is required annually for community provision. A Labour Government will immediately plug the funding gap in the female offender strategy. Does the Minister have plans to do the same?

Nearly two thirds of short-term prisoners go on to reoffend, committing crime costing £7 billion to £10 billion a year, so will the Minister confirm that the Government have scrapped plans to legislate for an end to ineffective short-term sentences? The Ministry's own evidence shows that 30,000 victims of crime each year could be prevented by replacing ineffective short-term prison sentences of less than six months with community orders. Will the Minister explain why the Government are ignoring that evidence?

As we have seen, justice cuts go hand in hand with a push for privatisation. Since we last debated the Ministry of Justice budget, the Government have been forced to take HMP Birmingham off G4S and return it to public ownership, yet the Conservative party simply refuses to learn the lessons and plans yet more privately run prisons. Why did the Government insist that these new prisons had to be privately run? Why was the public sector excluded from bidding? Is this not simply ideological? Will the Minister publish the research that led the Government to decide that this apparent carve-up is actually supposedly in the public interest? The companies bidding for new prison contracts need to be clear that a Labour Government will put an end to our prisons being run for private profits. These private companies should not bother wasting their money bidding for such contracts because our lawyers will be better than theirs, and will ensure that those prisons are put back into public ownership.

Probation was one area of privatisation that even the Conservatives have had to agree to reverse, but only after hundreds of millions of pounds were wasted bailing out failing companies that had not even managed to keep the public safe. However, the Justice Secretary managed nothing more than a single, vague platitude about probation in his party conference speech. There are concerns that the Government still plan for £280 million of annual probation contracts to be allocated by the market, and that that is a ruse to allow failing corporate giants to keep their hand in. Will the Minister make a commitment today that none of the companies that botched probation will be allowed to run these new contracts?

The single mention of probation in the Justice Secretary's party conference speech was disrespectful to a system that manages a quarter of a million offenders in the community, but at least it did get a mention. There was not a single mention in his conference speech of courts—unbelievable, especially as the Tories are not just under-investing in our courts but are selling off hundreds of courts and sacking thousands of court staff, undermining the ability of victims and witnesses to access justice.

The NAO's recent report on court reform found that progress was behind schedule, with expected savings having fallen by over £170 million. Does the Minister accept that there is a real risk that these court reforms will repeat the failings of probation reform, and without such scrutiny? Will he back Labour's call for a moratorium on further closures until there has been proper public and parliamentary scrutiny of these changes?

On access to justice, just as with courts, there was not a single mention of legal aid in the Justice Secretary's conference speech—absolutely disgraceful. Labour is committed to reversing all cuts to legal aid-funded early legal help within the first 100 days of a Labour Government. There is, as we have heard, clear evidence that cuts to legal aid-funded advice are simply a false economy, but if the Minister is not prepared to look at the evidence, will he at least commit today to undertaking independent research into how much the state can save by restoring all funding for early legal help?

This July, Lambeth Law Centre announced its closure after nearly 40 years of service, citing financial pressures caused by legal aid cuts. Is the Minister aware of any MOJ plans for an emergency fund to prevent more law centres from going under? Given that a PwC report calculated that law centres produce direct net cost savings to the Treasury of over £200 million, does the Minister plan to undertake research into the benefits of investment in legal support for disadvantaged communities?

In conclusion, today has been an important opportunity to discuss a Department that is much neglected by the Government—well, neglected in one sense, but certainly vigorously attacked in another. For those who thought that the latest Secretary of State for Justice would bring a welcome and moderating approach, his conference speech, with its paucity of detail and no mention of crucial things raised today by Members on both sides of the House, will cause incredible concern. The Ministry of Justice is a Department in crisis. That is not a situation that has fallen from the sky; it is the direct political consequence of how people have run this country for the past nine years. I hope and trust that those people will not be running the country too much longer.

4.46 pm

**The Parliamentary Under-Secretary of State for Justice (Chris Philp):** It is a great pleasure to conclude this debate. I start by thanking my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee, as well as the other Committee members here, for securing this afternoon's very important debate. When I attended the opening of the legal year on Tuesday, it became clear to me just how many of the senior judiciary in this country the Committee Chairman knows. I will certainly endeavour to listen to him, and to other members of the Committee from both sides of the House, as I embark on my new role.

As my hon. Friend the Member for Cheltenham (Alex Chalk) and the hon. Member for Enfield, Southgate (Bambos Charalambous) indicated, justice is of fundamental, vital importance to the functioning of our society. Justice is the foundation of any civilised society. Without justice, there is no freedom, and without the rule of law, there can be no prosperity, so the state discharges few functions that are more important than ensuring that justice is done. I join Members on both



[Chris Philp]

sides of the House in paying tribute to judges, lawyers, the police, Crown Prosecution Service officials, court officials, prison officers, probation officials, and of course Ministry of Justice civil servants for their work in making sure that our justice system functions.

As this debate is on funding, I should like to comment on the overall funding figures. A number of Members have referred to a reduction in spending of 40% since 2010. It is important to mention that that figure is based on figures for the 2015 spending review. Since then, there has been additional resource spending on Ministry of Justice matters from a variety of sources, and when that spending is added back in, the real-terms reduction is 21%. That is still a reduction, but of a great deal less than 40%. To put that in context, the British crime survey, which produces the most reliable crime statistics—in fact, the only ones recognised by the Office for National Statistics—finds a 33% reduction in crime over the same period; that is significant, and we should bear it in mind.

That said, there are clearly issues with the way that various parts of our criminal justice system operate that need addressing—issues that Members on both sides of the House have powerfully and eloquently referred to. That is why it is welcome, as some Members have acknowledged, that in the spending review statement made just a few weeks ago in this House, it was announced that the Ministry of Justice's resource budget will increase from £7.631 billion this financial year to £8.142 billion in the next financial year. That is an increase of £511 million, which is over half a billion pounds, 6.7% in cash terms, or 4.9% in real terms. I am glad that Members across the House welcome that increase. On the capital side, the capital DEL budget has increased from £417 million in the current year to £620 million next year—a 48% increase.

The Department is going through the allocations process to work out where the extra £511 million will go. I heard powerful representations about the probation service from the right hon. Member for Delyn (David Hanson) and the hon. Member for Enfield, Southgate (Bambos Charalambous), and I think pretty much every Member who spoke in the debate mentioned the prison system. My hon. Friend the Member for Bromley and Chislehurst spoke about the courts system, and many Members discussed the legal aid budget, including the hon. Member for Lewisham West and Penge (Ellie Reeves), who spoke powerfully. What has been said in this debate will be carefully looked at as the allocations are made. However, we should remember that the reason why these savings had to be made was the catastrophic state of the public finances 10 years ago, so as we look forward to next year, as the economy continues to prosper and as public finances come under control, I hope that the 2020 spending review can do a lot more for the Ministry of Justice and the various areas that it looks after.

I will now respond to some of the specific points raised in the debate. On prison places, I am delighted that two prisons are now under construction, with 3,360 new places. Construction started just last week at the new prison in Wellingborough, and the Secretary of State turned the first sod of earth with his very own hands. That £2.5 billion programme will, as Members have said, add 10,000 places by the middle of the 2020s.

Members also made reference to the need to maintain and improve conditions in prisons themselves, with the right hon. Member for Delyn and the hon. Member for Hammersmith (Andy Slaughter) both referred specifically to the conditions within prisons. The Government fully recognise that issue, and I can confirm today that, in addition to the spending review 2019 figures that the House heard a few weeks ago, an extra £156 million will be spent next year expressly on prison maintenance and conditions. That is a 75% increase across the capital and resource budgets on the amount planned in the spending review, so I am sure that everybody in the House who raised the important matter of prison maintenance will be pleased to hear that.

Several Members mentioned the number of serving prison officers, including the hon. Member for Easington (Grahame Morris) a few moments ago. Members will therefore be pleased to hear that, as of June this year, there were 22,321 serving prison officers, which is an increase of 4,366 since 2016. The shadow Justice Secretary said a moment ago that 2,500 extra officers were announced in 2016, so I am pleased that we have delivered almost double that.

The hon. Member for Hammersmith talked about an important trial that took place in 10 of the most challenging prisons to try to improve prison safety and address, for example, assaults on prison officers. The trial published its results in August this year, and assaults fell by 16% and positive drug tests by 50% across those 10 prisons. Those are important results, and I hope that the pilots can be expanded. I will certainly be passing that point on to the Minister of State for Prisons and Probation.

We heard a bit less about our courts than about prisons, but they are also extremely important, with my hon. Friend the Member for Bromley and Chislehurst drawing particular attention to them. The digitisation process is not, as he said, a panacea. It is part of the solution, not the whole solution, but it is welcome that uncontested divorce proceedings, probate proceedings, the issuance and response to civil money claims and minor pleas can now all be done online, saving both participants in the criminal justice system and the court system itself a great deal of time and money. The common platform designed to make criminal cases run more effectively and efficiently between the police, the CPS and the courts will start to be rolled out in the first half of next year. That will do more to make the courts run more efficiently.

My hon. Friend the Select Committee Chairman mentioned issues with sitting days and maintenance in the court system, which I recognise. As the Minister with responsibility for courts rather than prisons, I will of course make the case for sitting days and for the maintenance programme in the court system as we go through the allocation process in the coming two or three months to divide up that half a billion pounds of extra money.

On court closures, which the shadow Secretary of State raised a few moments ago, the courts that were closed—those that were consulted on in 2015—were running at about one-third utilisation, partly because of the one-third reduction in BCS crime since 2010. Clearly, having courts running at only one-third utilisation does not make a lot of sense, but before there are any further closures, there will be a consultation process and extremely careful thought, for the access to justice reasons that he and other Members mentioned.

Legal aid was mentioned by a number of Members, particularly my hon. Friends the Members for Cheltenham and for Bromley and Chislehurst, and the hon. Members for Lewisham West and Penge and for Hammersmith. I am pleased to remind the House that last year the rates for criminal barristers were increased by around 10%—that was a £23 million commitment—and, as Members said, the criminal legal aid review is under way. In fact, some parts of that review, because they are so urgent, will report early: the parts related to unused material, cracked trials, paper hearing cases, pre-charge advice and payments for sending cases to the Crown court will report next month. The rest of the review will report in the summer of next year, and I hope it will address some of the concerns hon. Members raised about the legal aid system.

The hon. Member for Lewisham West and Penge mentioned victims. They are very important—particularly victims of sexual assault. The victims and witnesses budget is £92 million, and I am sure she will join me in welcoming last week's announcement of an extra £5 million specifically to help victims of sexual violence.

Let me conclude with sentencing, which the Lord Chancellor and I have responsibility for. I support the change in the automatic release point for standard determinate sentences from half to two thirds, because I think the public expect someone who is sentenced to serve the majority of their sentence. Releasing them at the halfway point undermines public confidence in the sentence that is handed down. The change aligns the release point with the discretionary release point for extended determinate sentences, at two thirds. That will, of course, apply only to the more serious cases; it will not apply to all cases where a standard determinate sentence is handed down.

**Grahame Morris:** Will the Minister give way?

**Chris Philp:** I would love to, but I only have a few seconds left. I would love to take an intervention from the hon. Gentleman on a future occasion.

On less significant offenses, I recognise the extremely high reoffending rate—60%—that Members referred to. As the Minister responsible for sentencing, I will look very carefully at expanding trials in which treatment, in particular for drug addiction, alcohol addiction and mental ill health, is put at the heart of sentencing and rehabilitation. There is much more we can do to learn from those trials and from countries around the world where more effective treatment is the key to reducing reoffending rates. That is my personal commitment to the House this afternoon.

It has been a great pleasure to participate in the debate. I look forward to hearing the Select Committee Chairman conclude it.

4.58 pm

**Robert Neill:** This has been a valuable debate. I thank all Members who participated in it. Some powerful messages have been sent. I recognise the Minister's good intentions and good will on this topic, and I know he will take those messages away. I hope they are taken away beyond the House too, because we need a better public debate about the importance of our justice system and how it is integral to the way we see ourselves as a society. I hope that, in the future, that makes the climate and the task easier for those who want to see funding used in the right way—effectively and efficiently—and given the right priorities. I welcome the Minister to his role on his debut at the Dispatch Box. We have probably given him a fair bit to think about, and I am sure he knows that it comes with the health warning that we are likely to return to these topics before too long.

*Question put and agreed to.*

*Resolved,*

That this House has considered the spending of the Ministry of Justice.

## PETITION

### Rail link to Fleetwood

4.59 pm

**Cat Smith** (Lancaster and Fleetwood) (Lab): I rise to register my constituents' deep concerns about the poor public transport links to Fleetwood. This petition has been organised by the campaign group "Fleetwood Back on Track". The petitioners are concerned that Fleetwood has poor public transport connections and relies on just one road in and out; all the while the old railway track is still there, but not in use. The petition notes that we are a beautiful town with an admirable coastline that we cannot share with the rest of the country, due to our deplorable transport links. It has collected 3,116 signatures, which clearly shows the extent of feeling on this. It is a privilege to put the concerns of my constituents directly to the House today.

The petition states:

The petition of the residents of the United Kingdom,

Declares that there is a need in Fleetwood for decent transport links on the grounds of deprivation and poor economy.

The petitioners therefore request the House of Commons to urge the Government to reinstate the Poulton-le-Fylde to Fleetwood rail link.

And the petitioners remain, etc.

[P002527]

## Taxi and Private Hire Licensing Reform

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

5.1 pm

**Wes Streeting** (Ilford North) (Lab): As a member of the all-party group on taxis, I am delighted to see you in the Chair for this debate, Madam Deputy Speaker. I am sure that many of the themes and issues that I raise will be of enormous interest to you as a constituency MP and neighbour, as well as being in the Chair in your usual fair-handed and fair-minded way.

It is a matter of some regret that I need to stand up once again and make the case to the Government about the urgent need for reform of our taxi and private hire licensing laws. I think we are now on our third Minister since I first raised these issues and founded the all-party group, and I pay enormous tribute to the two former Ministers with whom I had the pleasure of dealing—the right hon. Member for South Holland and The Deepings (Sir John Hayes), and the Under-Secretary of State for Transport, the hon. Member for Wealden (Ms Ghani), who remains in the Department but has moved to other matters. I hope that we will get an open mind and a fair ear from the new team, which I am sure will be the case when the Minister replies.

There is enormous consensus about the need for reform and about the kinds of reforms that must take place. Some years have passed since the all-party group published “Lessons from London: the future of the UK taxi trade”, which made a number of recommendations to the Government and set out the compelling case for change. That led the Department for Transport to commission its own task and finish group to look independently at those issues.

I commend to the House the excellent report, “Taxi and Private Hire Vehicle Licensing: steps towards a safer and more robust system”. It was produced by Professor Mohammed Abdel-Haq, who I am delighted has joined us and is watching our proceedings in the House today. In his foreword to the report, he said:

“It is clear that the status quo whereby taxi and PHV licensing is inconsistent, ineffective and incompatible with the protection of vulnerable people must not be allowed to continue. Alongside other incidents of criminality, the events in Rotherham, Rochdale, Oxford and elsewhere have brought the fundamental flaws in the licensing regime into the sharpest possible focus; these oblige uncompromising determination to make taxis and PHVs safe for all.”

Many of the recommendations in his report to the Department for Transport echo those made on a cross-party basis by the all-party group. They include the need for national minimum standards, so that any passenger in any part of the country can get into a taxi or minicab, safe in the knowledge that the laws and safety regulations governing their journey will keep them safe wherever they travel and in whatever type of vehicle.

It was acknowledged that we have a ridiculous patchwork quilt of varying standards and regulations across the country that national minimum standards would help to reinforce. It has also been recognised that in some places, often for tragic reasons, licensing authorities have gone further, as Rotherham Council did following

the appalling role that the local minicab industry played in the terrible sexual abuse and exploitation of young women in that town.

It was acknowledged, from the work we did on the all-party parliamentary group and in the working group, that too many drivers and operators are flouting the rules, taking advantage of loopholes in the law and the patchwork quilt of safety regulations that exist to get their vehicles licensed in authorities with much less stringent safety regulations to undercut the more robust regulations that have been put in place in other towns and cities.

**Sir John Hayes** (South Holland and The Deepings) (Con): The hon. Gentleman has been an unremitting and courageous advocate for better licensing, along with the hon. Member for Cambridge (Daniel Zeichner). Indeed, three of my favourite Opposition Members are in their places. The hon. Member for Ilford North (Wes Streeting) is right to draw attention to the report by Professor Abdel-Haq and the superb work he did. The foreword to the report says that it is about public wellbeing. The Government welcomed the report and accepted its recommendations, and I know the hon. Gentleman will want to ask—I do, too—when we will have the legislation necessary to put its recommendations into effect.

**Wes Streeting:** I strongly endorse what the right hon. Gentleman has said. There is a real need to act, whether on the introduction of new rules to govern cross-border hiring so that people cannot flout safety terms and conditions, on finally providing a working statutory definition of plying for hire to prevent abuse of the two-tier system, or on ensuring that all drivers have disability training, recognising the concerns that Guide Dogs and other disabled passengers’ groups have raised about the inaccessible nature of too many journeys.

The Department cannot have failed to notice that Professor Abdel-Haq said at the end of his foreword:

“I look forward to the Government’s prompt response to this report in order to maintain the momentum for improvement.”

His final and clear word on the matter was:

“Undue delay would risk public safety.”

I am afraid that that is where we are now. We are in a position where passengers are made unnecessarily unsafe because the Government have been too slow to act, even though we have a clear cross-party consensus.

The Government and all Members of Parliament are held in low esteem by the general public because of the deadlock on Brexit. While the Government try to move through that deadlock, and we all try to work constructively to break the deadlock so that we can turn our attention to other issues, Wednesday’s debate on the Domestic Abuse Bill showed that the House does an enormous amount of good for the country. There are so many areas where we could build cross-party consensus for the benefit of our constituents and the country. The good news for the Minister, the Government Whips and the Prime Minister in looking forward to Her Majesty’s Gracious Speech and in thinking how they might legislate is that the votes exist for a taxi and private hire Bill. I hope that the Minister, even if he cannot pre-empt the Gracious Speech, can drop a significant clue about what might be in it.



There are also city-specific issues. As a Greater London MP, I am well aware of the impact that private hire vehicles have had on congestion in the streets of our capital city.

**Jon Cruddas** (Dagenham and Rainham) (Lab): I must put on record my hon. Friend's extraordinary work since becoming an MP on the regulation of the taxi industry. Does he agree that it is a democratic right that Transport for London and the Mayor should have the power to set—and, if necessary, limit—the number of private hire vehicles on London's streets?

**Wes Streeting:** My hon. Friend has anticipated the point that I was about to make. Clearly, capping the number of private hire vehicles would not be appropriate in every town or city in the UK. However, the Mayor of London and Transport for London have made a compelling case to enable Transport for London to use a cap if that is deemed necessary and appropriate. Although I hear the objections from some parts of the industry, particularly those using vehicles with lower emissions, it is not just about the emissions of those vehicles. If those vehicles are clogging up the streets of London and the gas-guzzling lorries or other polluting vehicles are pumping out toxic fumes, that congestion is as big a contributor to poor air quality as those individual vehicles. For the first time in history—although perhaps not even the last—we have a former Mayor of London in No. 10. I hope that he will not be there for too long, but while he is, I hope that the Prime Minister, based on his experience as Mayor, might look on that proposal favourably. We have a huge area of consensus and a huge opportunity to legislate with cross-party support, so I hope that the Minister will give us some good news about how the Government will respond to our pleas for urgent action.

I want to raise a related issue, particularly in the light of Transport for London's decision to grant a two-month licence extension to Uber: namely, the conduct of that operator. I recently met with Uber in London for the first time in many years. I also met with Uber when I visited its headquarters in San Francisco with the all-party group on the fourth industrial revolution, which is reflected in the Register of Members' Financial Interests. I am not from the luddite wing of the House of Commons; in fact, I have yet to find the luddite wing. *[Interruption.]* It is being suggested that the right hon. Member for South Holland and The Deepings (Sir John Hayes) and my hon. Friend the Member for Dagenham and Rainham (Jon Cruddas) might fit into that category. I think that is rather uncharitable and would never let it be said.

I have no problem at all with the way in which technology is going to change our society. Technological change is inevitable—it is coming; it is happening—but let me say to this Minister in particular, who is often at the cutting edge of political thinking on the centre right of British politics, that we have to think carefully about how we respond to this technological revolution, which is going to change of the landscape of this country in terms of our work, our interactions, our relationships and our relationship with the wider world.

It is particularly important to learn the lessons of what we got wrong with globalisation. Just as globalisation has been a fantastic force for good in the world, bringing about peace and prosperity and lifting millions of the world's poorest out of poverty, we cannot be ignorant

of the fact that it has had enormous downsides, which have led to rapid deindustrialisation, the hollowing-out of towns and cities and the degradation of people's working conditions and quality of life. Our failure—by which I mean the failure of the champions of globalisation—to recognise those downsides and mitigate them has led to a huge backlash, which is upending the peace, prosperity and stability that we have enjoyed in western liberal democracies since the end of the second world war, whether it is the referendum result to leave the European Union or the election of Donald Trump as the President of the United States of America. There may be something ironic about a global movement against globalisation, but it is none the less there, and if the champions of globalisation had recognised the downsides and worked with those communities to ensure that everyone reaped the benefits, our politics, our country and our world would be in a better place.

We are now on the cusp of a new technological revolution that offers enormous opportunities for how we live, work and relate to the wider world, but there are downsides, and we see that in the case of Uber. Sure, people find it convenient to call Uber at the touch of a button—I should add that they will also find it convenient to call an iconic licensed London taxi at the touch of a button—but it cannot be right that a multinational corporation based in San Francisco that is effectively a glorified minicab app can undercut other competitors in the industry through aggressive tax avoidance, by not recognising their workers as employers, with standard employment rights, terms and conditions, by not paying them their fair share and by playing fast and loose with passenger safety.

I recognise that Uber has taken some steps, following rigorous enforcement from Transport for London, to clean up its act. It is now subjected to an additional 20 licence conditions on its London licence. However, I am afraid to say that it still has to be dragged through the courts to recognise basic employment rights and conditions. When it floated, its own report to the Securities and Exchange Commission said:

“Our workplace culture and forward-leaning approach created significant operational and cultural challenges that have in the past harmed, and may in the future continue to harm, our business results and financial condition.”

It mentioned in that report its

“focus on aggressive growth and intense competition, and...failure to prioritize compliance”.

Whether Uber is having to be dragged through legal action to comply with data standards and to give drivers access to the data they have requested, or whether it is being dragged through the courts by trade unions and Uber drivers—I really do pay tribute to GMB and United Private Hire Drivers—I am afraid that it is not yet acting in the way I would expect a forward-thinking, forward-looking, responsible technology provider to behave. I therefore hope that Transport for London scrutinises very carefully the case for renewing Uber's licence.

Let me conclude on that point by saying this. If a licensed London taxi driver had breached their conditions in the way that Uber has, or if the minicab office up the road from my home had flouted its operating conditions, they would have lost their licences, and they would no longer be operating. We cannot send a message to big multinational corporations that we deem them too big to fail. It is important that the Government and Transport for London hold Uber rigorously to account.

[Wes Streeting]

I hope the Minister will take those messages on board. The taxi drivers, minicab drivers and Uber drivers I represent are looking to the Government to make sure we have a level playing field, fair competition and a diverse taxi and private hire industry in this city and in other towns and cities across the country that works in the interests of drivers and passengers and that, most of all, prioritises safety. That is what is at stake here.

**Mr Jonathan Lord (Woking) (Con):** In Woking, our Woking Street Angels have an informal arrangement with our licensed taxi drivers. If people are the worse for wear late at night—normally on a Friday or Saturday evening—the taxi drivers will take them home. My taxi drivers—many are from the Muslim community and do not drink themselves—often do not charge those customers or get any reimbursement. Will the hon. Gentleman join me in thanking all those licensed taxi drivers across the country who go above and beyond on behalf of the community?

**Wes Streeting:** I am grateful for that intervention, because it speaks to the generous hearts of taxi drivers and minicab drivers. We will see that reflected again when licensed London taxi drivers ferry some of our veterans from the big railway terminals and bus terminals across London to take part in Remembrance Sunday.

The great licensed black taxi is an iconic feature of our capital city. I think that it has a bright future. I think that it will survive every technological trend coming. It may well be the only driven car in a city with driverless cars. That is because people value the knowledge of London and the skills that licensed taxi drivers bring, and they love seeing the black taxi on the streets of London. We can have a competitive, but most of all a safe, industry in this city and in towns and cities across the country, but it requires the Government to act—and to act soon.

5.18 pm

**Daniel Zeichner (Cambridge) (Lab):** I very much appreciate your giving me permission to speak, Madam Deputy Speaker. I will be very brief. I thoroughly endorse the comments of my hon. Friend the Member for Ilford North (Wes Streeting): this is absolutely about safety.

I just want to raise the professor's report. He came to the Transport Committee and was questioned about it. He told us:

“The main takeaway from my point of view is that currently the public is at risk.”

That is a very strong thing to say, and I cannot understand why the Government have allowed this to run for so long. I am grateful to the former Minister, the right hon. Member for South Holland and The Deepings (Sir John Hayes). We worked in a cross-party way to produce a private Member's Bill that was ready to go, but it was talked out, unfortunately. It is still there; it is still alive; and it would deal with driver licensing and enforcement. I plead with the Minister to keep it alive in the next few days. It is there to be done. Given that this has been running since the Law Commission report four or five years ago, it is quite extraordinary that we can allow the public to be put at risk in this way.

5.20 pm

**The Minister of State, Department for Transport (George Freeman):** It is a great pleasure and privilege to open the batting in my new role as Minister for the future of transport with you in the Chair, Madam Deputy Speaker, as umpire, even if not before a packed Chamber—I am more of a night watchman covering for the Minister for taxi regulation.

I thank the hon. Member for Ilford North (Wes Streeting) for his kind words, and I congratulate him on his assiduous pursuit of this issue in his time in the House. I know how strongly he feels and how widely he is respected across the House for his work, particularly through his chairmanship of the all-party group on taxis, of which you, Madam Deputy Speaker, are also a supporter. I know that you have taken a close interest in the issue.

I congratulate the hon. Gentleman on bringing this debate at the perfect time, as the Government are thinking about their legislative programme. I am particularly delighted to be responding on behalf of my noble Friend the taxis Minister and in my capacity as Minister for the future of transport—a new role at the Department for Transport—responsible for using our research and development budget, procurement and regulation to drive decarbonisation and digitalisation and to tackle disconnection in the Department.

As this debate and the hon. Gentleman's work have shown, the 360,000 licensed taxi and private hire drivers in England play an important role in our transport system, meeting those journey needs that mass transit does not. They help people to reach shops and vital services and they get people home safely at night. As he and others highlighted and attested, they often offer those services to communities free of charge—gratis.

Taxis and private hire vehicles provide a particularly important service for disabled passengers, supporting their independence, allowing them to get to work, shop and visit friends and family—things that most of us are lucky enough to be able to do without a second thought. We know that disabled passengers make twice as many taxi and private hire journeys as non-disabled passengers. For those reasons and many others, the Government want the sector to thrive so that it can continue to meet the public's needs and expectations.

There is clearly a problem. We agree with the comments made tonight and those made elsewhere in the House that the legislation that governs the taxi and private hire vehicles sector needs reform. That has been driven by a series of issues: the pace of innovation in mobility; the out-of-date nature of some of the legislation; the urgency of the decarbonisation, digitalisation and automation revolutions; the safety of passengers; and the need to ensure accessibility for those who suffer from disabilities.

**Mr Lord:** Woking has introduced some class-beating emissions standards for vehicles. I am sure I am not alone in hoping the Minister might give some comfort to other towns and cities that they will also be able to have clean air from their taxis in the years ahead.

**George Freeman:** My hon. Friend makes an excellent point. I will touch on that later. Part of my work on the future mobility zones is to drive the power of future mobility to help support clean air.

The use of apps to book vehicles is increasingly popular with passengers and this, perhaps more than any other factor, has thrown into sharp focus the fact that legislation drafted in the 20th century for private hire vehicles, let alone Victorian taxi legislation, has not kept pace with technological change and progress in the sector. As with other forms of licensing, the sector is licensed at a very local level, with 284 licensing authorities in England setting the standards they feel appropriate for their area. Unlike other forms of licensing, however, those that are licensed are by the very nature of the trade mobile and so will occasionally operate outside the area that granted the licence.

The increased use of technology has also added to the complexity by making it far easier to book a private hire vehicle, thereby fuelling an increase in the number of licensed vehicles across England in recent years. Numbers are up by more than 58% since 2005. This growth has been driven primarily by an increase in private hire vehicles, which today make up over three quarters of the total. The sector is clearly providing a service that passengers value, but the level of this increase does raise serious issues.

Let me now say a word about what the Government have done, and what we will do. We have recognised the issues relating to the regulation of the sector. As the hon. Gentleman said, the previous Minister of State convened the task and finish group on taxi and PHV licensing. I echo the thanks of others for the work done by the members of the group, particularly its chair, Professor Mohammed Abdel-Haq, who is with us this evening. The group considered submissions, and took oral evidence, from a wide range of stakeholders over a number of months.

Professor Abdel-Haq managed to draw out a commendable amount of consensus among group members, but the report also includes annexed contributions from individual group members, which identify the often complex areas of disagreement. A notable example is the question of what approach should be taken in tackling the issue of cross-border or out-of-area working. As I have said, this trade is mobile, and authorities do not have complete control over the drivers and vehicles that operate in their areas, which means that authorities with higher licensing requirements have concerns about the potential migration of their private hire vehicles to other authorities.

The Government welcomed the report in their response earlier this year, and made a commitment to legislate on a number of key matters: national minimum standards, national enforcement powers and a national licensing database. I believe that, taken together, those measures would enable passengers—wherever and whoever they might be—to know that their driver had passed a nationally agreed safety standard, and was working with robust oversight.

In the meantime, the Department is making full use of the tools that are currently available to shape and influence, doing what it can to support licensing authorities

in the use of their extensive existing powers. In particular, passenger safety remains in the forefront of our minds. I know that many licensing authorities have learnt lessons from some of the previous licensing failures mentioned by the hon. Gentleman: Rotherham, Rossendale and Southampton—to name but a few—have reviewed their licensing functions, with a focus on robust safety measures. However, we must ensure that those lessons are clearly and strongly disseminated across the country, and that all licensing authorities have that focus.

Earlier this year, the Government consulted on draft statutory guidance for local authorities in England and Wales, describing their view on how taxi and PHV licensing powers should be used to safeguard children and vulnerable adults. The draft was the subject of extensive engagement, including a review by the task and finish group. We received more than 500 responses, very largely in support of the proposed measures, but also making valuable suggestions for improvement. Consultation serves an important purpose in securing wide and expert input, and that will be reflected in the final version of the guidance, which I am delighted to confirm will be issued very shortly. Licensing authorities will be required by law to have due regard to the guidance in formulating and implementing their licensing policies, and the Department will monitor its use and impact.

Baroness Vere, the Minister responsible for taxi and private hire vehicles, and I, as Minister for the future of transport, are well seized of the potential for technological innovation in transport to change the sector and fuel demand, and the likelihood that it will continue to blur the lines between different modes and challenge existing regulatory structures. As the Government said earlier this year in our response to the task and finish group report, in our work on the future of mobility we will consider how we can support new technology and innovation through regulatory frameworks. I am delighted to have this opportunity to announce to the House that I will shortly be launching a very wide consultation on the future of mobility, which will look into how existing and future transport systems can interact. In the long term, as part of our future of mobility review, we will consider how to introduce a regulatory framework which recognises the changes that the sector has undergone and can adapt to innovation.

I am delighted that the hon. Gentleman is meeting the taxis Minister shortly to discuss these issues, and that, as I have said, he has raised them at a time when the Government are pulling together their final plans for the Queen's Speech; it has been announced that it will take place on 14 October. I look forward to working with the hon. Gentleman in any future discussions.

*Question put and agreed to.*

5.29 pm

*House adjourned.*





# Westminster Hall

Thursday 3 October 2019

[PHILIP DAVIES *in the Chair*]

## BACKBENCH BUSINESS

### Sanctions Policy and Implementation

[*Relevant Documents: Eighth Report of the Foreign Affairs Committee, Moscow's Gold: Russian Corruption in the UK, HC932, and Seventeenth Report of the Foreign Affairs Committee, Fragmented and incoherent: the UK's sanctions policy, HC1703.*]

1.30 pm

**Tom Tugendhat** (Tonbridge and Malling) (Con): I beg to move,

That this House has considered sanctions policy and implementation.

It is a pleasure to see you in the Chair, Mr Davies. Sadly, I will not be following your example with a 12-hour peroration; I will limit myself to merely five.

I am very pleased to move this motion on a subject about which the Select Committee on Foreign Affairs, which I am privileged to chair, has felt strongly for several years, because sanctions are one of the tools that defend the commercial frontline of the United Kingdom. This debate is an opportunity for me, and I hope others, to speak about the country's sanctions policy. In June, the Committee published our first report on sanctions, and last month we received the Government's response. On behalf of my colleagues, I thank everyone who submitted evidence, particularly those who appeared in person.

We focused on sanctions policy because it increasingly matters. Two thirds of the UK's sanctions are currently agreed and implemented at European Union level, so we need a coherent and robust sanctions policy ready for when we leave the organisation. However, Brexit is far from being the only reason for urgency. An effective sanctions policy is an important part of something much more fundamental to communities across our country. It is not just a crucial part of UK foreign policy and national security and the rules-based international system, although of course it is part of all of those; it is a rampart that defends public confidence in open and honest markets. It is, in many ways, a defence of the capitalist system on which we have built our prosperity and economy for so many years. That matters because confidence in that system is key to our future prosperity, but that confidence is in short supply.

Two years ago, Matthew Elliott and James Kanagasooriam wrote an excellent report, "Public opinion in the post-Brexit era", based on polling by Populus. They found a growing tendency among people of all ages—not just the young—to label capitalism as greedy or corrupt. We all know about the problems in some markets that explain why people think of the word "greedy", but I am interested in why they think capitalism is corrupt. The answer, I think, lies in people's growing awareness of how a tiny number of people have made staggeringly large sums of money, and of how those oligarchs use bankers, lawyers, accountants and company

formation agents in this country to protect their ill-gotten wealth. Last year, the compelling BBC series "McMafia", based on a book that Misha Glenny wrote a decade ago, did a superb job of dramatising how they have done so.

If there was any residual complacency about this country's role in international corruption, Oliver Bullough's book "Moneyland", which was published only a few months later, dispelled it. His extraordinary tome is an essential read for anyone who wishes to understand how international finance can corrupt even us—even here, in one of the most law-abiding societies in the world. Oliver Bullough set out the three-step cycle that oligarchs follow—steal, hide, spend—and described the role that middlemen in this country play in parts two and three of that process. It is nothing to be proud of, but it means that our sanctions policy can have real bite.

Our sanctions policy can be a real tool of foreign influence. The reliance of many oligarchs on London as a place to launder and spend the money that they have stolen creates an opportunity for us to carve out a role as the champion of a more moral capitalism. From arts, to education, to property, we all know that this country has sometimes been too tolerant of those who would do us harm using our schools, our galleries and our buildings that house them. Well-aimed sanctions will help us to tackle the dangerous, corrosive perception that all capitalism is corrupt by making less easy the lives of those whose wealth derives from theft and violence.

Evidence that we took during our "Moscow's Gold" inquiry last year reinforced that point. We heard how the En+ Group was listed on the London stock exchange at a time when the sanctions regime in the UK was not equipped to prevent that, even though the company was linked to sanctioned organisations in Russia. As part of that inquiry, we invited Linklaters to give evidence. It is a highly reputable law firm that conducts half of the deals in Russia—or so it says—and acted for En+ during the listing. We invited it to give evidence not on any specific client, which of course it could not do, but on the nature of doing business in the legal wild west that is modern Moscow. It declined to do so. I will leave others to judge what that says about its willingness to offer evidence to the British people. I welcome the Government's confirmation that they will explore ways to block listings on the London stock exchange on national security grounds.

In "Moscow's Gold", we advocated a Magnitsky Act, which many in the House will have heard of. It is named after Sergei Magnitsky, a tax adviser who was tortured to death in Russia. The law would enable the Government to impose sanctions on human rights abusers around the world. The measures were all included in the Sanctions and Anti-Money Laundering Bill, which has now become law, but there was uncertainty as to whether sanctions could be implemented before Brexit and the end of any transition period. I am pleased to see that the Government have established that there is no obstacle to doing so, and I very much welcome the Minister's acknowledgement of that.

Many of our allies have already implemented the measure. It is not just targeted at Russia, despite the name; it is targeted at human rights abusers around the world. A Magnitsky Act would enable us to join our allies and send a powerful signal that we support the victims of human rights abuse around the world and will not profit from their abusers' theft and murder.

[Tom Tugendhat]

As our latest report on sanctions shows, there is much else still to be done. Witnesses repeatedly told us that the Government's approach to sanctions is fragmented and incoherent. The Foreign and Commonwealth Office makes the policy, which a variety of other Departments then implement. Departments interpret sanctions policy inconsistently and, sadly, too often with very little guidance. It does not help that sanctions and anti-money laundering policies are separate. As the then Minister of State, my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan), put it when giving evidence to our Committee, financial crime

"is not quite our patch."

To bring more coherence to the sanctions policy of the United Kingdom, we recommended that the Government establish a senior responsible officer for policy and its delivery. While multiple senior responsible officers overseeing sanctions policy exist within the Foreign Office, Brexit offers a perfect opportunity, as the Government note, to create one who can span the whole of Whitehall. We also recommended that this person should be accountable to the National Security Council, which should in turn designate sanctions strategy as an urgent priority. We have therefore called for a review this year by the National Security Council to ensure that the resources that it needs to make sanctions a priority are in place. To be effective, the review should explore how the UK can explore its heft in financial services and address exactly how we should engage with our international partners and influence their decision making in the years ahead.

This report was the second one we have published in this Parliament on the connection between finance and foreign policy. In "Moscow's Gold", we showed how Russia is using our financial markets to subvert the international rules-based system. What is more, the cynicism that that generates undermines our own faith in the order that has kept us safe.

We are looking at more work, however. One area that we are beginning to investigate is the nature of autocratic engagement with democracies such as ours. Although the focus, so far, has been on Russia, we could list many other countries. We could certainly look at some of the ways in which China uses its state assets to influence markets around the world. The United States is also considering that, so we will be working on it together.

Our new report shows that the Government have much to do if they are to make sanctions an effective weapon and not cede the initiative to others in the field. In a world where financiers have become foot soldiers in foreign policy, we need to wake up and recognise that our international financial markets are the frontline. They can be used against us, but they also give us a home advantage. In a world where the rule of law is threatened, the pursuit of dirty money is now a vital part of foreign policy.

That fight starts on our doorstep. There is no room for complacency; we need to hurry. The UK is on the frontline of financial crime. Our people deserve a better defence and they deserve to have the weapons to achieve it. We need to make sure that our commercial fortifications are as strong as our physical ones. We need a Royal Navy for the financial markets.

1.41 pm

**Peter Grant** (Glenrothes) (SNP): I did not expect to be called to sum up so soon. I will try to stick to the seven-hour limit that the Chair of the Select Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), indicated. I congratulate him and his colleagues on the Committee on a couple of very thorough reports. I know that they are only two of a large number of detailed inquiries that they have undertaken, which have involved a lot of work from him, his colleagues and the Clerks and others who support the Committee—we should never forget how important their work is.

I will make a few general comments. When we are talking about sanctions, we should ask ourselves what they are for and why they are there. There are two kinds of sanctions: first, those that are imposed usually on countries or Governments because they are behaving in a way that we find unacceptable and secondly, those that we impose on individuals usually because they have been identified as a significant threat to the financial and economic stability of the United Kingdom or to the safety and security of our citizens.

It will come as no surprise to hear that I am not always happy about the decisions that the UK Government take about which countries are subject to sanctions and which are not, but that is a topic for a different debate. The principle should be that, if we know that a country is acting in breach of international law, we must use all the levers that we have. That certainly includes diplomatic influence, but we also have to be prepared to use financial and economic levers, if necessary, to bring even supposedly friendly countries into line. Sometimes we are too slow to exert financial pressure on countries that are designated as our friends, as opposed to those that are designated as neutral or potentially unfriendly.

When it comes to sanctions against individuals, the principle should always be that those who are involved in systematic human rights abuses or international crime, or those who are actively seeking to undermine democracy in their own country or anywhere else, will simply not be welcome, no matter how much money they are prepared to invest in our financial institutions or to pay the Government to buy their way in.

It is a sad irony, but a salutary lesson, that the first person to be stripped of substantial amounts of money about a year ago—a Russian lady or a partner of a known Russian individual—was here only because she had enough money to fast-track the UK immigration system. The rules allow people to come in with a substantial amount of money, because that is deemed to be of economic benefit, so she was able to come in more quickly than if she had not had billions of pounds with her. When it turned out that the source of those billions of pounds was extremely dodgy, enforcement action had to be taken.

That is a salutary lesson that when we look to make people welcome because of assets they bring with them, we have to be very careful—before we make them welcome—about where those assets have come from. And if there is a question about that, it is much better for to say, "I'm sorry. You wait outside until we are sure that it's acceptable to let you come in."

I will raise another issue that I know is not strictly covered within these reports and that is not strictly within the remit of the Foreign Affairs Committee. As the hon.



Gentleman pointed out, sometimes the demarcations between Government Departments do not work particularly well, because criminals and those who wish us harm do not stick to attacking the functions of one Government Department, and sometimes a cross-Government approach is needed.

I do not think that there is enough recognition yet that one of the features of global capitalism is that the financial markets can be very deliberately manipulated by people who have at their control assets bigger than those of most countries in the world. Those financial markets can sometimes be deliberately manipulated for no other purpose than to wreck the economy of one or more countries because people have hedged financial bets on those countries being damaged.

We have certainly seen that happen in the past; it is the reason why a number of countries in Latin America had severe economic crashes in the past. I think that we would be naive to think that somebody is not looking at the United Kingdom right now and preparing to hedge the financial markets, effectively betting on the UK economy crashing. And if those people are also in a position to wield influence that makes it more likely that the economy will go down, then we have a very serious problem. So, although it is not within the strict remit of the hon. Gentleman's Committee, I think it is an indication that when we start to look at the malign influence of Russian money in the City of London, eventually we have to start looking at the malign influence of other people's money in the City of London, too.

My final comment is about when we leave the European Union. I thought it was very interesting that the sanctions report pointed out that effectively the Foreign Office—along with, I think, the rest of the Government—catastrophically underestimated how much very detailed technical work had to be done. It was not simply a case of, “We leave tomorrow, and we have a customs deal the next day, and everything's fine.” Work that the Foreign and Commonwealth Office should have been doing to protect us from malign influences was not able to be done as quickly as it should have been, because the FCO had so many other things going on. Okay, that is a case of being wise after the event, but this issue should still concern us.

When we leave the European Union, there will be a question as to whether it will ever be credible or effective to have an entirely independent sanctions policy, because although the United Kingdom is—what?—the sixth or seventh biggest economy in the world, depending on how it is measured, if it imposes sanctions and nobody else does, those sanctions will not work. And if the other big players—the USA and the European Union—impose sanctions and we do not, we would then be in serious danger of falling victim to secondary sanctions, because if we do not stop our trade with sanctioned countries, the European Union or the United States of America will sooner or later start considering whether they should continue to trade with us.

So, although we have been part of a framework and any sanctions were imposed on an EU-wide basis, in practice we will have to keep talking to our European colleagues, even if and when we leave the European Union. That is because sanctions, and probably international sanctions, can effectively protect the unique

institutions of the City of London, only if they are applied not only by the United Kingdom but by other major players as well.

I welcome the publication of these two reports. The timing of this debate is unfortunate, and in other circumstances we would have had a much greater attendance. I do not think there is a lack of interest in this subject; I think there is a great deal of interest. It is just that there are so many other demands on Members' time just now. I hope that the Chair of the Committee will take back—on behalf of myself and indeed the whole House—our thanks, not only to his colleagues on the Committee but to all the Clerks and other staff who have helped to get these reports published.

1.48 pm

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): It is always a pleasure, Mr Davies, to serve under your stewardship.

I thank my friend the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), for raising this important issue. Since he has been the Chair of that Select Committee, he has been studious and worked very hard. Even through the so-called Prorogation, I know that he was here most of the time—I have come in and he has been here. When the Prorogation was deemed illegal, he was one of the first people in the Chamber. I congratulate him on the effort and the energy that he has brought to his work; being a Select Committee Chair is really hard work, particularly in the Foreign Affairs Committee, which has a hugely important function. I am pleased that he heads that Committee, and he does so excellently.

The UK adopts sanctions primarily through the UN and the EU, and two thirds of its sanctions regime has been driven through the European Union. Leaving the European Union will thus bring about a seismic shift in how the UK adopts, imposes and implements economic and financial sanctions. For this reason, Parliament passed the Sanctions and Anti-Money Laundering Act 2018, which provides the legal foundation for an autonomous UK sanctions policy. Since the Act became law in May 2018, the Government's activity on sanctions has been focused on ensuring that the UK will be legally able to maintain existing EU sanctions under UK law, even in a no-deal Brexit scenario.

As the Chair of the Foreign Affairs Committee said, the Committee conducted an inquiry. It is important that we understand the issue of sanctions and how and where we deem them fit to apply to specific countries. Part of the sanctions framework is the use of a Magnitsky Act, which I will come to later. Both types of legislation should be applied together, as individuals are coming through international loopholes as well as using national mechanisms. We need to be able to address the individuals who have been placed under sanctions by the United Nations or the European Union, or will be placed under sanctions by us. As he quite rightly says, such people interfere with the normal wellbeing of our financial economy; they distort it. It is important for us to understand and deal with the effects on financial institutions. The hon. Gentleman has clearly explained Magnitsky powers and it is important to recognise these issues. Sergei Magnitsky was a Russian lawyer; for his efforts, he was tortured by the Russians.

[Mr Khalid Mahmood]

As we place financial sanctions and travel sanctions on certain individuals, we must understand how such powers work and how they should operate. The hon. Gentleman also pointed out the problem of people being able to circumvent the sanctions policies that we might apply, and how they might be able to do that. The report recommends the appointment of an officer to monitor the situation, which I think is much needed, because, at the moment, we do not really think about the process of how to apply sanctions and we need to do so in a joined-up way. We need a senior responsible officer bringing the laws together and addressing the issues—considering how people use their immigration status or their financial wealth, from which country they are operating and what secondary operations are related. There must also be a clear trail examining the input into our finances; such individuals distort our finances and make it difficult for the people of the United Kingdom who are trying to behave properly to have a proper regime around what they are doing. We must look at and deal with that situation. We need to take a serious cross-Whitehall approach, as the hon. Gentleman recommends. If we do not, how we deal with sanctions and money laundering will remain fragmented.

It is also important to look at what the Labour party want to do. Sanctions can certainly be an effective and useful tool for achieving policy objectives. For example, they can apply pressure on states and individuals that are carrying out human rights violations to alter policies and behaviour. I mention that in reference to Myanmar; the hon. Gentleman mentioned Russia. I would also add India's current situation—I declare an interest, as I am a Kashmiri. There are issues going on there and it is important for us to be able to look at that and see how those policies affect a nation that is bringing people into subjugation. As the hon. Gentleman will understand, we have to look at where human rights and civil liberties are being abused day in, day out. We cannot allow abusers to engage in international markets via financial circumvention.

I will cut down my speech because we all need to keep to a similar length of speaking time, but I will question the Minister. Three years after the referendum, little thought appears to have gone into the consideration of the UK's strategy and policy approach to co-operation with EU sanctions. What progress has been made in the development of a plan for post-Brexit co-operation with the EU in terms of sanctions? If the Government claim to take seriously the actions of human rights abusers, why have no individuals accused of human rights abuses been sanctioned? Sixty-six individuals have been sanctioned by Lithuania and 49 by Estonia—both countries are EU members. Will the Government set out a clear position on whether the UK can independently sanction human rights abusers while it is still an EU member state? Does the Minister agree with the Foreign Affairs Committee report that the Government would benefit from having a senior civil servant who is accountable for sanctions policy implementation?

1.56 pm

**The Minister for the Middle East and North Africa (Dr Andrew Murrison):** It is a pleasure to serve under your chairmanship, Mr Davies. I shall do what I can to

expand my speech to fit the time available. I congratulate my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) on introducing this subject for debate today. I am sorry there are not more people here to debate the matter. It is, as the hon. Member for Glenrothes (Peter Grant), who speaks for the Scottish National party, says, an important matter and such a debate would ordinarily be attended by a significant number of colleagues wishing to contribute—but these are not normal times, are they?

The speech made by my hon. Friend the Member for Tonbridge and Malling was magisterial; he hit the nail on the head, and I will do my best to cover the issues he has raised. I also congratulate him and his Committee on their report of 5 June. As the ex-Chairman of a Select Committee myself, I know a little about drafting Select Committee reports. I understand full well that the main thing is to get the title right, and his report's title certainly shoots from the hip: "Fragmented and incoherent: the UK's sanctions policy". I do not think we need to read much further, although I did, last night. I read it in great depth and detail to know where the Foreign Affairs Committee is coming from. Since the report, a lot has happened and I hope in my remarks to be able to persuade my hon. Friend of that.

I apologise that the Minister for Europe and the Americas, my right hon. Friend the Member for Tamworth (Christopher Pincher), is not in the Chamber today; he is the Minister with responsibility for sanctions, but he is abroad on duty. I have dealt with sanctions a fair amount because of my geographic portfolio, so I hope I am reasonably well placed to comment on some of the issues contained within the report and the more general questions. I enjoyed the remarks made by my hon. Friend the Member for Tonbridge and Malling about capitalism in general. We could have such a debate for many hours, but this is not the place—you would probably call me to order, Mr Davies, if I attempted to do that. However, I sympathise with the general thrust of what my hon. Friend said. I am reminded the remarks made about a decade ago by Peter Mandelson, now Lord Mandelson, about being intensely relaxed about people getting "filthy rich". I did not particularly like that at the time, not because I object to people becoming wealthy if they have the talents and the attributes to do so, but because I objected to the word "filthy", which probably touches on the thought processes that will have gone through the minds of members of my hon. Friend's Committee when they drafted their report on dirty money from Russia.

It is clearly not the case that this country does not want people to invest here. London and, indeed, Edinburgh rely heavily on inward investment and financial transactions. However, this country has a reputation for standards—that is part of the UK's attractiveness as a source for foreign investment—and that depends on sufficient, adequate and proper regulation and the rule of law. In anticipation of Brexit, we will need to think about that when transposing into our domestic law the European Union's rules and regulations, and when we consider what we will do next. Clearly—I will come on to this—we need to be alongside others. Today's contributors made the point well that this is so much more effective if we work with others. We also need to consider what the UK will need to do unilaterally. There are advantages, I would say, in our soon to be autonomous status and in being able to do things more rapidly. That has to be counted as one of

the advantages of Brexit after 31 October. I would certainly anticipate that being the case in relation to sanctions, but I absolutely accept the added value in acting multilaterally in that particular space. There is very good evidence to suggest that that is the best way to approach sanctions in the main.

Sanctions are a key tool for the pursuit of our foreign policy and national security objectives. They play a central role in supporting our efforts on priority issues, including tackling human rights abuses, which formed the substance of a great deal of what the Chair of the Foreign Affairs Committee touched on. They are central to countering terrorism, to the non-proliferation of chemical weapons and to upholding the rules-based international system.

This country has consistently played a leading role in the use of sanctions at the United Nations and the EU, to support our foreign policy objectives on Russia for its actions in Ukraine, and on Iran and the Democratic People's Republic of Korea to slow or halt nuclear proliferation. In the last year alone, we have led the way in the adoption of sanctions against challenging individuals, from hate preachers to Syrian businessmen intent on funding the murderous Assad regime. We also led efforts to establish the first EU chemical weapons sanctions regime, and secured travel bans and asset freezes against individuals and leadership in the Russian intelligence service responsible for the use of chemical weapons on the streets of Salisbury last year. That is an issue about which I feel particularly strongly, since my constituency abuts that of Salisbury. I am very pleased that Messrs Chepiga and Mishkin have fallen foul of that particular sanctions operation. You will remember, Mr Davies, that they were the gentlemen who professed to show a particular interest in English ecclesiastical architecture but who were clearly part of the GRU. Fortunately, we have been able to apply sanctions to them. It is those sorts of individuals, and the entities they work for, that any future sanctions regime would seek to act against.

In total we implement 37 UN and EU sanctions regimes, and almost 2,000 individuals and entities are prevented from travelling to, or investing in, the United Kingdom as a result. The Government's focus over the past two years has rightly been on preparing for Brexit. The Sanctions and Anti-Money Laundering Act received Royal Assent in May 2018, and since then we have laid 24 statutory instruments, mostly in order to transfer EU and UN sanctions regimes into domestic law from the point that the United Kingdom will no longer be bound by the EU.

We have reviewed about 1,000 individual EU sanctions designations to consider whether they satisfy United Kingdom legal thresholds. We have also set up the necessary processes to allow us to publish on gov.uk the names of those sanctioned under United Kingdom sanctions. The scope of that task was unprecedented, and as such we prioritised the work accordingly to ensure the continued application of existing sanctions after Brexit. I am sure that right hon. and hon. Members will understand that, first and foremost, our focus with this and every other Brexit-related piece of work across Government is on having to transpose into UK domestic arrangements 40 years' worth of EU norms, values, rules and regulations. That has been the principal focus across Government, and I think that most people will understand how important that is.

After we leave the EU, however, we will have our own independent sanctions powers and will be able to consider exactly how we use sanctions as part of our broader foreign policy. Once we are outside the EU, we will have the opportunity to deploy sanctions more swiftly and decisively in support of our national interest. In the event of an international crisis, we will no longer have to wait for consensus among 28 members of the EU, but will be able to act in our national capacity. The sanctions Act and the supporting secondary legislation give us the freedom to decide national sanctions as we see fit, aligning with our key priorities, notwithstanding my remarks about acting together.

Sanctions are most effective when jointly enforced by many nations. That is why we fully intend to continue to drive co-ordination on sanctions with our key partners, EU members and other close allies such as the US or Canada, and through the G7. Indeed, in the 5 June report, the importance of working together is underscored several times, notably by authorities such as Professor Paul Cardwell and RUSI, who were quite clear that sanctions are most effective when they are applied multilaterally—a point that was well made by the SNP spokesperson, the hon. Member for Glenrothes.

We will continue to use our permanent seat on the UN Security Council to ensure co-ordinated and effective action on UN sanctions; indeed, that was one of the issues that was discussed around the bazaars last week at the UN General Assembly, from which—by force of circumstance, sadly—Ministers were untimely ripp'd. Nevertheless, it is clearly an important part of the toolbox that multinational forums such as the United Nations are exercised about. They are right to be, and it is very often at those forums that such measures are most effectively exercised. We will continue to make sure that that is the case with the European Union and with others.

The United Kingdom wants a supportive and constructive relationship with the EU as constitutional equals going forward, and as friends and partners we want to face the challenges that lie ahead together. Although we will exercise the power to impose sanctions independently, that will not prevent the United Kingdom from co-ordinating with the European Union. The outcome will be that we enjoy both freedom of manoeuvre and the option of working alongside the EU on sanctions where our objectives align.

In answer to a point raised by the Opposition spokesperson, the hon. Member for Birmingham, Perry Barr (Mr Mahmood), however, we cannot set out in detail how the UK and the EU will co-operate on sanctions in future until the terms of the United Kingdom's departure from the EU are clear. I am sorry that I cannot be any more specific, but he will understand that these things are all evolving all the time. With respect to the future relationship, it would be very difficult to be more prescriptive about what the future will look like, not least because the United Kingdom is only one party to the arrangements going forward. That is a matter that will have to be determined, but it seems to me that of all the things to determine in the future relationship, such issues are perhaps among the lower-hanging fruit.

The United Kingdom's impact in multilateral settings has ensured that sanctions play a part in confronting and combating a range of hostile state activities. It has also ensured that those sanctions have wide applicability



[*Dr Andrew Murrison*]

beyond the United Kingdom's jurisdiction. We led the debate on maintaining and strengthening multilateral sanctions against Russia for its illegal annexation of Crimea and for its destabilising actions in eastern Ukraine. The United Kingdom also fully supports new sanctions in response to Russian elections in Crimea and Sevastopol, the construction of the Kerch bridge, the illegitimate elections in the Donbass, and Russia's attack on Ukrainian vessels in the Black sea. National sanctions will also allow us to continue to constrain the ability of those who wish to do us harm, to encourage changes in behaviour from malign actors, and to send a clear signal about the role of global Britain as a moral anchor in the world today.

Let me turn to the Magnitsky powers, which were the principal focus of the remarks of the Chairman of the Select Committee. As he knows, preparatory work is under way to implement a new independent human rights sanctions regime as soon as practicable after we leave the European Union. That work has proceeded apace since March—from around the time that he delivered his report. It was probably reasonable for the Select Committee to comment at that time about its concern that not enough planning had been done for the subsequent sanctions regime, but I assure him that a great deal has happened since then.

**Tom Tugendhat:** Our report had the desired effect.

**Dr Murrison:** Indeed. One has to take credit where one can in this business, and I am pleased to say that my hon. Friend is right to take some of the credit for moving the narrative along. More particularly, I am pleased to see that the work in the Foreign and Commonwealth Office, which also involves others, as I will come on to, has been proceeding apace. I am comfortable that we are in a good position to deal with some of those things in a timely manner at the point of our departure on 31 October.

As a non-lawyer, it is sometimes challenging and tricky to get my head around some of the complexities of the issue. The worst thing that we could do would be to create bad law that would be challengeable, because it would cost the British taxpayer many millions of pounds to defend the UK Government against people with very deep pockets. The last thing that my constituents want is for large sums of their cash to be disbursed to some of those individuals in damages. It is absolutely right that, across Government, we work hard to make sure that the legislation is in place and the statutory instruments are prepared in such a way as to minimise the chance of the UK Government being challenged by lawyers.

The sanctions regime that we are discussing derives from the so-called Magnitsky powers provided for in the Sanctions and Anti-Money Laundering Act. Clearly, all those here gathered are intensely interested in that legislation and its secondary legislation. Establishing a national human rights sanctions regime will show the United Kingdom's commitment to human rights worldwide and will be an important plank in our post-Brexit foreign policy. It will allow the United Kingdom to impose travel bans and asset freezes, and it will ensure that people who abuse human rights anywhere in the

world will not be able to travel here or invest in our economy. The Government will publish the names of those subject to those sanctions.

To impose a sanctions regime for human rights, we have drafted a statutory instrument to ensure the associated processes and structures are in place to implement and manage it. It is important that we set it up correctly, and I am absolutely focused on ensuring that those processes and structures are as legally robust and watertight as they can be. That has perhaps accounted for some of the delay that was remarked on in the report, in which the frustration of Select Committee members was palpable. I hope that my hon. Friend the Chair of the Select Committee understands the reasons for that. There is a need to replicate EU sanctions following Brexit and work has been going on in the past few months with legal draftsmen to ensure that the subsequent regime, particularly in relation to the Magnitsky clause that was introduced by the 2018 Act, is robust and will hold water against what is likely to be a hostile response from some of those designated under the legislation.

Hon. Members will be pleased to know that we are working closely with key partners, such as the US and Canada, which already have specific human rights sanctions regimes, to co-ordinate our efforts and to ensure that the sanctions that we impose have maximum effect. The Government are absolutely committed to tackling illicit finance, corruption and money laundering. We do not want dirty money here; money launderers are not welcome in the UK. We are actively implementing our anti-corruption strategy, led by the Prime Minister's anti-corruption champion, my hon. Friend the Member for Weston-super-Mare (John Penrose). The National Security Council has met twice to discuss the issue, and the Government are consulting on reforms to Companies House and on introducing legislation to require foreign companies that own or purchase property in the UK to provide beneficial ownership information.

We have new and exciting tools to tackle illicit finance, such as unexplained wealth orders and account freezing orders, which were introduced under the Criminal Finances Act 2017. Those have been used to isolate millions of pounds across hundreds of bank accounts. Consequently, and as a direct result of all that work, the Financial Action Task Force found in 2018 that the United Kingdom had the strongest anti-money laundering regime of more than 60 countries assessed to date. I think we should all be proud of that, but there is no complacency. In July 2019, we published an economic crime plan in conjunction with the private sector. The plan outlines the public and private sectors' collective ambition to combat economic crime and sets out a series of actions that both sectors will undertake to enhance the United Kingdom's economic crime response. The plan was the first output from the economic crime strategic board, which the Chancellor and the Home Secretary co-chair. We are also actively looking at the possibility of introducing a power to block a listing on the London stock exchange on national security grounds. The work is well under way.

Although the issues are primarily the responsibility of the Home Office and the Treasury, the FCO plays a part as well. It leads the international delivery of the Home Office serious and organised crime strategy, supporting the overseas territories and Crown dependencies in tackling illicit finance and co-ordinating with the

Department for International Development, Her Majesty's Treasury and other Departments to deliver a global anti-corruption programme. It is important to understand the central role of the Foreign and Commonwealth Office. Ministers within the FCO are signed up to jointery and the idea that if we are to deal with all the issues that we have been discussing this afternoon, we need a cross-Government response.

I note the concerns about senior responsible officers for sanctions, and I read the remarks in the report very carefully. If we had a senior official responsible for this piece of work, which runs like a vein through the whole of Government business, I would be concerned about their being isolated. Although the proposal is that such an individual should report to the NSC, my worry—it is a concern that I have more generally with the machinery of government—is that we would be taking important bits of Government policy outside implementing Departments and making Departments respond in a sort of silo format to the NSC. Before too long, we would find that the NSC was responsible for a raft of bits of Government policy, and Departments were in some way isolated and frozen out. The Departments are expected to implement all of this and they have the experts and the expertise to deal with it, and I am vaguely uncomfortable with such a proposal.

In defence of the current position—all issues around the machinery of Government are of course kept under review and are always subject to change and modification—the national security strategy and implementation groups, with which my hon. Friend the Member for Tonbridge and Malling will be familiar, are headed up at director general level and report directly into the NSC. I know that Russia is a particular concern of the Foreign Affairs Committee, for example, and the one on Russia is influential in securing that cross-Government response to the challenges posed by that particular malign actor. My sense is that such a mechanism serves Government well and is the best fit right now, but as with anything in this space, it is always subject to constant review and reappraisal.

The remarks made in the report are important in informing the general debate on how we do this. I hope that the Chairman of the Select Committee, and others, will understand the rationale for perhaps resisting, at this juncture, the solution proposed in the report. Perhaps it is something we may come back to at a future date.

The Foreign Office is intent on supporting the United Kingdom's effort to strengthen international standards in general. You will be interested to reflect, Mr Davies, on the fact that in spring at the Open Government Partnership summit in Ottawa the Prime Minister's anti-corruption champion, my hon. Friend the Member for Weston-super-Mare, launched a global leadership group to drive international efforts to strengthen international beneficial ownership transparency. The United Kingdom is an active member of the G20 anti-corruption working group and will be strongly represented at the conference of states parties to the UN convention against corruption in Abu Dhabi in December. As the Foreign Affairs Committee has identified, sanctions are a powerful foreign policy tool and form part of the overall approach to protecting the United Kingdom from threats from overseas and to delivering our foreign policy. Dirty money should not be in the United Kingdom, and we should be using domestic law

enforcement tools and international co-operation to send a clear signal that we do not tolerate illicit finance in any form, not simply for moral or legalistic reasons.

Part of the power of the United Kingdom in terms of financial services is the reputation that we have for upholding the rule of law—and in particular for dealing with anything to do with illegality, corruption or things that transgress our rules and norms. That is much of the power of the City of London and, indeed, other financial centres such as Edinburgh, and it must continue. Unless we take these matters seriously we shall find that the reputation of the United Kingdom falls away in that respect, and we will all suffer as a consequence. There is therefore a strong financial imperative to ensure that our sanctions regime is as robust as it can be.

The United Kingdom is a global leader on sanctions, as I hope my remarks have explained. It is a major contributor to the development of international sanctions policy. I am very proud that when Ministers go to institutions such as the UN General Assembly we can be seen to be in a leadership position in respect of much of the debate. We can already draw on more sanctions expertise and resources within Government than any other European partner, and maintaining that capacity will be a priority after we leave the EU. We have increased the number of officials working on sanctions across Whitehall and intend to maintain those numbers beyond Brexit. The United Kingdom has one of the world's largest and most open economies, and London is one of the world's most attractive destinations for foreign investors. That means that the sanctions we impose will really bite.

The Foreign Office's primary objective is to ensure that we can continue to use sanctions as an effective foreign policy tool to tackle some of the most serious threats to our national security and moral values and to drive forward our foreign policy. That is why our focus over the last two years has been to safeguard existing sanctions in the United Kingdom post-Brexit and why we will have a new global human rights sanctions regime.

To conclude—I have filled the time available as best I could—sanctions will remain a key part of the United Kingdom's approach to a wide range of foreign policy priorities after we leave the EU. The importance that we attach to sanctions is reflected in the huge effort put into our preparations for Brexit and the additional resourcing that we have put in place across the FCO network. As I am sure hon. Members can understand, it was right for the Government to prioritise the work to ensure that existing sanctions would continue to apply in the event that we leave the EU without a deal. However, I hope that they will equally understand that in the past few months we have put an enormous amount of work into determining the future relationship, and that they are content with the general approach. I am grateful for all the recommendations outlined in the Foreign Affairs Committee's report of 5 June and our response to it, since when a great deal has been done. I am by no means complacent about the task ahead, but I hope that the Committee will accept that we are on track.

Once we are outside the EU, we will continue to work in concert with others and will have the opportunity to implement our own autonomous sanctions, including on human rights, to combat threats, protect our norms

[*Dr Murrison*]

and protect our values. We will continue to demonstrate through our actions that the UK is and will remain a global sanctions leader.

2.25 pm

**Tom Tugendhat:** I am grateful for the Minister's speech, which recognised not just many of the ideas that I raised but many of the ideas that the Foreign Affairs Committee has debated. That demonstrates that, despite having been Chair of another Committee, he was assiduous in following the work of ours, even before he became a Foreign Office Minister.

I am also grateful to my friend the hon. Member for Birmingham, Perry Barr (Mr Mahmood), who has been of invaluable support in many projects that I have done outside this place. His kind words supporting the Committee's work and recognising the challenge that we all face, on whichever side of the House we sit, are extremely well received; I thank him for them.

The hon. Member for Glenrothes (Peter Grant) spoke extremely well on behalf not just of his party but of the House. He recognised many areas in which we all face similar challenges; one area that he did not mention, but could have, was the UK Government's responsibility with respect to Scottish limited partnerships, on which he and his party have assiduously led the campaign. His speech reminded me that one reason why we are in this position in the UK is that we have the legacy of a very unusual political and economic system of absentee landlords that lends itself to foreign oligarchs in a way that many other economic systems do not.

I am particularly grateful to the Minister for speaking about the rule of law, because it is the economic underpinning of the United Kingdom. It is fundamental, and highlighting it is extremely important. That leads me on to an area that none of us mentioned, but that perhaps we should have—the challenges in places such as Hong Kong, where the human rights abuse of individual citizens could easily raise questions about Magnitsky implementations. It may also raise questions about the position of British judges on the Court of Final Appeal. After all, at what point is the defence of commercial justice reliant on civil justice? At what point does the undermining of civil rights in a territory undermine the ability of any judge affiliated to the UK—certainly a former UK High Court or Supreme Court judge—to deliver justice? At what point is that no longer possible? Maybe that is a question for another day.

The fundamental point is that the UK's reliance on its economic markets is essential, as we know. We therefore need to look at whether the markets are not just open and fair but properly regulated with rules that are properly enforced. In the same way that the Minister's ancestors on Her Majesty's men of war—like their counterparts on Her Majesty's frigates and destroyers today—implemented the rules of the sea and fought the evils of the slave trade and so many other forms of tyranny in the pirate wars from 1600 to about 1900, there is a place for a new red ensign to fly over our financial markets. Everyone should know that the people who put their money here and invest through London, Edinburgh or the UK's markets, and the businesses that use those institutions, cannot be the human rights abusers, thieves and oligarchs who enrich themselves in places such as Moscow by raping and pillaging the people. They should know that because our markets have the best sanctions regimes to prevent any such crimes.

**Mr Mahmood:** I congratulate the Chairman of the Foreign Affairs Committee on mentioning the Navy's fight against slave traders. It is very important to point that out, particularly now that we are in Black History Month.

**Tom Tugendhat:** I am grateful that the hon. Gentleman raises that issue. It is also worth mentioning that today is the anniversary of the death of Alan Henning; I do not know how many hon. Members remember him, but he was a taxi driver with a huge heart and enormous courage who took aid to Syria. His abusers probably enriched themselves in ways that we can only imagine. One very encouraging thing that the Foreign Office is doing—forgive me if it is not quite in the sanctions line—relates to the work of the British Museum in fighting the vile trade in historic artefacts. It is clearly connected to the sanctions issue, so I hope that the Foreign Office will pick it up, although the Committee did not cover it in our report.

I thank you for your chairmanship, Mr Davies, and all hon. Members present. I particularly thank the Clerks of the Foreign Affairs Committee, whose work has been exceptional, on this and many other subjects.

*Question put and agreed to.*

*Resolved,*

That this House has considered sanctions policy and implementation.

2.31 pm

*Sitting suspended.*



## Internet of Things: Regulation

[MIKE GAPES *in the Chair*]

3 pm

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): I beg to move,

That this House has considered regulating the internet of things.

It is a pleasure to serve under your chairmanship, Mr Gapes, in a debate on such an important subject. I am a tech evangelist. I believe that technology is an engine of progress. Growing up in the north-east, in Newcastle, the home of the first industrial revolution—although I know that some from the north-west may debate that—gave me a love of science, technology and innovation. The achievements of local greats such as Armstrong, Stephenson and Parsons—that is Rachel Parsons, the world's first female naval engineer—inspired me to study electrical engineering and embark on a two-decade career as a chartered engineer working in telecoms all over the world.

Newcastle's experience of the industrial revolution was captured in the excellent BBC series "A House Through Time" with David Olusoga, which showed a mixture of life-changing technological progress and huge social problems, as in many other cities. We are now in the midst of what some consider to be the fourth industrial revolution—although how to count them is not agreed—powered by data and renewable energy, instead of labour, discipline and steam.

Last week the Prime Minister made what I can only call an interesting speech to the United Nations on technology, with this historical analysis:

"When I think of the great scientific"—

I cannot pretend to do his way of speaking, so I will just quote—

"revolutions of the past—print, the steam engine, aviation, the atomic age—I think of new tools that we acquired but over which we—the human race—had the advantage".

The industrial revolution radically changed society, but it is a mistake—one, if I may say, of privilege—to say that the human race had the advantage. The steam engine rapidly increased productivity but also powered factories and mills with brutal working conditions that produced textiles from slave-milled cotton. Those new tools brought benefits, but the benefits were not equally shared. Of course, that happened before the United Kingdom had universal suffrage or a labour movement and a Labour party, and when many in the world were colonial subjects. Our opportunity, and our duty, in the fourth industrial revolution is to make those technologies work for the many, not the few. In that context, I will today set out what the internet of things is, the benefits it brings, the concerns and the current state of regulation.

What is the internet of things? I was surprised to see that in the Prime Minister's speech on the gov.uk website, the internet of things was in inverted commas. I am sure that the Minister is aware that IOT is not sci-fi, but a reality of our daily lives. I was the first Member of Parliament to mention the internet of things, in my Westminster Hall debate on machine-to-machine communication in June 2011, just a year after I entered Parliament. One of the Minister's predecessors, the right hon. Member for Wantage (Mr Vaizey), responded, so I think he was the second MP to mention it.

I called that debate because my experience as a chartered electrical engineer and as Ofcom's head of telecoms technology had brought home to me, even then, the opportunities and threats that the internet of things represented. At the time, Ericsson estimated that 50 billion things would be connected to the internet of things by 2020. In fact, that was a bit of an exaggeration, because we have about 7 billion. However, global spending on IOT is forecast to reach \$745 billion by the end of this year, Ericsson now estimates that by 2023 we will have 31 billion things connected to the internet, and the Government's own estimate is that there will be 420 million internet-connected devices in the UK within the next two years.

The internet of things is basically things connected to the internet—it does what it says on the tin, for once. That allows everyday objects to talk to each other and to people. In fact, the first internet-connected toaster was revealed in 1989. While there has been speculation for years about how the internet of things will change our lives, it is now that we are really beginning to see its full implications for how we live, work, play and do everything in between.

Smart homes and connected appliances are perhaps the most commonly understood applications. Smart meters mean that we can turn our heating on when we leave work, whatever time that is. A fridge can tell someone when they are out of milk. More poignantly, a child's teddy bear could record their first words and share them with the whole family.

However, IOT is about much more than household gadgets and cuddly toys. Scaling up IOT will bring us smart cities, where bins can signal when they are full, parking spaces can tell us when they are empty, and traffic lights can tell an autonomous car how fast to drive, so that it never has to hit a red light. Every time I wait at a bus stop—despite the ridiculously high cost of bus travel in Newcastle, that is still quite often—I look forward to an IOT-enabled and truly integrated public transport system, which will mean buses stopping when and where people want them to, and not stopping if there is no one at a bus stop. That means a saving in fuel efficiency, and a saving in all our time.

IOT is also transforming industry. The fourth industrial revolution has at its heart smart factories, and intelligent and flexible automation, making manufacturing cheaper, quicker, more efficient, more personalised and more reliable. Indeed, the smart factory might be in someone's home—3D printing plus IOT could equal home manufacturing.

I am an internet of things believer. I have studied it, lived it and effectively built bits of it all over the world. It has huge economic and social benefits, as well as environmental benefits, ranging from energy management to tracking endangered species. We cannot address climate change without the internet of things. It allows the monitoring of energy usage but also enables a smart grid. IOT can literally save the planet, which is just as well now that it accounts for 8% to 10% of European electricity consumption.

However, I hope that the Minister will agree that people, and not technology or things, must be at the heart of the internet of things revolution. An IOT that works for everyone requires action—action that this Government seem unwilling to take. IOT will be as pervasive as electricity, and found in every home and

[Chi Onwurah]

handbag. And, like electricity, IOT is an enabling technology, only the enabler is not electric current but data—people’s data—and right now we have no idea who owns that data.

Take personal health tech. A company called OrCam has developed discreet camera glasses for the visually impaired, which can read text and recognise people, while the L’Oréal UV sensor, which detects ultraviolet exposure, is small enough to be worn comfortably on someone’s fingernail. However, who owns and controls the data gleaned by these devices? I hope that the Minister can tell us that, and say why it is not the people who generate that data.

As companies bring more IOT devices to market, this is a pressing issue. Although the GDPR represented progress, it is already years out of date: it addresses privacy, not control; it barely takes account of artificial intelligence and algorithmic management; and it ignores completely the internet of things. The Information Commissioner’s responsibilities over IOT are unclear.

The more interconnected things are—which in itself is a good thing—the bigger the potential for cyber-attack, which is already a huge area of concern. In 2018 there was a 500% increase in the average size of a botnet attack. There are more than 7 billion IOT devices in circulation, and that number is only going to grow. Given that each IOT device is always on, it is possible to build and deploy large-scale attacks within minutes.

In 2017 the US Food and Drug Administration recalled almost half a million pacemakers due to fears that they were vulnerable to hacking, while a Chinese IOT firm recalled 4 million cameras for the same reason. November 2018 saw the first scaled botnet attack using smart TVs. Other household appliances can also be used not only to bring down internet platforms such as Spotify, Amazon and Twitter, as happened in 2016, but to take control of our homes or any networked utility. Back in 2010 an Iranian nuclear facility was targeted by a malicious computer worm, which led to the shutdown of multiple gas centrifuges, and in 2015 blackouts in Ukraine were caused by cyber-attacks. Although we call them “cyber-attacks”, they have very physical consequences. In 2017 the Federal Network Agency, the German communications regulator, told parents to destroy a talking doll called Cayla, because its smart technology can reveal personal data. A couple of years ago I wrote about the implications of internet of things security for sex toys, but today I will spare Members’ blushes.

The lack of security on IOT devices is not only a risk to the individual user; it threatens huge economic and social damage. Importantly, security for IOT devices does not just need to be built in at the start, even though that in itself takes time and money; it needs to be upgradeable over time as threats evolve. However, producers of IOT devices are simply not incentivised to consider security concerns, with global supply chains competing mainly on costs for devices that can be sold for only a few cents or even less. Of course, the lowest-cost device is, inevitably, the lowest-security device. This is one problem that the market cannot and will not solve on its own, which means that it is up to Governments to correct.

In his speech, the Prime Minister used quite lurid language on the issue of internet of things surveillance:

“But this technology could also be used to keep every citizen under round-the-clock surveillance. A future Alexa will pretend to take orders. But this Alexa will be watching you, clucking her tongue and stamping her foot”.

The Prime Minister shows both his lack of respect for women and his lack of understanding of technology in caricaturing it as a nagging housewife arguing with an unfaithful husband. That sort of gendered view is, sadly, far from uncommon. Technology is far too often the creation of well-off men and, unsurprisingly, it reproduces their biases and prejudices.

There is an important issue of surveillance to address, both in the private and public domain. The recent book by Shoshana Zuboff, “The Age of Surveillance Capitalism”, addresses the ways in which data is used not just to monitor us but to direct and control what we do. We see it already in the practices of Amazon, Sports Direct, Uber and Deliveroo, to name just a few, where the companies’ control of data can control work life.

Research by Defend Digital Me shows that the internet of things has an increased presence within our classrooms, from direct monitoring through biometrics to facial recognition and tracking technologies as part of a smart campus project, in some cases run by the Office for Students. Many of the applications that are marketed claim noble aims around improved health or scholastic performance, but they are rather less clear when it comes to consent. When we consider how the internet of things can be used to monitor children in compulsory education, how can the child or parent be said to consent if it is a generalised practice?

The Government have repeatedly ignored warnings on cyber, much less done anything to ensure that small businesses and citizens, as opposed to big businesses and national security agencies, are protected. There are no current regulations that require a security standard for internet of things devices. About 30 groups are developing security standards for the internet of things, but if we have 30 standards, we do not have a standard. Our public response needs to be as joined up as our networks, but it is not. Responsibility for cyber-security lies across several disconnected Government silos. The Home Office publishes cyber-security stats; the cyber-security strategy comes from the Cabinet Office, although it was launched with a speech by the then Chancellor; the Department for Digital, Culture, Media and Sport takes care of cyber-skills for young people; and the cyber-essentials scheme sits in the Department for Business, Energy and Industrial Strategy. Responsibility for cyber-security is defused across Government. There is a lack of leadership and, even worse, a lack of concern. The policies seem largely to ignore mobile devices and the internet of things.

At the same time, and for some years now, the Government have been encouraging us to take up smart meters, for example, without a regulatory framework to protect us from attack. Personally, if a device is called smart, I do not buy it, at least not without a one-hour technical interrogation, which few customer service agents can pass.

**Daniel Zeichner** (Cambridge) (Lab): My hon. Friend is making a very important speech. I, too, have spent time reading the Zuboff book, and the more I read it, the more alarmed I became. Does she agree with me that the real issue is the one she started with: whose data

is it? Without that being resolved, there is an inevitable drift towards big tech companies using it for profit. Why wouldn't they? But it is our data, and on every one of these issues, if we could pin that down, it would completely disrupt their business model. That is why it is a tough thing to do, but it would ultimately resolve the issue.

**Chi Onwurah:** My hon. Friend, who is a great champion of innovation and technology—coming from the constituency that he represents, it is appropriate—makes a critical point. I could not have put it better. Although this debate is about regulation of the internet of things, it is impossible to talk about protection and security in the internet of things without talking about the data that is its lifeblood: the flows of data that both drive and enable the internet of things. We are in a confused state about who owns and controls the data and how it can be shared. The Government, for example, had at the last count at least 80 different ways of sharing data with themselves. As long as that is the case, we cannot have real security or integrity within the internet of things.

Last year the Government finally took some action with their Secured by Design voluntary code of practice on the security of the internet of things, as well as guidance for consumers, which was later codified as ETSI TS 103 645. In May this year, the Government announced a consultation on the introduction of some mandatory legislation on labelling. For example, retailers would have to label internet-of-things products as complying with varying levels of the Secured by Design code. Labelling is necessary because the Government will not decide what is secure and make it mandatory—if everything were secure, it would not need to be labelled. We await the outcome of the consultation. However, there are at least five major issues, and many others besides.

First, the tone of the consultation is, “Regulation is very, very bad and stops innovation, so let's just have as little as possible.” Secondly, there is no enforcement or sanction. Thirdly, while some mandatory requirements are proposed, they would simply be a declaration of adhering to standards. That approach puts a major emphasis on the consumer to understand these increasingly complex problems and does not account for the use of the devices in public spaces.

The fourth major concern is that the regulations deal only with consumer things. The clue is in the name: it is an internet of things. We need an architecture of standards and a regulatory framework that enables security and interoperability across the internet and also considers the lifeblood of the internet of things—data. Fifthly and finally, there are billions of insecure old-generation IOT devices already enmeshed in our digital infrastructure. The regulations do nothing to address them.

The Government need to recognise that technology is not something that happens to us; it is something that we actively participate in, or should do. That does not mean stifling innovation. Instead, it means using Government influence to look forward to the impact of technologies and to shape them for the public good. The Government must understand technologies in terms of social purpose, rather than just profit margins. That must be done with the tech sector, but the Government must recognise that it is their job to protect the interests

of the people. During the first and second industrial revolutions, it was the trade unions, organised workers, the nascent Labour movement, feminists, abolitionists and former slaves who pushed law makers into putting legislation in place that would direct the use of technology to more egalitarian ends. I fear that it will be for a Labour Government to ensure that that is what happens here.

Technology can be used for good or ill. My hope is that intervening now to set up a framework for data and the IOT will mean that we do not face problems and resistance further down the line.

Last year, I was at CES, which is the largest computer electronics show in the world, in Las Vegas. An American start-up literally begged me to put in place security regulations for IOT devices, so that it could compete on a level playing field with the cheap but totally insecure exports from less reputable manufacturers. It is cheap and, frankly, lazy to set up a sort of binary choice between regulation and innovation. A clear regulatory framework and strong governance allows good companies that are making socially useful products to succeed without markets being flooded with poor quality and potentially dangerous products that threaten security.

I want to say a little on Labour's plans as I understand them—I know that the shadow Minister, my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne), will set them out in more detail—and I want to put that in context. I am a technology evangelist. Before becoming an MP, I worked all over the world building out the networks that now form the internet. One of my proudest moments was when I rolled out the first global system for mobile communications network in Nigeria and saw how mobile communications could really make a positive difference to people's lives. Fisherman in the delta could now know the market price in Lagos and could not be cheated out of the right price for their fish; pregnant women could phone for a doctor instead of having to send vital requests on foot, which took hours. The internet of things will bring more and better benefits.

I have also seen the flip side of new technology. When I worked for Ofcom, I was asked to report to the board on internet security in 2005. When I came back with stories of bot attacks, honey traps, distributed denial of service, white hat wizards, Trojans, worms, phishing and pharming, it was as if I was describing a war in a galaxy far, far away. More than 10 years on, however, those threats are very real. They are part of everyone's daily lived experience. Online fraud is the most common crime in the country, with almost one in 10 people falling victim to computer misuse or one sort of fraud or another. The same may happen with the internet of things—in fact, to an even greater extent—and we must not allow that.

I talk about the internet of things for everyone, because I believe that technology can be democratising and enabling, but just as cyber-crime seemed so foreign only a decade ago, we do not yet fully understand the new risks posed by the internet of things. To fully realise its benefits, we need to be able to deal with the increasingly pervasive security threats it presents. To address them, we need regulation as well as action in other areas. For example, we need to invest properly in skills and adult learning to help people to become digitally literate citizens. Labour's pledge to create a free truly universal national education service, the NHS for the innovation



[*Chi Onwurah*]

age, will help everyone to become part of an innovation nation in which everyone is a creator, not simply a user, of technology.

We also need the power of Government to address our creaking infrastructure, and close the productivity gap at the same time, by enabling businesses across the country to invest in the internet of things. Our national transformation fund will do what it says on the tin—transform our infrastructure to bring it up to OECD levels.

We need to address a critical part of the tech sector that I referred to earlier, which is a lack of diversity. Diversity is not an optional add-on; it is an economic imperative. It needs to be at the heart of economic and technological policy, because we cannot build a more prosperous economy without making use of everyone's talents. We need a more comprehensive sector-wide approach to diversity, particularly in the tech sector. It is key that the creators of new applications for the internet of things come from diverse backgrounds, so we have technologies that work for all and make use of the full array of talent in our society.

Finally, an internet of things requires the right digital rights and responsibilities to exist across our nation. That is why Labour plans to introduce a bill of digital rights that will provide strong and easily understood protections for citizens and will give us all rights and control over our own data.

As I draw to the end of my comments, I want to make sure that the Minister understands the questions that I am asking, so I will list the ones to which I would like him to respond. First, as I have mentioned, who owns and controls the data flowing to and from internet of things devices? Why is it not the people who are generating the data? The Prime Minister said that data is the new oil, but we have seen what the corruption around the oil industry did to many developing economies. Our citizens deserve to be in control of their own data.

Secondly, what steps is the Minister taking to ensure that insecure internet of things devices cannot be sold? Thirdly, will the provisions of the online harms legislation, specifically the duty of care, apply to the internet of things? I asked his predecessor that question, but the answer was not clear. Fourthly, when the internet of things is combined with facial recognition to monitor people, whether in education or on our streets, what requirements are there on consent? Fifthly—this was raised by TechNorthWest—internet of things devices take data for one stated purpose. What prevents its being used for various others? How does consent work in that case? Is GDPR sufficient?

Sixthly, I believe that all our critical national infrastructure is connected to the internet of things. I have mentioned the blackouts in Ukraine and attacks on an Iranian power station. What regulation is there of the internet of things in critical national infrastructure?

Seventhly, what analysis has been made of how the Government should respond to the misuse of internet of things devices? What scenarios are being considered and what plans are in place?

Eighthly, for the purposes of internet of things regulation, what is the nature of the relationship between the Department for Digital, Culture, Media and Sport, the National Cyber Security Centre, the Cabinet Office and the Information Commissioner's Office?

I expect the Minister to respond to the five criticisms of the current consultation.

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** How long do you think we've got?

**Chi Onwurah:** We have an hour and a half, which will be more than adequate. I should perhaps have said that the Minister has a background in technology, as a tech correspondent, so I am sure that he has the answers to all the questions.

**Daniel Zeichner:** Loth as I am to interrupt the exam paper, which I am sure will come to an end soon, a practical application of the questions came up not long ago with the facial recognition monitoring of my constituents at King's Cross station. I hope that the Minister will be able to explain how they can be protected in future.

**Chi Onwurah:** That is another excellent intervention from my hon. Friend. I look forward to the Minister's response about facial recognition technology and consent.

I have asked the Minister nine questions and here is the 10th and final one: can we have a comprehensive forward-looking review of digital rights and responsibilities to deliver a regulatory framework fit for the future, which encompasses data rights and delivers an internet of things security architecture in which citizens can have confidence?

I hope that the Minister noted that when US presidential candidate Elizabeth Warren talks of regulating the tech giants for the benefit of consumers Facebook trembles—so much that Mark Zuckerberg has promised to “go to the mat” and fight her over it. However, when the Prime Minister talks about “pink-eyed terminators” the world laughs. That matters, particularly as the Minister advocates a hard Brexit, after which we would not have the support of our European friends and colleagues in establishing internet of things regulation.

The internet of things could represent a more profound technological change than anything since electricity, as I have said. To make it work we need to understand the problems that it raises, and lay out a clear framework for technology companies to work in. However, to take advantage of the changes, we need a Government who understand the opportunities of the internet of things, and who work with industry to mitigate the threats. That is a question not primarily of technology but of standards, interoperability, protocols, control, industry co-operation, self-regulation, legislation and enforcement. If we get that right we can look forward not just to a future of the internet of things but to a prosperous future of innovation that works for all, and things that have yet to be thought of, the benefits of which will be shared by everyone.

3.34 pm

**Jon Cruddas (Dagenham and Rainham) (Lab):** I, too, look forward to hearing the Minister's response to all those questions in a few minutes' time. I congratulate my hon. Friend the Member for Newcastle upon Tyne Central (*Chi Onwurah*) on securing the debate, which covers some of the most challenging issues that society—

indeed, humanity—will face over the coming years, many of which are rarely discussed in Parliament. Her speech was quite brilliant.

The internet of things is such a vast subject that it is difficult to know where to start, but I will restrict myself to the ethical questions that underlie the regulation issues that my hon. Friend spoke about, given the epochal technological challenges. In a general sense, many challenges that the country faces appear inversely related to our capacity as politicians to properly discuss them, let alone resolve them. Increasingly, liberal democracies appear unable to navigate the complexities of the modern world. One obvious example is the escalating authoritarianism across Europe and the globe—where is the political diagnosis and response to it, and where is the defence of liberal democracy? To give another example, do we really talk, post referendum, about the issues and feelings that ushered in the referendum, or are we preoccupied instead with the technical aspects of Brexit?

Maybe politics has lost its ethical grip and become too technocratic, and maybe today's populism is a backlash against that managerialism. Maybe we require a different conversation that addresses moral and ethical questions about the lives that people wish to live. I realise that that point appears unrelated to questions of robotics, the internet of things and artificial intelligence, but I would argue that it is imperative to embed our discussion of those technological changes in a deeper conversation. I welcome this debate because maybe we can start that conversation—arguably the most profound conversation that confronts us as politicians and public policy makers in this country and across the planet.

Whether the forecasts are apocalyptic or utopian, no one doubts the significance of artificial intelligence and the internet of things. They have the potential to affect all aspects of policy, from education to the labour market, and from policing to health and social care. However, much of the current political thinking about artificial intelligence is reactive and geared simply towards ensuring that Britain is at the forefront of technological change—we might describe that as the utilitarian approach. Maybe we should begin instead by discussing what role technology should and should not play in our societies, our workplaces and our personal lives. That departure point would be different from the one that tends to dominate the utilitarian approach: instead of focusing simply on utility or economic benefit to Britain plc, it would focus on justice and how society should be organised.

Shrinking the political debate down to technical rather than ethical terms is especially dangerous in this area of technological change, owing to our lack of expertise in it—notwithstanding some notable exceptions, some of whom have just spoken. For example, being unable to evaluate the claims of developers or independently discern the likely outcomes and risks of their products means that politicians and the public are prone to being swayed by either apocalyptic or utopian technological narratives. Many technologists have bought into what has been termed technosolutionism: the idea that all problems that humanity faces can be solved using technology—even those that technology has caused.

**Chi Onwurah:** I thank my hon. Friend for his excellent remarks, which cover the ethical debate about technology that we too rarely have about the internet of things. One

example of the approach he describes—the idea that technology can solve all our problems—is the proposals for alternative arrangements on the island of Ireland, which I understand are being driven by blockchain and other technologies that the Government are not fully familiar with. That libertarian idea that technology is the answer to everything has driven our regulatory approach for too long, so he is right to say that we need experts on technology who can stand up for and consider its future applications from the point of view of society and citizens.

**Jon Cruddas:** That is bang on. For many in silicon valley, that confidence in the potential of technology goes hand in hand with a widespread libertarianism. As the role of technology and profit margin expands, so the role of the state should contract.

My hon. Friend did not mention those who come at the issues from a transhumanist approach. Modern transhumanism asserts that technological change creates the opportunity to transcend the human condition and become transhuman, and that that is to be celebrated, while resistance is deemed nostalgic or parochial. Politicians now and in the future will have to defend a discernible human condition in these debates, which will be a huge challenge.

For example, what happens when transhumanist thinking informs the technologists? Nick Bostrom is the director both of Humanity+, an international transhumanist organisation, and the Future of Humanity Institute at Oxford University, which regularly produces policy recommendations for Government. The point is that politicians and policy makers need to avoid being captivated by the promise of technological progress without an appreciation of the philosophical assumptions that inform the thinking behind the policies being advocated by those with agendas. Consequently, philosophers such as Jürgen Habermas have argued that politicians and policy makers should maintain a “species ethic” when navigating this terrain. These are deep waters, yet such questions are not really addressed in modern political debate.

On a slightly more practical level, the potential risks of mismanaging artificial intelligence are phenomenal. The most obvious example is mass unemployment. It is not possible to pick up a newspaper without reading about the march of the robots and the end of work. Estimates of the proportion of jobs in the UK that could, over the next two decades, be replaced by artificial intelligence and related technologies range from some 22% to between 40% and 45%. There are a wide range of estimates—some of them quite dodgy—of future structural unemployment, and they point to a range of conflicting policy options, such as universal basic income versus full employment. That suggests a wider range of policy remedies, but we are not spending enough time scrutinising the assumptions and empirical data that underscore those policy debates. Maybe we should.

To give a further example, we have already seen data analytics being used malignly in targeted political campaigns, and that practice will become ever more sophisticated, at the expense of our democratic process. As has been mentioned, in the corporate world facial recognition software is now being trialled for the purpose of marketing, to detect the efficacy of an advert on the viewer by judging their facial expressions. Businesses now have the potential to reach into people's lives in the way Orwell's “1984” imagined for totalitarian regimes.

[Jon Cruddas]

Similarly, we have seen the social media filter bubble effect on civic and social life. It feeds us information that aligns with our preconceived notions of the world, closing us off from any contradictory information. Perhaps in the future our children will ask why we as parents allowed them to be so unprotected against such technological power. Left unchallenged, future public debate will suffer from the ease with which fake news could be produced on an industrial scale, given that AI makes the processing and manipulating of all forms of digital data substantially easier and cheaper.

Our very knowledge of the world around us and notions of truth are at stake. That may seem melodramatic, but I do not think it is. The greatest threat to the established political parties, however, could come from the powerlessness and exclusion felt by many as they feel that decisions about them—from hiring, to policing, to insurance—are made by machines. In its evidence to the Lords inquiry into AI, Future Intelligence said that “the most challenging point relating to AI and democracy is the lack of choice that is offered to the population at large about the adoption of technology. It is, to say the least, undemocratic”.

As wealth becomes increasingly concentrated in the hands of businesses that employ fewer and fewer humans, our society will be riven by inequality on a scale perhaps never before seen. Brexit pales by comparison.

**Chi Onwurah:** My hon. Friend is making excellent points. Although my remarks on Brexit and technology were limited, I want to emphasise his point. If we agree that part of the Brexit vote was based on people’s sense of disconnect from Brussels and the corridors of power, how much greater will that sense of disconnect be when all decisions are made through technology that monitors but is not under the control of the people?

**Jon Cruddas:** Exactly. These are essential issues for the democratic character of western market democracies. That takes us back to the question my hon. Friend asked the Minister about the Government’s proposed remedies and policies. As it stands, policy proposals to meet these challenges are phenomenally weak. For instance, they include developers undergoing training in ethics as part of their computer science degrees, companies ensuring that their workplaces are diverse, and individuals who are made redundant by AI, perhaps repeatedly, being able to train for a new career. As I mentioned earlier, universal basic income is one proposal floated to ensure that those who lose their jobs are not made destitute, but that would mean the state taking on a phenomenal welfare burden just at the time when fewer people were able to pay income tax. To make up the deficit, people such as Bill Gates have suggested a robot tax, but would we tax algorithms as well as robots? Trying to define a robot is a legal and regulatory nightmare.

Returning to the question of regulation, before we make good policy, perhaps we need to return to first principles, asking questions about the values we place on work, freedom, privacy, community and justice—in short, what we want our society to look like. From there, we can then discern the role that we wish to allocate to technology, rather than being seduced by the hype of novelty and processing power. We decide the ethical environment and responsibilities of technologists

and their platforms, not vice versa. If we do not build policy on a well-defined vision of human flourishing, policy makers run the risk of slipping into technosolutionism, thereby putting technological and economic progress above people, leaving them to become citizens of those corporations.

Alternatively, we could endorse a somewhat softer technological determinism and use policy only to manage what we euphemistically call “risk”, when what is really at stake is huge social issues: rising inequality, the accumulation of power in the hands of private companies and human dignity itself. Deeper political conversations are required about what constitutes a good life and a good society. That should inform our approach to regulation. We literally need to rethink human rights in a different way, in terms of the preservation of the species. Thanks to my hon. Friend the Member for Newcastle upon Tyne Central, we can start that conversation.

3.47 pm

**Patrick Grady** (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Mr Gapes. I congratulate my friend the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), with whom I serve on the all-party parliamentary group for Africa, on securing this debate and being very fleet of foot in doing so. Of course, we were not supposed to be meeting this week, so goodness knows when she might have had time to secure the debate otherwise. It has been a pretty profound and comprehensive debate, and there is plenty for the Minister to respond to, so I do not want to take desperately long in reflecting as the Scottish National party spokesperson. However, given that we started with some debate about the industrial revolution, I remind Members that if they care to take a stroll through Glasgow Green, they will find the boulder that commemorates the spot where James Watt conceived of the condensing steam engine, and much has flown from there.

**Chi Onwurah:** I thank the hon. Gentleman for giving way. I recognise that while I did acknowledge a debate between the north-east and the north-west of England as to whether they were the home of the industrial revolution, I failed to acknowledge Scotland’s claim, which is equal. I will only add that obviously Watt’s initial invention was perfected and made commercial as a steam engine in my constituency in Newcastle.

**Patrick Grady:** I think there is enough credit for it to be happily shared. It is a timely debate, not least in the context of the Prime Minister’s speech at the UN General Assembly. Both the hon. Lady and the hon. Member for Dagenham and Rainham (Jon Cruddas) have made comprehensive contributions in which there was much to agree with that does not necessarily need repeating.

I am not certain whether the SNP has an established view on transhumanism. We have a vision for the future of Scotland and our population, but whether that extends into the far future of the human race, I am not entirely sure. It is important that we have these opportunities to reflect on this kind of thing, and the idea of starting from first principles is important. A range of significant and exciting opportunities come with the internet of things, but it clearly raises challenges, too. It is already



part of some people's daily lives, perhaps without them even realising or with them already taking it for granted. I know several people who take for granted being able to control central heating from a remote location and switch it on when they are on their way home.

On the roll-out of automated and electric vehicles, I saw a report today on the first tests that will take place in London. The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) spoke about her experience of the roll-out of such technology in Africa. I am aware of parts of Africa—Rwanda, for example—where drones are used to deliver medicine and medical devices. That all relies on the technology of the internet of things.

There are undoubted challenges, to which I will return, but I want to reflect briefly on the position in Scotland. Notwithstanding the challenges and the importance of getting regulation right—the United Kingdom Government and devolved Administrations need to co-operate in doing so—the Scottish Government welcome many of the opportunities presented by these technologies. Last year they announced a £6 million project to develop the internet of things across the country. To support businesses to develop new and innovative applications, IoT Scotland provides a wireless sensor network for applications and services to collect and send data from devices without the need for 3G, 4G or wi-fi. Examples include installing smart bins in local high streets that can indicate to local authorities when they require emptying; making the best use of bin lorries through the correct collection cycle, which in turns helps to reduce carbon emissions; and monitoring office environments to lower costs by saving energy. That three-year project includes investment from both the public and private sector, with the Scottish Government investing almost £2.7 million.

Some of that is already coming to fruition in Glasgow, which will become one of the first cities to offer that technology across the board, working in partnership with some private companies to provide the city with over 99% coverage via 22 different gateways installed across the city. Up in the far north in the highlands and islands, progress is being made in using internet of things technology to gather data from the council's water systems, providing effective ways to monitor and control the risk of waterborne diseases.

Many positive examples of the technology are already being rolled out and working in people's day-to-day lives. However, it is important that we consider the serious impacts that have been raised. The fact that the Government have consulted is welcome, but whenever the Government publish consultations we want to see the response and we want to know exactly what the next steps will be. I echo the calls for clarity around that.

We already see the challenges arising from data handling in the social media networks and the traditional internet, and these questions will only get bigger. Who controls access to data is a question not only because people can hack and misuse devices or control access and be physically disruptive, but because mass monitoring of data has led to attempts to influence human behaviour as we have seen in the growth of fake news online and fake consumer goods? That kind of manipulation is undoubtedly a real concern and it is important that this is all properly thought through and that we do not rush ahead. This is a global challenge that relies on international co-operation. Every debate in this place seems to touch on Brexit consequences. How will the Government make up for

the withdrawal from international co-operation that Brexit represents? How will they re-establish such co-operation on these important issues?

We must also consider our own personal responsibilities. We are for ever being reminded in Parliament about the importance of cyber security and best practice in sharing passwords, devices and so on. That applies equally to any such systems that we and the wider population install for domestic use, whether in households, vehicles or elsewhere. Getting that message out to the public is hugely important. It is right that we have had an opportunity to consider these issues. How does the Minister intend to work with the devolved Administrations on these matters as they become a more and more fundamental part of our daily lives?

3.55 pm

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): What a fantastic debate we have had this afternoon. I congratulate my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) very warmly on securing it. I am extremely glad that she started with a brief account of the industrial revolution, which started in 1712 when the Newcomen steam engine was demonstrated at Dudley castle, a day that we commemorate every year on Black country day.

The debate that unfolded subsequently illustrated an important point. The steam engine was not perfected until James Watt joined Matthew Boulton at the Soho manufactory. It was 1789 before the first rotary steam engine was sold to a man called Peter Drinkwater, who created the first steam-powered textile factory and lit the spark on a textile revolution in Manchester, which was the beginning of Manchester's claim. Peter Drinkwater's factory manager was a man called Robert Owen, who went on to found New Lanark mill in Glasgow. It was 1825 before steam technology was incorporated into Locomotion No.1, which was set to work on the Stockton to Darlington railway. The point is that it was 113 years over which the steam revolution unfolded and began to transform every aspect of this country, including our economy.

The speech made by my hon. Friend the Member for Dagenham and Rainham (Jon Cruddas) was important in setting the wider stage and the bigger story, because the new technology required a revolution in law and regulation. Over the course of the 19th century there was not one factory Act but 22 different factory Acts and Bills, and over this century there will no doubt be just as many different attempts to reform, revise, regulate, legalise and make lawful or unlawful different aspects of the technology that we are debating here today. So my hon. Friend the Member for Dagenham and Rainham was right to say that what is needed from the Government is a plan for a just transition. We now understand what "just transition" means when it comes to climate change, but we need a plan for technology just as much, just as we need a plan for just transition given the new trade conflicts that are now ensuing. The rise of temperature, robots and conflicts will define our economy over the next 20 or 30 years, so we need not only just transition but just transitions, and at the moment we have nothing from the Government to tell us how that journey will be steered over the years to come.

As the Minister knows, because he was at the sharp end of these debates during the proceedings on the Data Protection Bill, which became the Data Protection

[Liam Byrne]

Act 2018, our approach is rooted in a particular philosophy. Our inspiration is the work of Amartya Sen and the work that he set out first in “Development as Freedom”. Over the course of the revolution in this century, we must ask ourselves what capabilities we want every citizen in this country to have.

Adam Smith talked about how a man might need a linen shirt to go out in public. That was something that people needed in order to participate in civilised society at the time when Adam Smith was writing. These days the capabilities that people need will be different. We therefore have to ask ourselves what those capabilities are and how we turn them into rights. That is why, given the complexity and the regulation and re-regulation that is to come in this century, it would be wise now to set out a document of first principles. We believe that a Bill of digital rights will make the business of regulating far simpler over the next 50, 60, perhaps 113 years. Who knows what the life cycle of this debate might be?

We set out in the debate some of the rights that we think should feature in a charter. We set them out because we wanted to have a debate, and I am pleased to be able to have a bit of that debate this afternoon. I think that some of the issues are uncontested; I think we agree on equality of treatment and on the right to security. I also think we agree on the right of free expression, although we believe that we should incorporate lessons from Germany, which has pioneered the NetzDG legislation to take out hate speech online. I think we agree on equality of access, although, as my hon. Friend the Member for Newcastle upon Tyne Central said, ideas such as the national education service are important here, because of course they will transform rights to digital literacy. We believe in universal digital literacy; we believe that it is a fundamental right for the 21st century. We also believe in a right to privacy; I believe that is uncontested.

However, what is perhaps not agreed on is the kind of rights to algorithmic justice that my hon. Friend the Member for Cambridge (Daniel Zeichner) insisted on during the Committee stage of the Bill that became the Data Protection Act 2018. Crucially, we also believe that there should be some kind of right of ownership and control of data that is created through our use of technology. That was absolutely at the heart of the speech by my hon. Friend the Member for Newcastle upon Tyne Central. At some point, the Government will have to step up and provide some answers as to what they think about this issue. I hope that the Minister will begin that business of stepping up in about five minutes’ time.

These charters—these bills of rights—are meaningless without two further pieces of the puzzle. The first is an effective system of powerful regulation. We are now facing off against some of the biggest, wealthiest and most powerful companies on earth, yet the regulatory infrastructure that we have today would be described by Sidney Webb as a mish-mash: Ofcom; the Information Commissioner’s Office; the Competition and Markets Authority; the Payment Systems Regulator; the Financial Conduct Authority; the Advertising Standards Authority; and the Independent Press Standards Organisation. There is a slew of non-regulatory advisory bodies.

Something like 13 different advisers and regulators have some kind of bite in relation to what happens online. They all do an important job and they are all staffed by excellent people. My hon. Friend used to work for one of them—indeed, she helped to set it up—so she knows very well how long it takes to set up a regulator or to merge regulators. Consequently, we are not calling for some kind of bonfire of the quangos here. What we are asking for is for some proper thought about how those 13 different regulators and advisory bodies might number something closer to one—not one, but not 13, either. We believe that we will have to start bringing these regulators together, if we are to concentrate the firepower that is needed to take on the biggest and most complicated regulatory challenge in human history.

**Chi Onwurah:** I thank my right hon. Friend for giving way and for the excellent comments that he is making, which have raised some of the key issues we face. In 2002-03, the then Labour Government held a wide-ranging review of the communications sector and the many regulators that existed for television, for radio and for spectrum, etc. Then, in concert with the industry sector, civil society and so on, they developed a plan to bring them all together in Ofcom. That process took time, but it also built consensus and agreement about what the key challenges were. In addition, it enabled the right technical talent to come together. Could that not be a model for developing the right regulatory approach to these challenges?

**Liam Byrne:** It absolutely could and it absolutely should, because the truth is that that work will have to happen at some point, so all we are arguing about is when and how. It is inconceivable that we will have 13—now 14—different regulators and advisers; the Data Protection Act 2018 brought in a new organisation, or institution, which is the Centre for Data Ethics and Innovation. We cannot keep multiplying these regulators and allowing them to proliferate.

Equally, however, we cannot take the approach that was taken back in 2010-11, when the Government sought to wipe out many different quangos. They had their bonfire of the quangos and it sounded excellent in the pages of *The Daily Mail*. Of course, in practical terms, it was a bureaucratic disaster and many of the efforts to abolish organisations that were doing an important job had to be reversed. It was a complete waste of time, energy and money, at a time when civil service bandwidth was under tremendous pressure. So what we are asking for is a road map—a proper one—with a timetable to be debated, in order to bring together the regulatory firepower that is needed to hold to account the biggest companies on Earth.

There is a final piece of the puzzle. We have discussed rights and regulators; the third piece of the puzzle is redress. If we do not have accessible forms of redress, this debate is a waste of time. Yesterday, in the Court of Appeal, the three senior judges handed down a challenge to the Minister by saying that the process that we suggested during the passage of the Data Protection Act 2018 for class action should be implemented. My key question to the Minister is whether he will introduce what is required under that 2018 Act, which is the review that was promised of opt-out class actions, given the advice that was handed down to him in the judgment on *Lloyd v. Google* in the Court of Appeal yesterday.

For those who have not seen the case, it began in November 2017 and was brought by Mr Richard Lloyd on behalf of millions of iPhone users who, he alleges, had their personal data taken between 2011 and 2012. The Court of Appeal basically ruled that that representative action could now proceed. It found that personal data has economic value—the principle at the heart of the contribution of my hon. Friend the Member for Newcastle upon Tyne Central; that a violation of that right to privacy was a damage; that individuals do not need to demonstrate pecuniary loss and distress; that a loss of control of personal data is the same loss and the same interest, as if there had been economic loss or economic damage; and finally, and perhaps most importantly for the Minister, that representative actions, in which people opt out rather than opt in, are effectively the only way in which such claims could be pursued.

The judges have underlined the argument that we underlined a number of months ago in the Committee that considered the Data Protection Bill and which is at the core of this debate: if we do not have redress, those rights, even the rights that we have enshrined in the Act, are meaningless. We are talking about humble individuals taking on some of the biggest firms on earth. The only way those rights can be made a reality is if we allow effective remedies in court. We have now heard from the judges that those effective remedies are most likely to be class actions. I look forward to the Minister confirming that he will introduce that review forthwith, so that we can at least begin to make some progress on the critical issues that my hon. Friend the Member for Newcastle upon Tyne Central has highlighted to the Chamber.

4.7 pm

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** I begin by saying that I will not intrude on the private grief of where the industrial revolution began; I am certain that it did not begin in Skegness, so I have no dog in the fight. I congratulate the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) on securing the debate. I well remember the work that we did together in the parliamentary internet, communications and technology forum—PICTFOR—and in other forums.

The hon. Lady says that she is a tech evangelist, and so am I. Although I regret the tone of some of her comments about some aspects of the Government's policy, I think we agree that there is not a huge amount of partisan disagreement on many of the issues. We want to get it right. The right hon. Member for Birmingham, Hodge Hill (Liam Byrne) and I also agree on a huge number of issues, as he said, particularly around discrimination and what we should do to ensure that the well-known principles that exist in the offline world persist online. I hesitate to use the slogan, but we too want technology to work for the many, not the few.

I will begin by seeking to answer some of the questions of the hon. Member for Newcastle upon Tyne Central, which might be a novel approach, although I am sure she will not be satisfied with all the answers. In many ways, as she identified, this is a debate about data, not the internet of things. On the principle of who owns the data, the general data protection regulation applies to data controllers in exactly the same way whether they are processing data that derives from the internet of things or anywhere else, so the principles that we all

subscribe to, of the consumer owning their data, should persist. That is a hugely important starting point, and we should acknowledge that there is agreement on it. The hon. Lady frowns as if she disagrees, so I invite her to intervene.

**Chi Onwurah:** I thank the Minister for the tone of his opening comments. It is certainly true that there are many areas on which we agree. The reason for my frowning is the idea that the GDPR recognises the right of ownership of consumers or citizens. The fact that there is a data controller who is not the citizen or consumer suggests that it does not. As I have said, the GDPR is progress, but issues of ownership and control are still far from clear. My right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) made some excellent points in this area.

**Matt Warman:** The hon. Lady pre-empts my next point: all of this is predicated on consent. The consumer has to understand that they are giving up their data for a particular purpose and a particular benefit. As the hon. Member for Dagenham and Rainham (Jon Cruddas) said in what was a fascinating speech—albeit one where I wondered if I had at times transcended, if not humanity, at least this debate—these are fundamental issues that have effects far beyond what we might think of in an arcane debate about the ownership of data. I commend the approach that says we are dealing with issues that go far beyond a debate about technology, which will have an impact on huge aspects of humanity itself, whether we get them right or wrong. That is why it is important to consider them in that wider way.

The hon. Lady was right to point out that, in some ways, the internet of things represents a whole new chapter of how technology is becoming more common in our homes and making our lives easier and more enjoyable, but potentially also more fraught with decisions that we need to be aware we are making. I will trump the hon. Lady's numbers: Statista says that by 2025, there will be 75 billion internet-connected devices worldwide—I am sure other analysts are available to provide even higher numbers. In our estimates, that translate to some 15 devices per household by next year. The internet of things is very real; it is already with us.

**Liam Byrne:** Before the Minister moves on, I just want to clarify one point. Is it his position to accept that data that is generated as user data does have an economic value, but that it is basically fine for the individual to surrender that economic value through the way in which they consent to use a service?

**Matt Warman:** I feel like the right hon. Gentleman is going to accuse me of wilfully misunderstanding his question, but it is obviously fine for an individual to choose what they do with their own data. If that involves, as he puts it, surrendering the data for a particular purpose, that is their decision to make. I am not sure that that is quite the question he was asking. The point about consent being absolutely in the hands of the user is the most important one to make. That is why the cyber-security of the products that the hon. Lady referred to is so hugely important, in many ways; it is why we have put so much effort into delivering the code of practice for consumer IOT security.



[*Matt Warman*]

The hon. Lady mentioned the sale of potentially insecure devices, which is one of the key planks that we are seeking to address. People want to have implicit trust in their devices and they need to have confidence in how their data is being used, not just when they first purchase that device but into the future as well.

**Liam Byrne:** The Minister is helpfully helping me join some dots. Why does he think that it is right for the Government to intervene to ensure that the consumer has particular cyber-security protections but not to ensure that the consumer enjoys any particular economic protections, for example around the value that is created through third-party use of their data?

**Matt Warman:** It is obviously about a balance between different situations. The Government, in a host of ways, provide a degree of opportunity for the kind of protection that the right hon. Gentleman seeks. In other fields there are already opportunities for redress in extreme circumstances. In some ways he and the hon. Member for Newcastle upon Tyne Central are asking for greater coherence in this space, and others. It is precisely for that reason that my Department is developing the strategies that they both referred to. On the one hand he seems to attack the bonfire of the quangos, but on the other he seemed to want fewer regulators, so I am almost reduced to asking what his favourite number is.

**Liam Byrne:** My point is simply that according to the Chancellor of the Exchequer I will soon not be allowed to sell my labour for less than £10.50 an hour. The Government have put a floor on the economic freedom that I enjoy, and that is giving me a degree of economic protection. Why does not the same principle apply to the way in which my data as opposed to my labour is exploited?

**Matt Warman:** That is a philosophically interesting question but it is also obvious that at the moment data is readily given up in exchange for a service. I am not sure whether the right hon. Gentleman would therefore seek to put a value on the service and say, “That service, whether offered by Facebook or whoever, should not be worth less than a certain amount.” That seems to be the logical conclusion of his argument, which is why I say it is perhaps more an interesting philosophical question than a practical one.

**Daniel Zeichner:** Will the Minister give way?

**Matt Warman:** I am conscious of the time, but this is all very interesting, so I am happy to give way.

**Daniel Zeichner:** It is more than interesting. It is critical. Is the Minister assured that people are involved in a free exchange, and that there is transparency—that they understand the terms and conditions of all the things that capture data on their devices? I am certainly not. I think most people who look at it are convinced that people do not know, so they are not getting the economic benefit of that behavioural data.

**Matt Warman:** Essentially I agree with the hon. Gentleman that it is obvious that not everyone reads the terms and conditions of every single thing they have

signed up to for any website; but it seems to me that Government’s role in this space is not to stop people making those decisions. It is to make sure that people have a better understanding of the decisions they make, and that they trust the companies that are doing whatever it may be with their data. That obviously requires us to put certain constraints on the behaviour of companies, as we do in every other circumstance. However—and I do not think the hon. Gentleman is suggesting this—it should surely not be for us to say that people should not be allowed to make certain decisions. I think that on the Government side of the House we would be keen to free people up to make whatever decisions they reasonably want to make.

**Liam Byrne:** The Minister is being incredibly generous and this is the last time I shall intervene. To round out the picture that my hon. Friend the Member for Cambridge (Daniel Zeichner) is presenting, network effects mean, obviously, that in social media land we have monopolies—or, if not monopolies, certainly oligopolies. It has long been an established principle of consumer welfare protection that there should therefore be some kind of price protection. In a debate about how we protect and enhance the economic welfare of the citizen if we do not recognise a defined value for their data—which they are not freely surrendering into a free market, but giving over to a monopoly—surely the quid pro quo is some kind of price regulation on the other side. The Minister cannot have it both ways.

**Matt Warman:** The right hon. Gentleman raises a lot of points in one short paragraph. I understand what he accuses me of seeking, when he speaks of having it both ways. Actually the services that are offered digitally, ostensibly free, are different from services in a physical world where we might talk about the kind of monopoly that he has mentioned. In that sense, all he is doing is underlining why we need to get things right, in a way where the digital challenges are understood, without reinventing the wheel and pretending that all online challenges are necessarily different from those in the physical world. It is an emerging picture, which is why I refer back to the technology innovation strategy that we published in June 2019 and that includes new measures, such as the Spark procurement programme, to enable Government and the wider public sector to benefit from new digital technologies and the service that can be provided by stimulating the UK’s world-leading tech sector. It is also why we set up the Centre for Data Ethics and Innovation, which will allow us to consider how we might best benefit from those opportunities and ensure that we seek not to design in the kind of prejudices that the hon. Member for Newcastle upon Tyne Central mentioned. One of its first papers is on smart speakers and voice assistants and on how industry and Government can work together to ensure that the products do what they are supposed to and that users consent to them.

We should also be mindful that the 75 billion devices, or however many there turn out to be, will have a physical environmental impact. I am therefore pleased that as part of its resources and waste strategy, the Department for Environment, Food and Rural Affairs has committed to updating the existing guidance for local authorities on managing the collection of smart items and similar electricals. That might sound like a minor point, but it is probably less minor than others.

The hon. Lady mentioned the Prime Minister's speech at the United Nations General Assembly. I am not delivering the rhetorical flourishes that he delivered late at night at the UN, but it is important to say that he made that speech in that location because this country is already a world leader in this area in so many ways. It is right that our Prime Minister is addressing these issues and the legitimate public concern.

It is also right that, as several hon. Members have mentioned, when we seek to regulate in this area and on online harms, we in this country and across the parties should be proud that the UK is a liberal democracy that seeks to lead the way. We have an opportunity to shape a global debate, as my Opposition counterpart, the right hon. Member for Birmingham, Hodge Hill, observed.

In some ways, the greatest thing we can do is use Britain's status in this area and on the world stage to try to develop global standards. The hon. Member for Newcastle upon Tyne Central mentioned those of the ETSI, which in its way is world-leading: it seeks to produce standards that can be replicated or mirrored globally, addressing some of the coherence that risks arising in the area. She says that we are not providing leadership and quotes the Prime Minister's speech, but I say that his speech demonstrates the existing status of Britain's leadership in the area already. If I am being kind to her, although we disagree on several minor issues, I should say that she too would agree that Britain has a huge opportunity to capitalise on its place in the world on this issue.

In June, we published a White Paper, "Regulation for the Fourth Industrial Revolution"—we are sticking to that number, although I understand that there is a dispute over whether it is correct. It confirms that the Government will establish the regulatory horizons council to identify the implications of precisely the sort of technological innovation that the hon. Lady spoke about, and to advise the Government on regulatory reform so that we can take exactly the kind of steps that she highlights.

In that process, security should not be an afterthought; it has to be embedded. Thus far, we have taken the approach of working with industry, and industry is now saying to Government—the hon. Lady will have heard these calls as well—that greater clarity, particularly in regulation, will help consumers and the industry itself. Many of the internet-connected devices that are currently on the market still lack even the most basic cyber-security provisions. Some 90% of 331 manufacturers that supply the UK market and that were reviewed in 2018 did not use a comprehensive vulnerability disclosure programme up to the level that we would expect; I think that hon. Members on all sides would agree that that is unacceptable. Organisations have a duty of care to their customers, to help make sure that they can access and use their internet-connected products safely.

Although Government have previously encouraged industry to adopt a voluntary approach, it is now clear that decisive action is needed to ensure that stronger cyber-security is built into these products by design. That is why we launched our consultation on secure consumer IOT in May. That consultation built on the extensive work to which I have referred. It allows us to talk about minimum security principles for connected devices, which my Department elaborated on in the document published last year. Our focus will be on

ensuring that there is a baseline of cyber-security built into all consumer IOT products by design, to eliminate the most harmful practices.

These are, I freely admit, low-hanging fruit. We wish we did not have to tackle issues such as forbidding the use of universal default passwords, ensuring that manufacturers provide a contact point for security researchers, and making sure that consumers are informed at the point of sale of the minimum length of time for which security updates are provided for their device. Those measures address some of the issues raised by the hon. Member for Newcastle upon Tyne Central, and we would like to go further in due course. We will respond on what that will look like as soon as possible after the consultation.

We are advocating a staged approach to enforcing those principles through regulation. Obviously, there is always a balance to be struck between regulation and legislation, and in this case I think it will be a bit of both. We will publish the formal response to our consultation on the regulatory approach later this year, but we are mindful of the urgency of this work. Our approach must keep pace with the technological change identified by the hon. Lady. We have said that we will review the code of practice every two years. The development of the code of practice may not sound exciting, but as the hon. Lady acknowledged, and as the hon. Member for Dagenham and Rainham said, these things are hugely far reaching, even if they do not sound as exciting as some people might wish, because then they would attract the attention they perhaps deserve.

There is major business support for our approach, including from the signatories to the cyber-security tech accord. I always hesitate to say "major business support", because businesses will not always necessarily greet with enthusiasm the actions of a sensible regulator. Some would say that this is a sign of success. We will develop the strategy, but ultimately the security of the internet of things is a global challenge and it requires a global effort to get it right and to shape those norms.

In February 2019 we worked closely with international standards bodies and the National Cyber Security Centre to make sure that we publish the ETSI standard to which the hon. Lady referred, though without the complementary tone it deserves. None the less, I understand her point.

We do not think it is right to expect all users of all internet-connected devices to become cyber-security experts, and we recognise the need to take from them the burden of differentiating between good and bad. That is why we have been clear with industry what good practices will look like, and we wish to support manufacturers of all sizes to embed them and to support retailers to make sure that they are obvious.

**Chi Onwurah** *rose*—

**Matt Warman:** I will give way to the hon. Lady, but she does not have long.

**Chi Onwurah:** I thank the Minister for giving way. In the absence of any time to sum up, I want to thank him for his comments and to confirm that I will write to him with my list of questions so that he can answer them in full. Will the regulatory horizons council cover all regulation with regard to technology or only that

[*Chi Onwurah*]

relating to manufacturing, and does he agree that this is about not only consumer data but citizen data, because it relates to Government as well?

**Matt Warman:** I absolutely agree with the hon. Lady's second point. The council will, of course, be wide ranging. I look forward to answering her comprehensive list of questions, and I will be grateful to *Hansard* for providing clarity on them.

Finally, in response to the intervention from the hon. Member for Cambridge, this Government do not think there is a choice between innovation and security. We

have to make those two complement each other. That is at the core of our strategy and will continue to be so, and I would hope that we can move forward together with the cross-party consensus to which the hon. Member for Newcastle upon Tyne Central alluded.

*Question put and agreed to.*

*Resolved,*

That this House has considered regulating the internet of things.

4.29 pm

*Sitting adjourned.*



# Written Statements

Thursday 3 October 2019

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### EU Environment Council

**The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng):** My noble Friend the Parliamentary Under Secretary of State, the Minister for Climate Change (Lord Duncan of Springbank) has today made the following statement:

The next EU Environment Council will take place on 4 October, in Luxembourg. I will attend, representing the UK. The Cabinet Secretary for Environment, Climate Change and Land Reform of the Scottish Government, Roseanna Cunningham, will also attend.

On climate items, the main focus will be a debate and adoption of Council conclusions on the EU's preparations for the 25th session of the conference of the parties (COP25) to the United Nations framework convention on climate change (UNFCCC), to be held in Santiago de Chile, Chile, on 2-13 December 2019. There will then be a policy debate on the proposed EU long-term strategy on climate, "Clean Planet for all: EU's strategic long-term vision for a climate neutral economy".

On environment items, there will be a debate and adoption of two Council conclusions: one on the EU's 8th environmental action programme and the other on the framework for a circular and sustainable economy.

Any other business (AOB) will include information from the Commission and the Presidency on three items:

Current legislative proposal (information from the presidency): common technical requirements for the type approval of motor vehicles and their replacement parts with regard to emissions from light passenger and commercial vehicles; and

Communication on stepping up EU action to protect and restore the world's forests (information from the Commission); and

Reports on main recent international meetings (information from the presidency and the Commission): 18th meeting of the conference of the parties (COP 18) to the convention on international trade in endangered species of wild fauna and flora (CITES), Geneva, 17-28 August 2019.

There are currently three member state-led AOBs:

Transition to a fleet of zero emission passenger cars (information from the Danish delegation);

Regulation on taxonomy sustainable finance (information from the German, Luxembourg, and Austrian delegations); and

7th high-level dialogue meeting of the China-Europe Water Platform, Guimarães, 7-8 November 2019 (information from the Portuguese delegation).

[HCWS1848]

## TREASURY

### Bilateral Loan to Ireland

**The Economic Secretary to the Treasury (John Glen):** I would like to update Parliament on the loan to Ireland.

In December 2010, the UK agreed to provide a bilateral loan of £3.2 billion as part of a €67.5 billion international assistance package for Ireland. The loan was disbursed in eight tranches, and the final tranche was drawn down on 26 September 2013. Ireland has made interest payments on the loan every six months since the first disbursement.

On 30 September, in line with the agreed repayment schedule, HM Treasury received a total payment of £406,324,326.08 from Ireland. This comprises the repayment of £403,370,000 in principal and £2,954,326.08 in accrued interest.

HM Treasury has today provided a further report to Parliament in relation to the loan as required under the Loans to Ireland Act 2010. The report relates to the period from 1 April 2019 to 30 September 2019. It reports fully on the three principal repayments received by HM Treasury during this period, and sets out details of future payments up to the final repayment on 26 March 2021. The Government continue to expect the loan to be repaid in full and on time.

A written ministerial statement on the previous statutory report regarding the loan to Ireland was issued to Parliament on 1 April 2019, *Official Report*, column 29WS.

[HCWS1849]

## EXITING THE EUROPEAN UNION

### General Affairs Council

**The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge):** The UK did not attend the General Affairs Council (GAC) in Brussels on 16 September 2019.

The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.

[HCWS1847]



# Petition

Thursday 3 October 2019

## OBSERVATIONS

### HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

#### Greater Manchester Spatial Framework

*The petition of Residents of Boothstown,*

Declares that they and other affected parties are opposed to GMA 31 of the revised Greater Manchester Spatial Framework which removes the land east of Boothstown from the Green Belt; and further that development on this land would be to the detriment of the quality of life and wildlife to the residents of Boothstown.

The petitioners therefore request that the House of Commons urges the Government to do all in its power to stop this land being removed from the Green Belt and protect this green space from development.

And the petitioners remain, etc.—[Presented by Barbara Keeley, *Official Report*, 25 July 2019; Vol. 663, c. P21.]

[P002509]

*Observations from the Minister for Housing (Ms Esther McVey):*

The national planning policy framework maintains a strong protection for the green belt. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of green belts are their openness and their permanence. The framework defines certain types of development as “inappropriate” in a green belt. Inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances.

Green belts are formed by planning authorities in line with national policy. When considering any planning application, planning authorities should always ensure that substantial weight is given to any harm to the green belt. We expect planning authorities, working with their communities, to determine what types of development are right for their local areas.

Once a green belt boundary is established, it should only be altered through the preparation or updating of the appropriate plan. Before concluding that exceptional circumstances exist to justify changes to green belt boundaries, the planning authority should be able to demonstrate that it has examined fully all other options for meeting its identified need for development. This will be assessed through the examination of its strategic policies. Once the revised plan is adopted, any new green belt boundary comes into effect.

As the revised framework states, strategic policies can come through a variety of sources, including local plans, joint local plans and spatial development strategies. The Government support mayoral combined authorities and welcomes Greater Manchester’s commitment to joint working between the 10 Greater Manchester boroughs and the combined authority in developing a spatial plan.

However, as such it is the Mayor that has primary responsibility for the details of the proposed plan at this stage. The details of the Greater Manchester Spatial Framework will be subject to further consultation and this will provide opportunities to make the voice of your community heard by the mayor. The plan will then be submitted to the independent planning inspectorate to be examined. The examination process includes considering the plan’s consistency with the above policy on releasing green belt land in exceptional circumstances. Therefore, until and whilst that process is being undertaken, it would not be appropriate for the Government to take any further steps regarding the matter at this time.





# ORAL ANSWERS

Thursday 3 October 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>ATTORNEY GENERAL</b> .....	1357	<b>DIGITAL, CULTURE, MEDIA AND SPORT—continued</b>	
EU (Withdrawal) (No. 2) Act: Implementation.....	1357	Free TV Licences: Over-75s .....	1348
Judicial Appointments Process.....	1360	Heritage-Led Regeneration.....	1350
No-deal Brexit: Priorities .....	1364	Leaving the EU: Creative Industries.....	1351
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