

Tuesday  
28 January 2020

Volume 670  
No. 17



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Tuesday 28 January 2020**

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# House of Commons

*Tuesday 28 January 2020*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## BUSINESS BEFORE QUESTIONS

MONKEN HADLEY COMMON BILL

*Bill read a Second time and committed.*

## Oral Answers to Questions

### HEALTH AND SOCIAL CARE

*The Secretary of State was asked—*

#### Access to GPs

1. **Tom Randall** (Gedling) (Con): What steps he is taking to improve access to GPs. [900427]

4. **Sally-Ann Hart** (Hastings and Rye) (Con): What steps he is taking to improve access to GPs. [900430]

6. **Richard Fuller** (North East Bedfordshire) (Con): What steps he is taking to improve access to GP surgeries in North East Bedfordshire constituency. [900432]

11. **Stuart Anderson** (Wolverhampton South West) (Con): What steps he is taking to improve access to GPs. [900437]

20. **Laura Farris** (Newbury) (Con): What steps he is taking to improve access to GPs. [900446]

**The Secretary of State for Health and Social Care (Matt Hancock):** With your permission, Mr Speaker, I will answer Questions 1, 4, 6, 11 and 20 together. [*Interruption.*] General practice is a popular subject.

We will create an extra 50 million appointments a year in primary care so that everyone can go to the GP when they need to.

**Tom Randall:** There are many families with children in Gedling. What is being done to ensure that patients, particularly families with young children, can access GP appointments when they need them?

**Matt Hancock:** Obviously this is an incredibly important subject, and I know the frustration many families feel at not being able to access a GP appointment when they need it. We have a whole-scale programme of work to improve access. This includes recruiting 6,000 more GPs and 26,000 primary care staff other than GPs—

increasingly patients at GP surgeries can be treated by nurses—and increasingly enabling people, especially those who find it difficult to travel, to use technology to get the treatment they need.

**Sally-Ann Hart:** Hastings has a shortage of salaried GPs and GP services—locum GPs are available, at the right price. Will the Secretary of State please outline what steps he is taking to increase the number of salaried, rather than locum, GPs and GP services in Hastings and Rye?

**Matt Hancock:** My hon. Friend is right to ask. It is incredibly important that we get the right number of GPs, not least to reduce the amount spent on locums, who can be very expensive and often do not know the local population as well as salaried GPs. Her local clinical commissioning group is developing a new-to-practice fellowship in Hastings for GPs starting out in practice in order to encourage more doctors into practice and then to support them. It is also working with primary care networks so that more can become GP trainers and take on students. We are expanding the numbers going into GP training—there were record numbers last year—but I want the numbers to go up again and to make sure that Hastings gets the GPs it needs.

**Richard Fuller:** As part of the council area with the second-largest population increase in the country, the people of Biggleswade, Sandy, Arlesey and Stotfold are at their wits' end over access to GP appointments. What special attention will the Secretary of State pay to those areas of large population growth to make sure that increases in housing are matched by increased access to GPs?

**Matt Hancock:** That is an incredibly important point. We have a manifesto commitment to ensure that where there is new housing there is also new primary care. Just as a new housing estate will often require a new primary school and new transport links, so we need to put in the GPs as well.

**Stuart Anderson:** I thank the Secretary of State for visiting Tettenhall Wood surgery in my constituency during the general election campaign. Will he work with me to increase the numbers of patient appointments back up to where they were before?

**Matt Hancock:** Yes. My hon. Friend has already become an incredibly strong voice for Wolverhampton, and it was a pleasure to visit Tettenhall medical practice, which has joined with other GP practices to form a primary care network, which I hope will strengthen its resilience and enable it to provide extended access to appointments, which is what he is campaigning for. I am pleased, too, with the extra 16,000 appointments in Wolverhampton in the last quarter. As this shows, we are driving up the number of appointments, but we also appreciate, understand and feel the frustration people feel when they cannot get decent access to GP appointments.

**Laura Farris:** Changes to pension contributions mean that some senior GPs, including in Newbury, are being hit with extra tax charges if they work overtime, which is leading to the paradoxical situation of GPs paying to

work and so reducing their hours or taking early retirement. What steps is the Secretary of State's Department taking to address this situation?

**Matt Hancock:** Tax is, of course, a matter for the Treasury, and the Chancellor would not be thrilled if I announced tax policy in the middle of Health questions, tempting as that may be. However, we have been working with the Treasury, and also with the Academy of Medical Royal Colleges, the British Medical Association, employers in the NHS and others, to deliver on our manifesto commitment to sort this out.

**Mr Speaker:** Jonathan Ashworth.

**Jonathan Ashworth** (Leicester South) (Lab/Co-op): You rather surprised me then, Mr Speaker!

The Secretary of State mentioned primary care networks. As he will know, two weeks ago GPs rejected the new service specifications in those networks. This has been described as a debacle, and as leading to more red tape and taking GPs away from patients. If the Secretary of State is going to fix these contracts, can he tell us how he is going to do it—or is he content to see more GPs walk out of primary care networks before they have even got off the ground?

**Matt Hancock:** Primary care networks have been an incredibly successful innovation, covering the whole country and allowing practices to work together. Of course, the negotiations with the BMA over the GP contract are always tough: they have been in every year in which they have taken place. The hon. Gentleman will understand why I want to get the best possible value for the money that the NHS spends, but I also want to see a successful conclusion to this negotiation, and we are working with the BMA to that end.

**Jonathan Ashworth:** The Secretary of State describes primary care networks as a great success, but a local medical committee in Buckinghamshire and Berkshire has just warned that they will cost each practice £100,000 more. Having failed to deliver the 5,000 extra doctors that the Government previously promised, having failed to recruit more GPs in the poorest areas, having now bungled the negotiations over this contract, and having failed to fix the pension tax changes for which he was partly responsible, how on earth can the Secretary of State be trusted to deliver on the Prime Minister's promise to cut GP waiting times to less than three weeks?

**Matt Hancock:** It is a bit of a disappointment to hear the hon. Gentleman talk down primary care. We are making record investments in primary care, we have record numbers of GPs in training, we are seeing an increase in the number of appointments in Wolverhampton and across the country, we are negotiating with GPs to strengthen general practice, in the last year we have introduced primary care networks that help to make primary care more sustainable, we are improving the technology that is available in primary care, and, for the first time in a generation, the proportion of the total NHS budget going into primary and community care is rising, whereas there were cuts under Labour. I think the hon. Gentleman should be standing up and saying thank you.

**James Murray** (Ealing North) (Lab/Co-op): Hanwell health centre, which works hard to serve many of my constituents, has told me that it has been trying to appoint a salaried GP for three years, as well as a large number of nurses. There is generally a four-week wait for an appointment, although the centre has provided 75 more appointments to cope with demand. Under the Secretary of State's plans, when will those waiting times come down?

**Matt Hancock:** This is precisely why we need to recruit more GPs, in the hon. Gentleman's constituency and across the country, and also recruit more other clinicians to general practice. [HON. MEMBERS: "How?"] I will tell you how, Mr Speaker. In the first instance, the record numbers of GPs in training will help, but that is not the entirety of the plan. I urge the hon. Gentleman to get on board and support general practice.

**Clive Efford** (Eltham) (Lab): In 2015 the Secretary of State's predecessor promised 5,000 more GPs by 2020. The Secretary of State repeated that promise when he took over the job, but my constituents are finding it increasingly difficult to get a GP appointment within three weeks. Will the Secretary of State now apologise to everyone who is waiting for failing to keep his promises?

**Matt Hancock:** The commitment that we have made is that we will have 6,000 more GPs and 26,000 other clinical staff in general practice. That is the commitment that we have made, and that is the commitment on which we will deliver.

**Tim Farron** (Westmorland and Lonsdale) (LD): In rural communities such as mine, GP surgeries often serve huge geographical areas with relatively small patient numbers. Coniston, for example, has a roll of about 900 patients, yet the next nearest surgery is two lakes away. Will the Secretary of State commit to establishing a strategic small surgeries fund to ensure that small surgeries in rural communities remain sustainable for the long term?

**Matt Hancock:** The hon. Gentleman makes an incredibly important point. General practice, where 90% of all NHS appointments take place, needs to reach every part of this country, including his beautiful constituency, which is, as he says, very sparse. Of course we need to ensure that the practices there are sustainable, and again this is an area in which technology can be of particular help. There is great enthusiasm for using technology so that the travelling times of patients and sometimes of GPs can be reduced.

## Adult Social Care

2. **Liz Twist** (Blaydon) (Lab): What assessment he has made of trends in the level of unmet demand for adult social care. [900428]

7. **Marsha De Cordova** (Battersea) (Lab): What assessment he has made of trends in the level of unmet demand for adult social care. [900433]

**The Minister for Care (Caroline Dinage):** The Government have enshrined in legislation through the Care Act 2014 a council's statutory duty to meet eligible

needs for adult social care. We have given councils access to up to £1.5 billion more dedicated funding for social care in 2020-21 to help them to meet this requirement.

**Liz Twist:** Figures from Age UK show that 1.5 million people aged 65 and over have an unmet social care need, and Age UK estimates that this figure will rise to 2.1 million by 2030 if we carry on as we are. In my constituency, that equates to 3,012 older people with unmet needs and 2,517 older people providing unpaid care. Those are real people who are not getting the help they need. The Prime Minister said last summer that he had a plan to “fix” social care. Where is it?

**Caroline Dinagen:** As I have explained, the Care Act sets out the requirement that entitles individuals to a care needs assessment and sets a minimum national threshold at which care should be delivered. We have backed councils up by giving them access to £1.5 billion in additional funding in the next financial year. In the hon. Member’s constituency, that will equate to an additional £5.1 million from the new social care grant. This is something that the Government take very seriously.

**Marsha De Cordova:** According to the Institute for Fiscal Studies, more than 1.8 million older and disabled people are currently going without the support that they need to live independently. This crisis has come after the Conservative Government abolished the independent living fund and cut nearly £8 billion from adult social care budgets. In 2017, we were promised a Green Paper, but there has been nothing. Months ago, the Prime Minister stood on the steps of 10 Downing Street promising to “fix” social care, so when will the Government finally publish those plans?

**Caroline Dinagen:** We just do not recognise the figures that the hon. Lady is parroting. Public spending on adult social care in 2018-19 reached £17.9 billion in cash terms, which is the highest level on record. Since 2016-17, our sustained investment has enabled spending to increase by 7% over this period. But do not take it from me—the Local Government Association said last year:

“This is the biggest year-on-year real terms increase in spending power for local government in a decade and will allow councils to meet the rising cost and demand pressures they face in 2020/21.”

**Martyn Day (Linlithgow and East Falkirk) (SNP):** While the Scottish Government spend 43% more per head on social care, this Government’s NHS Funding Bill does nothing to address the £6 billion funding gap in England. Does the Minister accept that she cannot fix the NHS without fixing social care?

**Caroline Dinagen:** I completely agree with the hon. Gentleman that adult social care and the NHS are indelibly linked. The one must support the other, and the one drives costs with the other. The over-65 population is projected to rise over 50% by 2035, so putting social care on a sustainable footing where everyone is treated with dignity and respect is one of the biggest challenges we face in society. That is why it is one of the Prime Minister’s biggest priorities.

**Martyn Day:** Scotland introduced free personal care for the elderly in 2002, and this has now been extended to those under 65 who need it. Will the Minister follow

the Scottish Government’s lead and introduce free personal care so that people can live with dignity in their own homes?

**Caroline Dinagen:** The Prime Minister has set out his plans. He wants to seek political consensus and bring forward a plan for adult social care this year, and we are looking at a whole range of solutions, including free personal care. The issue we see in Scotland is that the initiative must be backed up with a huge amount of money. The money that the Scottish Government used to give to individuals covered around 50% of their care home costs and now only covers around 25%. That is why we must ensure that we address this issue with a long-term view.

**Barbara Keeley (Worsley and Eccles South) (Lab):** It is time to tackle unmet need, which is clear from my hon. Friends’ questions. Ministers say that they want to seek a consensus on the future of social care, but we already have a proposal with wide-ranging support, including from former Conservative Chancellors in the Lords, major national charities, and the official Opposition: free personal care funded from taxation. Will the Minister accept that the way to move things forward is for the Government to join the existing consensus on introducing free personal care?

**Caroline Dinagen:** The Prime Minister said that the Government will deliver on our promises. We will bring forward a plan for social care this year—

**Barbara Keeley:** When?

**Caroline Dinagen:** This year. However, there are complex questions to address. A Joint Committee of the Housing, Communities and Local Government Committee and the Health and Social Care Committee came up with an entirely different solution—a social insurance model—which shows why we want to build a consensus. Even the Liberal Democrats have said that they want to build cross-party consensus, but we know the hon. Lady’s view on cross-party consensus: her way or the highway.

**Jeremy Hunt (South West Surrey) (Con):** Given that we will not end the annual cycle of winter crises until we fix the problems in adult social care, does the Minister agree that, however important the commitment that people will not have to sell their home, the absolute priority in any discussions with the Treasury must be to get more money to local authorities so that they can discharge their responsibilities to older and more vulnerable people?

**Caroline Dinagen:** My right hon. Friend did some incredible work in this area when he was Secretary of State for Health and Social Care. In fact, he presided over the Department being renamed to draw reference to the importance of social care. He is absolutely right that we must ensure that councils have the money they need for the short term, but we must also work towards a consensus so that everybody will have safety and security and that nobody will be forced to sell their home to pay for their care.

**Mr Philip Hollobone (Kettering) (Con):** I declare my interest as a member of Kettering Borough Council. Taking advantage of imminent local government

reorganisation in Northamptonshire, will the Minister continue to encourage local councils and the two local hospitals to bring forward innovative proposals under one budget for an integrated health and social care pilot in Northamptonshire?

**Caroline Dinenage:** My hon. Friend has already been a really good champion of collaborative health and social care work. He has made some excellent suggestions, and we have seen how things such as the better care fund, through which health and care pool their resources, can have a positive effect for local communities. I encourage his local area to look closely at how that sort of work can be maximised and moved forward.

**Anne Marie Morris** (Newton Abbot) (Con): As the Minister will know, the particular problem in rural areas is that need is not just unmet, but unseen. What steps has the Minister taken, or what does she have in mind, to fix the situation and find that need so that it can be met?

**Caroline Dinenage:** My hon. Friend is right to draw attention to rural sparsity and the challenges facing rural communities. We are committed to undertake a review of relative needs and resources, and it will be a thorough evidence-based review of the costs facing all authorities, including how factors such as rurality, sparsity and other geographical features affect the cost of delivering services across the country and how to account for them in a robust manner.

**David Simmonds** (Ruislip, Northwood and Pinner) (Con): For the record, I declare my interest as the spouse of an NHS doctor. The Pinn Medical Centre in my constituency is due to close its walk-in service so that Harrow CCG can save money, but the likely diversion of patients to local A&E services will end up costing the NHS more. Will the Minister join me in encouraging the CCG to consider the wider context of NHS budgets and to support the service while local NHS providers consider how to increase access to GP appointments in line with our manifesto commitments?

**Caroline Dinenage:** My hon. Friend is right to highlight the importance of access to primary and community services within Pinner. My right hon. Friend the Secretary of State will be happy to meet him to discuss the matter further, but we will support anything he is doing to assist his local services.

### PrEP Commissioning

3. **Peter Kyle** (Hove) (Lab): What discussions he has had with the Secretary of State for Housing, Communities and Local Government on providing assistance to local authorities preparing for the routine commissioning of PrEP. [900429]

**The Parliamentary Under-Secretary of State for Health and Social Care** (**Jo Churchill**): I have spoken to the relevant Ministers in the Ministry of Housing, Communities and Local Government, and my officials are working closely with other key stakeholders to ensure that we deliver routine commissioning of PrEP—pre-exposure prophylaxis—to help end new HIV transmissions. This is a key interest not only of many hon. Members but of many broader stakeholders, and I know the issue is particularly dear to the hon. Member's heart.

**Peter Kyle:** I am grateful for the Minister's response and for the Secretary of State's announcement that he wants routine commissioning of PrEP by April, but what he and the Department have not done is spell out how they will achieve it. The PrEP trial will end this year, and we need a guarantee that every single person who needs and wants PrEP will get it from April.

**Jo Churchill:** I assure the hon. Gentleman that NHS England and NHS Improvement have already agreed to fund all the ongoing costs of the drugs for PrEP going forward. We will provide information on how the other elements of the programme will be funded and how commissioners will be supported. He is right that the trial ends in July, but routine commissioning will be rolled out from April—we will make sure they dovetail. It is hugely important that PrEP is available for each and every person who wishes to access it.

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): In October last year, the Government confirmed that the local authority public health grant will increase by 1% in real terms in 2020-21. However, this funding has not yet been allocated to local authorities. How will the Government financially support local authorities to establish the routine commissioning of PrEP by April?

**Jo Churchill:** As I said, NHS England and NHS Improvement have already agreed, within the ring-fenced funding for public health, to fund the ongoing costs of drugs for PrEP going forward. There will be an additional allocation of funds to cover the PrEP roll-out completely<sup>1</sup>.

### NHS: Take-up of New Technology

5. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): What steps he is taking to ensure the take-up of new technology by the NHS to support effective delivery of its services. [900431]

24. **Alan Mak** (Havant) (Con): What steps he is taking to ensure the take-up of new technology by the NHS to support effective delivery of its services. [900451]

**The Secretary of State for Health and Social Care** (**Matt Hancock**): Using the best technology is good for patients, clinicians and the NHS. Work is under way to drive through the use of new technology, including electronic referrals and electronic prescribing, and to end the painfully slow logins in some trusts.

**Daniel Kawczynski:** My right hon. Friend will know that the Future Fit programme, if passed, would have brought not only £312 million but a lot of innovative, pioneering technology into the county of Shropshire. Unfortunately, as he knows, the programme has been blocked thus far by the Labour-controlled, medically illiterate Telford and Wrekin Council. Does he agree that investing in technology would help patients and clinicians and would save money in the long term?

**Matt Hancock:** Yes, I do. It is striking how much clinicians working on the frontline are desperate for improvements in the technology they use. Our announcement over Christmas that we will have a single

1. [Official Report, 3 February 2020, Vol. 671, c. 1MC.]

login, which is seemingly so simple, brought enormous enthusiasm from clinicians who spend hours of their week doing things that most of us can do with the click of a button on the systems we use.

My hon. Friend has been an assiduous campaigner for health investment in Shrewsbury, both physical capital investment and investment in modern technology.

**Alan Mak:** I welcome the phasing out of outdated technologies, such as fax machines, in the NHS. As the switch-off date approaches, what steps is NHS England taking to ensure that patient records can be transferred electronically between primary and secondary healthcare providers?

**Matt Hancock:** My hon. Friend is spot on. We are driving interoperability so that the right people can see the right records at the right time. We will mandate that technology used in the NHS must allow for such interoperability, and we will set standards.

My hon. Friend started the “axe the fax” campaign, in which I was happy to play my part. Faxes are terrible for efficiency and for data security—even straightforward email is so much better—and we will drive up data security by axing the fax across the NHS.

**Grahame Morris** (Easington) (Lab): What specific investment is being directed to supporting the 11 new radiotherapy IT networks that are required to provide a world-class radiotherapy service and improve cancer outcomes and survivability?

**Matt Hancock:** Radiotherapy is a good example of part of the NHS that can benefit hugely from improved technology now and from the cutting-edge artificial intelligence-type technologies that are coming down the track. I am happy to look at any specific proposals the hon. Gentleman has. We have a broad programme to support the technology needed in radiotherapy.

**Mr Clive Betts** (Sheffield South East) (Lab): I am disappointed that the Secretary of State could not come to the opening last Friday of the Advanced Wellbeing Research Centre in my constituency, which is looking at linking research into the prevention and treatment of chronic diseases with physical activity, using new technologies including robots. I am pleased that he has contributed £14 million to this project. He has missed that opportunity, but may I invite him to come to the centre and to discuss how he can help to set up a centre for child health technology, again using innovative and technological solutions, towards which we will expect his contribution to be helpful?

**Matt Hancock:** The hon. Gentleman is a man after my own heart. I am sorry that I missed the ribbon cutting, as I love a good ribbon cutting, especially where the project sounds so brilliant and innovative, bringing different parts of the NHS together and helping clinicians in order to help patients. I am glad that he is as enthusiastic as I am about our £14 million investment.

#### Health and Social Care (Buckinghamshire)

8. **Mr Steve Baker** (Wycombe) (Con): If his Department will fund the digital transformation of health and social care services in Buckinghamshire; and if he will make a statement. [900434]

**The Secretary of State for Health and Social Care (Matt Hancock):** We are driving forward the technology agenda across the NHS, as we have just been discussing. Buckinghamshire Healthcare NHS Trust is one of the many trusts being considered for digital aspirant funding, which is the next generation of funding to bring hospital trusts into the 21st century.

**Mr Baker:** I am grateful for that, but will the Secretary of State support moving to devolved, multi-year and unified budgets, to enable the delivery of digital technology and, in particular, best value, against specific outcomes?

**Matt Hancock:** Yes, my hon. Friend is spot on. We recognise the need for a multi-year capital settlement in the NHS to support exactly that sort of planning and to modernise, and the Treasury has confirmed that we will publish that settlement at the next capital review.

#### University Hospital of Hartlepool

9. **Mike Hill** (Hartlepool) (Lab): What discussions he has had with the Hartlepool and Stockton-on-Tees clinical commissioning group on the future of services at the University Hospital of Hartlepool. [900435]

**The Minister for Health (Edward Argar):** My right hon. Friend the Secretary of State has had no discussions with the CCG on the future of services at the University Hospital of Hartlepool.

**Mike Hill:** Hartlepool’s hospital is vital to our community, but its future very much depends on consultancy-led services. What reassurances can the Minister give me that consultancy-led services will be returned to that hospital?

**Edward Argar:** I am conscious that both the energetic Mayor Ben Houchen and the hon. Member have campaigned on working to reinstate accident and emergency and maternity services at Hartlepool’s hospital. Although there are currently no plans that I am aware of to change the model of services, and reconfiguration matters are for the CCG, I am happy to meet him and the Mayor to discuss the hospital if that is useful.

**Dehenna Davison** (Bishop Auckland) (Con) *rose*—

**Mr Speaker:** This is limited to Hartlepool, so I presume your question is around that.

**Dehenna Davison:** Thank you, Mr Speaker. As another north-east MP concerned about local healthcare, I asked the Prime Minister two weeks ago about retention of the stroke service at Bishop Auckland Hospital. Has the Minister made any progress on that point?

**Edward Argar:** My hon. Friend is already a doughty champion and spokesperson in this House for her constituents on health matters—indeed, she was just that in yesterday’s Second Reading debate on the NHS Funding Bill. I am pleased to inform her that my right hon. Friend the Secretary of State has already met the chief executive of the NHS and the regional NHS director responsible and discussed this matter with them.

### Life Expectancy

10. **Kate Osborne** (Jarrow) (Lab): What recent assessment he has made of trends in the level of life expectancy. [900436]

22. **Ian Byrne** (Liverpool, West Derby) (Lab): What recent assessment he has made of trends in the level of life expectancy. [900448]

**The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries)**: Although life expectancy at birth remains the highest it has been, we want everyone to have the same opportunity to have a long, healthy life, whoever they are, wherever they live and whatever their background. We are committed to giving everyone five extra years of healthy life by 2035, and to addressing the needs of areas with the poorest health.

**Kate Osborne**: Life expectancy advances depend on good local service provision. Does the Minister agree with me and the people of Jarrow that, following the devastating closure of St Clare's Hospice, we should take all possible steps to ensure that palliative care provision is put in place urgently in Jarrow constituency? Will she meet me to discuss this important issue?

**Ms Dorries**: I am unaware of the closure of that hospice, but my door is open to the hon. Lady. If she would like to see me at the back of the Speaker's Chair after questions, we can arrange a suitable time to discuss the issue.

**Ian Byrne**: Today, a baby girl born in Liverpool can expect to live 13 fewer years in good health than a baby girl born in Richmond. A new study from University College London shows that being wealthy adds nine years to healthy life expectancy. Does the Minister agree that such health inequalities are an injustice in society that must be addressed urgently?

**Ms Dorries**: The best way to improve life expectancy is to prevent health problems from arising in the first place. Prevention is one of the top five priorities for the health service, and we are taking action to help people live longer and healthier lives. The Government have a proven track record of reducing the harms caused by obesity, tobacco and other substances. That is where we need to focus our efforts to ensure that life expectancy rises in all areas throughout the country.

**Barbara Keeley** (Worsley and Eccles South) (Lab): The most shocking trend in life expectancy is that people with learning disabilities die so early—on average 25 years younger than the general population. We must see action to learn the lessons from each of those early deaths. The contract for the University of Bristol's running of the learning disability mortality review ends in May, and there is now a growing backlog of cases, so will the Minister tell the House what the future of this important review is, and what staff resources are needed to continue the vital work of reviewing and reporting on early deaths?

**Ms Dorries**: We will introduce mandatory training for all health and social care practitioners. I hope that that will address the particular problem that the hon.

Lady has brought up. It comes back to the substantial life expectancy issue, which is that regardless of the group, prevention is key.

**Damian Green** (Ashford) (Con): In her initial response, the Minister rightly emphasised the importance of rising healthy life expectancy, as well as life expectancy more generally. Will she therefore join me in welcoming the forthcoming report from the all-party group on longevity—*[Interruption.]* If the Minister is listening, will she welcome the report, which will give the Government practical advice specifically on how to use prevention to raise the levels of healthy life expectancy?

**Ms Dorries**: I could not agree more with my right hon. Friend. We want everyone to have the same opportunity to have a long and healthy life, whoever they are, wherever they are and whatever their background. We will certainly look at that report.

**Paul Bristow** (Peterborough) (Con): I welcome the fact that one theme underpinning the NHS long-term plan is prevention, to help enable people to live better lives for longer. Does my hon. Friend agree that supporting people to make healthier choices, combined with improved screening and diagnostic services, will help to increase life expectancy?

**Ms Dorries**: I very much agree, and that is where the Government are directing their efforts. My hon. Friend mentioned screening; we have put extra resources into screening and scanners, including in Peterborough. We are absolutely attacking on screening programmes and on obesity and tobacco—all those issues that we know affect life expectancy and cause harms. The Government have made those issues their top priority.

### Health Inequalities

12. **Karl Turner** (Kingston upon Hull East) (Lab): What steps he is taking to reduce health inequalities. [900438]

**The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill)**: We are determined to address the long-standing inequalities that exist in many areas, be they in access, outcomes or people's experience of their local health service. Our world-leading childhood obesity plan, NHS health checks, the tobacco control plan and the diabetes prevention programme all see us leading the way, but there is undoubtedly more targeted work to do on this complex issue, particularly in areas of high need.

**Karl Turner**: The recent mental health prevention Green Paper recognised the link between deprivation and poor mental health outcomes. Along with the proper funding of frontline and early intervention services, mental health inequality needs urgent action, so when will the Minister get to work to sort out this mess? People in east Hull desperately need access to services that are currently not available.

**Jo Churchill**: I agree with the hon. Member. I and my hon. Friend the Member for Mid Bedfordshire (Ms Dorries), who has responsibility for the mental health element of the portfolio, are working hand in



glove on this. Often, it is the dual toxicity of addiction—be it substance or alcohol abuse—and mental ill health that drives health inequalities. We are targeting the matter and working together on access to make sure that we drive down these health inequalities.

**Tracey Crouch** (Chatham and Aylesford) (Con): Many people with severe conditions such as agoraphobia face inequalities in accessing life-saving services such as cervical smear tests. What is my hon. Friend doing to ensure that these services can be administered outside a clinical setting, thus reducing health inequalities for those who, for whatever reason, are housebound?

**Jo Churchill:** No woman should be denied access to vital screening. I believe that my hon. Friend is referring to a particular matter in her constituency where it has been very difficult for somebody to access screening. I am happy to meet her to see how we can work through this. We are actually working on a home kit for cervical screening, which should help in time, but nobody should be denied access. We are committed to improving access for all women, and I will be happy to meet her to see what we can do.

### Primodos

13. **Patricia Gibson** (North Ayrshire and Arran) (SNP): What recent representations he has received on people affected by the hormone pregnancy drug, Primodos. [900439]

**The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries):** Ministers have not received any recent representations. However, as we know, Baroness Cumberlege is leading the independent medicines and medical devices safety review, which includes an examination of what happened in the case of Primodos. Her review has had lengthy engagements with people who have been affected.

**Patricia Gibson:** As the Minister is aware, the hormone pregnancy drug test Primodos was taken by around 1.5 million women in the '60s and '70s, leading to birth defects, miscarriage and stillbirth, and, 50 years on, those affected still wait for justice. The review into this scandal, announced in 2018, was very welcome, but can the Minister confirm that, if it is merited, she is open to establishing a comprehensive public inquiry following the publication of the review to ensure justice for those affected?

**Ms Dorries:** Baroness Cumberlege's review is examining what happened in the case of Primodos and will determine what further action is required. Ministers will consider any recommendations very carefully. We do not have a date for the publication of the review, but it will be very soon. Perhaps we can continue the conversation then.

### Accident and Emergency Waiting Times

14. **Mr Toby Perkins** (Chesterfield) (Lab): What recent assessment he has made of the reasons for the increase in A&E waiting times. [900440]

19. **Imran Hussain** (Bradford East) (Lab): What recent assessment he has made of performance against waiting time targets for A&E services throughout England. [900445]

**The Minister for Health (Edward Argar):** Winter is the most challenging time of year for our NHS, when cold weather and an increase in flu cases place additional pressures on the service. As ever, the NHS staff have done an amazing job this winter, and the NHS has seen a significant increase in demand, with 1 million more patients attending A&E in 2019. The December figures, when compared with those in 2018, show a 6.5% increase on attendance at A&E.

**Mr Perkins:** I do not know whether the Minister is aware, but we have a winter every year. We have had one for the past 71 years, and yet these are the worst A&E waiting times in history, and they are the culmination of the policies that his party has followed for the past nine years: the cuts in social care, the number of GPs driven out of practices, and this Government's failure on prevention. All of that has led us to the worst A&E waiting times in history, and the Minister's answer does not start to look at the failure that he has delivered.

**Edward Argar:** Well, as I pointed out to the hon. Gentleman—he may not have heard this—demand in A&E has significantly increased this winter. He asks about GPs. I am sure he fully supports our clear commitment to 50 million more GP appointments and 6,000 more GPs. I am sure he also welcomes, in his own constituency, the £19 million investment by this Government in 2017 in a new urgent treatment centre, which will serve his constituents and is due to start work this summer.<sup>1</sup>

**Imran Hussain:** Between winter 2018 and winter 2019, the proportion of A&E attendances in Bradford that were seen within the four-hour target fell by seven percentage points, putting patients at risk and overstressing already pressured staff. In Health questions in October last year, I warned the Minister of these very real dangers, but he refused to meet me even to discuss the matter. Will he now answer the question as to why further funding was not made available to stop staff and patients at Bradford Royal Infirmary being put at risk?

**Edward Argar:** I remind the hon. Gentleman that Bradford treated more people in A&E this winter than in any previous one, and although he may have omitted to do so, I want to pay tribute to and thank the staff at Bradford for that work. The Conservative party is the party that is investing in our NHS, our A&Es and our staff, and the hon. Gentleman should welcome that.

**Justin Madders** (Ellesmere Port and Neston) (Lab): I think it is time that we shook this Government out of their complacency. On their watch, the four-hour A&E waiting target has never been met, and performance is getting worse each month. It is no wonder they are putting so much effort into getting rid of it. We agree with the president of the Royal College of Emergency Medicine, who said:

“Rather than focus on ways around the target, we need to get back to the business of delivering on it.”

Does the Minister agree?

**Edward Argar:** First, 1.7 million more people are being seen within the four-hour target now than before 2010. I hope that the shadow Minister will acknowledge

1. [Official Report, 29 January 2020, Vol. 670, c. 6MC.]

that that reflects the significant increase in demand due to the number of people going through the system. He talks about the review of standards. That is a clinically-led review, and I am sure he would want to let those clinicians lead it. We will see what it reports and will consider its recommendations when they come back to us. In the meantime, we are getting on with investing in our NHS, and improving services.

### Topical Questions

T1. [900452] **Penny Mordaunt** (Portsmouth North) (Con): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Health and Social Care (Matt Hancock):** As well as working to protect the public from infectious disease outbreaks, we are working to improve technology and recruit the workforce that the NHS needs. Figures just out show that we have record numbers of nurses working in our NHS—up by over 7,800 on the same time last year.

**Penny Mordaunt:** May I acknowledge the good work done by the Minister for Care, my hon. Friend the Member for Gosport (Caroline Dinenege), resulting in a regional breakdown of the transforming care programme? It shows where progress is not being made, and that the target of 35% of in-patient beds being closed down will not be met by this March. How will the Secretary of State shut down these hell-holes, and will he hold to account commissioners who are still sending people with learning disabilities to them?

**Matt Hancock:** I am really pleased that my right hon. Friend has driven forward, and is holding us—and, in turn, the NHS—to account for delivery of this vital agenda; it is incredibly important to get this right. The number of people with learning disabilities and/or autism who are in in-patient settings is falling, but not as fast as I would like. We have a clear commitment in the long-term plan to bring it down by half. As she says, there is a target to bring it down by the end of March. The Minister for Care has done a huge amount of work to drive this forward, and we will do everything we can to ensure that all these people, who are some of the most vulnerable in the country, get the best support they can in the right setting. I welcome my right hon. Friend's scrutiny.

T3. [900454] **Daniel Zeichner** (Cambridge) (Lab): The West Suffolk Hospital has been in the news for all the wrong reasons. I guess all Members try to keep their fingers on the pulse of their local hospitals, but does not the fact that West Suffolk constituents are represented by both the Secretary of State and the Under-Secretary of State for Health and Social Care, the hon. Member for Bury St Edmunds (Jo Churchill), show that something has gone fundamentally wrong in the scrutiny and oversight of our NHS? What has gone wrong, and what is the Minister going to do about it?

**The Minister for Health (Edward Argar):** I would not draw that conclusion about my right hon. and hon. Friends. What I would say, though, is that I want all staff to feel that they can speak up and have the confidence that anything they raise will be taken seriously. That is why I requested on 17 January that NHS England and NHS Improvement commission a rapid and

independent review into how the West Suffolk NHS Foundation Trust has handled this issue. I will be happy to update Members, including the hon. Gentleman, when that review reports.

T2. [900453] **Holly Mumby-Croft** (Scunthorpe) (Con): Last week, due to ongoing workforce challenges, Northern Lincolnshire and Goole NHS Foundation Trust temporarily transferred all oncology services to Grimsby's hospital. This is not acceptable to local patients. Will the Secretary of State join me on a visit to Scunthorpe General Hospital so that we can discuss this and other issues with local NHS staff?

**Edward Argar:** I appreciate the concerns raised by my hon. Friend about that matter. I understand that the changes, which have been made for patient safety reasons, are temporary, with a review to follow led by the Humber, Coast and Vale cancer alliance. As we monitor the results of the review closely—I will continue to take a close interest in this matter—either I or my right hon. Friend will be happy to take up her invitation for a visit.

T8. [900459] **Ian Byrne** (Liverpool, West Derby) (Lab): In my constituency, year-on-year reductions in funding of both adult and young people's mental healthcare mean that some of our most vulnerable citizens are falling through the net. Can the Government guarantee that adequate funding will be made available to tackle the mental health crisis now?

**Matt Hancock:** There have been year-on-year increases in funding for mental health services, but there is also an increase in demand. The long-term plan has the largest increase reserved for mental health services, because we want to see mental health and physical health treated on a par.

T4. [900455] **Jack Brereton** (Stoke-on-Trent South) (Con): Labour's private finance initiative contract means that Royal Stoke University Hospital is paying double the interest on its debt than if it had been funded directly from the Treasury—money that should be going to improve patient care. Will my hon. Friend agree to look at how these costs can be mitigated?

**Edward Argar:** I am grateful to my hon. Friend, who, along with my other hon. Friends who represent Stoke, has raised this issue in the past; they are right to highlight it. My hon. Friend is absolutely right that Labour's PFI deal has left the trust burdened with debt. My Department's PFI centre of best practice supports trusts in ensuring best value, and I will happily ask it to work with him. Yesterday I also committed to meet him and my other hon. Friends to discuss this matter.

**Dr Rosena Allin-Khan** (Tooting) (Lab): Throughout the election there were empty promises from the Conservatives, and one of those promises was to tackle the social care system—but there is still no Green Paper. There are dementia patients who are trapped in hospital due to an inadequate social care system, and yet this Government still do nothing. How many more families have to suffer before this Government act?

**Matt Hancock:** The Government will deliver on all of our manifesto commitments.

**Bill Esterson** (Sefton Central) (Lab): In Maghull, Formby and Crosby in my constituency, the health facilities are simply not fit for purpose. Significant house building will only make matters worse and make it that much harder for the Secretary of State to deliver on the promises he set out earlier in today's Question Time. Will he meet me to discuss how to get the funding so that we have the state-of-the-art, high-quality facilities that my constituents and medical staff need?

**Matt Hancock:** I spent much of the latter part of last year travelling around the hon. Gentleman's part of the world and meeting then candidates. I am very happy to meet him to see how we can use the record levels of capital investment in our NHS—the record levels of funding that he should support—to support his constituents as well as everybody else's.

T5. [900456] **Robert Largan** (High Peak) (Con): Tameside Hospital A&E has seen a huge increase in patient numbers, often leading to overcrowding, with patients being assessed and treated in unsuitable areas. The Government have rightly responded by committing to building a new urgent care centre for Tameside. Will the Secretary of State update the House on when construction is due to begin?

**Matt Hancock:** We want to begin construction urgently. My hon. Friend has been assiduous in promoting and supporting this project, which he has raised with me a number of times. I look forward to meeting him in the next week or so to go through the details of when we can see it open.

T6. [900457] **Antony Higginbotham** (Burnley) (Con): My right hon. Friend will know that the A&E services at Burnley General Hospital were closed in 2007 by the then Labour Administration. Given our record investment in the NHS, and the pressures on the A&E, will he agree to meet me to talk through the future of the hospital and the services we can provide locally?

**Edward Argar:** My hon. Friend, like his colleagues, has already proved himself to be a doughty champion for his constituency. The urgent care centre at Burnley General Hospital will continue to play an important role in meeting urgent care needs locally, but he is right to highlight the broader importance of Burnley as part of the health ecosystem in his area. I would be delighted to meet him.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): There are real concerns in east London about the big delays in the breast cancer screening programme, meaning that many women are not getting their first screening until close to their 53rd birthday. Will the Minister meet me and other concerned east London MPs to ensure that we tackle that, to the benefit of our constituents?

**The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill):** I would be delighted to meet the hon. Lady and other east London MPs. Mike Richards has done a review of screening, and we need to level up and ensure that everybody can access screening.

T7. [900458] **Dr James Davies** (Vale of Clwyd) (Con): In December, more than 2,200 patients waited in excess of 12 hours in A&E departments in north Wales. What is the Secretary of State's response to the Welsh Government, who have managed the health board in special measures for nearly five years? [R]

**Matt Hancock:** I worry about the delivery of health services to people in Wales. Although this issue is devolved, I am the UK Health Minister, and my hon. Friend is right to raise that issue for his constituents. The number of people waiting more than one year in Wales is over 4,000. In England, despite the much larger population, it is only just over 1,000. The Welsh NHS, frankly, is an advert for why people should not want the Labour party running the NHS.

**Munira Wilson** (Twickenham) (LD): A number of women in my constituency have recently been in touch who are going through the menopause and struggling to access hormone replacement therapy, which they really need. What assessment has the Secretary of State made of current supplies of HRT, and what is he doing to address the shortages?

**Matt Hancock:** That is obviously an incredibly important issue. The shortages come from problems with factories outside the UK. We have been working hard on it through the autumn. I am advised that the shortages are starting to be mitigated and that production is back up and running, but we keep a close eye on it, because I understand how important it is.

T9. [900460] **David Simmonds** (Ruislip, Northwood and Pinner) (Con): Will my hon. Friend commit to working with me to secure the long-term future of hospice services in any reorganisation of the Mount Vernon Hospital site in my constituency?

**The Minister for Care (Caroline Dinage):** We are very committed to hospice services, which is why an additional £25 million went into hospices last year. I am certainly happy to meet my hon. Friend to discuss the hospices in his area.

**Alex Norris** (Nottingham North) (Lab/Co-op): Cuts to local government budgets have led to cuts to public health budgets, which have led to cuts to preventive services, which have led to greater demand in A&E and social care. It is bad for individuals, and it is terrible for the health and social care system, yet this weekend, we saw media reports that there are more cuts coming to local government, especially in the poorest communities. Can the Secretary of State assure us that he will tell colleagues in the Treasury and the Ministry of Housing, Communities and Local Government that those cuts cannot take place?

**Matt Hancock:** I do not need to, because we are clear that there is an increase in the spending power of local authorities and in the public health grant.

T10. [900461] **Stephen Crabb** (Preseli Pembrokeshire) (Con): Last week was Cervical Cancer Prevention Week. Will my hon. Friend join me in commending the work of my constituent Maria Dullaghan and the charity Jo's

Cervical Cancer Trust, which campaigns to raise awareness? Will she underline the Government's support for Sir Mike Richards's review of the adult screening programme?

**Jo Churchill:** I am delighted to join my right hon. Friend in congratulating Jo's Cervical Cancer Trust on the work it does. I had the pleasure of meeting its team only last week, who do fantastic work to raise awareness of vital cervical screening. He is right about Mike Richards's review. We must ensure that we screen all the available population in order to see cervical cancer eliminated for good, which would be brilliant. I am delighted to support this year's "Smear for smear" campaign. There is nothing shameful about human papillomavirus, and we must bust the myths, because being tested can save someone's life.

**Rosie Duffield** (Canterbury) (Lab): Following the desperately upsetting news headlines last week about preventable baby deaths at East Kent, including that of Harry Richford, aged just seven days old, whose death was described by the coroner as "wholly avoidable", will the Secretary of State join me and Harry's family in calling for a full, transparent public inquiry?

**The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries):** I thank the hon. Lady for raising this issue, and also my hon. Friend the Member for Dover (Mrs Elphicke), who made an excellent speech last night about this very issue at East Kent. I would like to reassure the hon. Lady that the Care Quality Commission conducted a further investigation of the whole trust last week and will take enforcement action if necessary. On Monday, I asked it to provide a summary report within 14 days. The Healthcare Safety Investigation Branch has examined 26 individual maternity cases at the trust, and it has already reported on 15. It was also asked on Monday to complete its work within 14 days and to send in a summary report to give us further information.

**Greg Hands** (Chelsea and Fulham) (Con): The Secretary of State will know that my local Labour party has been running an outrageous campaign saying that the Parsons Green walk-in centre is set to close. The clinical commissioning group has confirmed that that is not the case, and the facility is both busy and popular. Will he

join me in condemning this latest scare tactic from my local Labour party about local NHS facilities that are both popular and well used?

**Matt Hancock:** That is absolutely right. Last year, my right hon. Friend campaigned for and secured the long-term future of the Parsons Green walk-in centre. That announcement was made, and then the scaremongering carried on, supported by the local Labour party and the hon. Member for Hammersmith (Andy Slaughter), who is a disgrace in the way he campaigns because it worries vulnerable people who think that things are going to close. I pay tribute to my right hon. Friend and send a message to people far and wide in Parsons Green that their walk-in centre is staying open.

**Several hon. Members** *rose—*

**Mr Speaker:** Order. I am sure the Secretary of State would acknowledge that I am trying to get the last few questions in, and I think we can speed up rather than trying to make any last final points.

**Stephanie Peacock** (Barnsley East) (Lab): May I ask the Secretary of State what screening plans are in place for those arriving in the UK from China, and has a contingency fund been established to tackle the potential effects of the coronavirus?

**Matt Hancock:** Of course, it is incredibly important that we have appropriate measures in place for those who return from China—not only those returning from outside Wuhan, but those returning from Wuhan should they do so. Those are being put in place, and of course we are making budgets available to ensure that all necessary support is given.

**Several hon. Members** *rose—*

**Mr Speaker:** Order. Unfortunately, that is the end of questions. I hope that we will get in a few more next time.

The House will wish to be aware that there will be a statement today after the conclusion of proceedings on the Direct Payments to Farmers (Legislative Continuity) Bill. I cannot confirm a time exactly, but it should be before 3.30 pm, and the start of proceedings on the Third Reading of the Bill will serve to give some notice of the likely start time. I hope that is helpful to Members.

## Direct Payments to Farmers (Legislative Continuity) Bill

Considered in Committee

[DAME ELEANOR LAING *in the Chair*]

### Clause 1

INCORPORATION OF EU LEGISLATION GOVERNING THE  
CAP DIRECT PAYMENT SCHEMES

*Question proposed*, That the clause stand part of the Bill.

**The Chairman of Ways and Means (Dame Eleanor Laing):** With this it will be convenient to discuss the following:

Clauses 2 to 9 stand part.

That schedule 1 be the First schedule to the Bill.

Amendment 8, in schedule 2, page 12, line 11, leave out “3(1)(a) or”.

*This amendment together with Amendment 9 would make regulations under Clause 3(1)(a) subject to affirmative resolution procedure rather than the made affirmative resolution procedure.*

Amendment 9, page 12, line 13, leave out “3(1)(b), 3(b) or (4)” and insert

“3(1)(a), (1)(b), (3)(b), (4) or 6(1)”.

*This amendment is linked to Amendments 8 and 10.*

Amendment 10, page 12, line 16, leave out paragraph 3.

*This amendment together with Amendment 9 would make regulations under Clause 6(1) subject to affirmative resolution procedure rather than negative resolution procedure.*

That schedule 2 be the Second schedule to the Bill.

12.32 pm

**The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice):** Clause 1 provides the legal basis for the Government and devolved Administrations to make payments to farmers under the direct payment scheme for 2020. The clause is needed because article 37 of the withdrawal agreement means that the EU legislation governing the 2020 common agricultural policy schemes will no longer apply in the UK on exit day. This was fully intended; it is part of extracting the United Kingdom from the European Union’s next multi-annual budget cycle, which starts in 2021, and it allows us to take back control of agriculture policy and domestic agricultural funding.

The Bill is needed because of a quirk in the way that the EU common agricultural policy is funded. Pillar one payments—the so-called basic payment scheme payments—are funded from the following year’s budget, unlike pillar two payments for things such as countryside stewardship, which are funded from the budget year in which they apply.

**Sir Desmond Swayne** (New Forest West) (Con): Does clause 1(3) include the higher level stewardship regime, or is that part of a separate settlement?

**George Eustice:** It includes the basic payment scheme. Only direct payments are in the Bill’s scope, and that includes the annual area payments that most farmers would receive.

As we are not contributing to the next multi-annual financial framework, we have decided that we should fund this year ourselves to provide farmers with continuity. The withdrawal agreement therefore disappplied the direct payment scheme to the UK. The European Union (Withdrawal Agreement) Act 2020 applies that agreement, and disappplies the direct payment scheme, so to pay farmers for this year, we have to provide this regulation.

**Vicky Ford** (Chelmsford) (Con): Chelmsford is largely an urban constituency, but when I visited one of my local farms just before Christmas, it was devastating to see that, because of the wet weather, people there had not been able to plant any of their winter wheat. They are doing some fantastic work with new crops such as millet, so that we do not need to import that. Will the Bill help to give farmers across Essex and the east of England the certainty they need at this challenging time?

**George Eustice:** The Bill will absolutely give them that certainty. The Bill is essential if we are to give farmers their direct payments—those area-based payments—in December. If this direct payment regulation did not come into UK law, we would be unable to do that.

**John Redwood** (Wokingham) (Con): Will the Minister confirm that as we move on to the new policy, there will be an emphasis on growing more food at home for import substitution, so that these general moneys can lead on to moneys that help us to build a bigger domestic food industry?

**George Eustice:** My right hon. Friend will be aware that we have presented a separate Agriculture Bill, which has had its First Reading. It sets out all the powers we would need to reform agriculture policy. The direct payment regulations before us bring the CAP into UK law and on to the UK statute book, and in the Agriculture Bill, there are powers to modify these regulations, so that we can remove the rough edges and simplify them. There are also powers in the Agriculture Bill to strike a very different course for our agriculture—a course based on payment for public goods, but also on providing farmers with grants to invest in new technology, so that they can improve their profitability or add value to their produce. That Bill also recognises that our food security is vital, and commits the Government to reviewing it every five years. That, however, is obviously a matter that we will debate in the coming weeks and months; I want to return to this direct payments Bill.

**Simon Hoare** (North Dorset) (Con): My hon. Friend the Member for Chelmsford (Vicky Ford) mentioned the need for certainty in her arable sector. We have a strong arable sector in North Dorset. Does the Minister agree that the certainty that this Bill provides to our farmers is of particular importance to those involved in the dairy and beef sectors, both of which are incredibly strong in North Dorset?

**George Eustice:** I very much agree with my hon. Friend. The Bill will give certainty and clarity about this year to all farmers who currently make a BPS claim and have done for some years. That will include, of course, dairy farmers and beef farmers. Beef farmers in particular have been through a rather difficult year, in which beef prices have been suppressed, and the knowledge and

[George Eustice]

clarity that there will absolutely be continuity this year, and that payments will be made, will be very welcome to them.

**Tim Farron** (Westmorland and Lonsdale) (LD): The Minister's own Department's figures recognise that 85% of livestock farm income comes through basic payments. Of course, this 12-month stay of execution will be welcomed by many of my farmers, but from next January, he is planning to phase out BPS, and the danger is that there will be no certainty about its replacement before 2028. Does he not worry that we will lose many livestock farmers during that seven-year transition, and does he agree that he should therefore delay the phasing out of BPS?

**George Eustice:** It is important to recognise that a significant proportion of sheep farmers in particular do not receive the basic payment scheme area payment, because they are on contract farm agreements and the landlord receives that money. Nevertheless, the hon. Gentleman makes an important point. I think the principle of investing in public goods has support across the House, but we need to strike this new course sensitively and ensure that agriculture remains profitable. We want a vibrant and profitable agriculture industry, which is why the Agriculture Bill also makes provision for payments to improve productivity, and sets a quite long transition period of seven years, so that we can gradually phase out the old legacy scheme. He will be reassured to hear that the Bill before us makes no changes at all for the coming year. Farmers in his constituency can rest assured that once this Bill is passed, the direct payment scheme will operate this year in exactly the same way as it has in previous years.

**Ben Everitt** (Milton Keynes North) (Con): Does the Minister agree that there is a balance to be struck between incentivising productivity and rewarding farmers for their role in looking after our countryside—the hedges, copses and spinneys that make England, and indeed Scotland, Northern Ireland and Wales, so unique in their character, and so different from some intensive agricultural operations in European and beyond? If we are to remain competitive and our land is to remain productive and profitable, we need to find a system that balances those priorities, protecting what we love about our countryside, while recognising the wonderful contribution our farmers make to our agricultural economy.

**George Eustice:** My hon. Friend makes a very important point. It is all about striking the right balance. The premise behind the direction of agriculture policy is this: rather than trying to put on a sticking-plaster, and masking poor profitability in agriculture, we ought to have a coherent policy that rewards farmers properly for their work to improve the environment, create new habitats and so on, and that makes them able to become more profitable by investing in new equipment, adding value to their product and improving transparency in the supply chain. That is our approach—tackling the causes of poor profitability, not masking them with an arbitrary area-based subsidy.

**Simon Hoare:** My hon. Friend is being characteristically generous in giving way. I hope he will agree with me, and probably most people in this House, that as important

as this Bill is—so, too, is the Agriculture Bill, to which he referred—it will be for nothing if we do not have some form of equivalence clause on food imports to ensure standards of animal welfare and public health. All of the Minister's good intentions, both for this Bill and the Agriculture Bill, will come to nothing if we suddenly find ourselves swamped by cheaper imports that make all the countryside issues to which my hon. Friend the Member for Milton Keynes North (Ben Everitt) referred absolutely irrelevant.

**George Eustice:** My hon. Friend makes an important point. Obviously, that is not a matter for this Bill, but our party's manifesto makes a clear commitment to our maintaining standards as we approach new trade deals, and to our ensuring that we do not water down our standards or undermine our producers.

**Neil Parish** (Tiverton and Honiton) (Con): The Minister says that there will be complete continuity of the basic farm payment over the coming year. Does that include continuity of the three crop rule and all the regulation that goes with the present system? Farmers will need to know that. They have got used to the system, and so has the Rural Payments Agency, so we need to know whether the system will be exactly the same, or whether there will be some changes.

12.45 pm

**George Eustice:** My hon. Friend makes an important point, and I will come on to that when I describe some of the regulations that will be brought across by the Bill. The system will be exactly the same, including the so-called three crop, or crop diversification, rule, the requirement for environmental focus areas, all the scheme deadlines for getting forms in, and the penalty matrix. I am not a huge fan of many of those things, and have been critical of them in the past, but we have taken a decision that charting a different course is a matter for the Agriculture Bill. This is a short Bill that is about providing farmers with immediate continuity and legal certainty that they will get their payment in exactly the way they used to—for this year only; then we will set out a different approach and a different course.

**John Redwood:** Can the Minister remind the House how, in the implementation period, we will avoid having to pay twice—both sending money to Brussels and paying direct?

**George Eustice:** As my right hon. Friend will be aware, under the financial settlement in the withdrawal agreement, we did not make a contribution to the next multi-annual financial framework, so the UK will not contribute to the EU budget from 2021 onwards, and will therefore not contribute to the budget that would fund this current year of BPS. We will fund it domestically, and that is why the direct payments regulation must be brought on to a UK regulatory footing.

**Neil Parish:** There is an argument that for many years the UK has actually contributed much more to the common agricultural policy than we have received from it. Can the Minister assure me that as we will not make those payments, we should save some money for the Exchequer?

**George Eustice:** My hon. Friend will remember the debate that took place in 2016. The UK has typically received back roughly half of what it put into the EU budget, and our contribution to the common agricultural policy on average has been double what we have received from it, historically.

**James Cartlidge** (South Suffolk) (Con): Further to the intervention from my right hon. Friend the Member for Wokingham (John Redwood), and so that I understand this point, am I right that in this transition year we effectively pay as if we were members, but we are also funding domestically this farming payment under the Bill? Is it netted off, or are we in effect paying more for this year overall? Does that make sense?

**George Eustice:** It is complicated—as ever—with the common agricultural policy, but I tried to explain this point in my opening remarks. It is a quirk of the way that the EU budget works that the EU borrows the money for the pillar one payment—the BPS and area payments—from next year. Because the payments are made typically from December onwards, the money comes out of the 2021 budget. The pillar two payments come out of the 2020 budget—the year in which the money is spent. Put simply, we have not contributed to the 2020 capped budget because it is borrowed from 2021. I know that is complicated, but in essence we are not paying twice.

**Fay Jones** (Brecon and Radnorshire) (Con): Am I right in saying that the Welsh Government take 15% of the direct payment away from farmers and transfer it into pillar two, and that that is the most that any Government across the European Union can take?

**George Eustice:** Yes, my hon. Friend is right. Under the common agricultural policy, there is provision for something called modulation, under which member states are able to transfer a chunk of money from pillar one to pillar two. Wales transfers 15%, or modulates by 15%, from pillar one to the pillar two budget. England modulates at the rate of 12.5%, and Scotland and Northern Ireland modulate considerably less, but still a little bit. There is a provision for that, and the Bill brings that regulation into UK statute.

Without clause 1, neither the Government nor the devolved Administrations would be able to continue to operate the 2020 direct payment schemes, and that would severely affect the agricultural industry, threatening the financial viability of agricultural producers who have planned on the basis of continuity of payments for this year. The direct payments basic legislation, and the implementing and delegated legislation, will become domestic law on exit day, as opposed to at the end of the implementation.

**Siobhan Baillie** (Stroud) (Con): Climate change is a threat that we must all take action to tackle, and my constituents and farmers care deeply about it. Does my hon. Friend agree that the Agriculture Bill and these changes will provide us with a great opportunity to encourage greener practices in the world of agriculture?

**George Eustice:** Yes—my hon. Friend makes a very important point. As we chart a new course on agriculture policy, one key objective set out in the Agriculture Bill,

which was recently published, was on climate change. It is absolutely the case that we should support farmers to farm more sustainably and reduce their greenhouse gas emissions, and that will be a matter for future policy. This Bill does not envisage radical change compared with what has gone before. Some provisions—the so-called “greening provisions” that are brought across by the Bill—will potentially have a modest impact on our carbon emissions and climate change, but addressing that issue properly will be a matter for future policy.

Clause 1(3) sets out the regulations that are covered. That includes the direct payments regulation, apart from article 13. Article 13 of the direct payments regulation is still there in retained EU law, because the withdrawal agreement Bill brought that element of the regulation across, so we do not need to do that a second time. We need that state aid provision because the withdrawal agreement committed us to an equivalent approach to the EU for this year. There is also the Commission delegated regulation (EU) No. 639/2014, which supplements the direct payments regulation, and Commission implementing regulation (EU) No. 641/2014, which lays down rules for the application of the direct payments regulations.

**Joy Morrissey** (Beaconsfield) (Con): In Beaconsfield, we are still very keen to receive these payments, and the Minister is right to bring forward the Bill. Many of my farmers would like to produce more, but that is currently restricted under the CAP. Does the Bill deal with that? For example, I have a chicken farmer who would like to increase the number of chickens and eggs that they produce, but there are restrictions because of the common agricultural policy payments. Is there anything in the Bill that will allow them to increase productivity as we move out of the EU?

**George Eustice:** If my hon. Friend writes to me on the specific issues for the chicken producer that she mentions, I am happy to look at that. As a general rule, poultry producers tend not to qualify for the basic payments scheme, because it is area-based. Of course, it could be a mixed enterprise, where the producer has a poultry unit and some land on which they claim BPS. There are also some domestic environmental regulations and a licensing scheme that the Environment Agency runs that would affect certain establishments in the poultry sector.

The Bill brings across existing legislation exactly as it is and does not envisage any change. The only change might come from the absence of EU auditors, as this is no longer an EU budget. Therefore the absence of the risk aversion that is a feature of Whitehall—where we have perpetual legal jeopardy and the constant threat of infraction, of disallowance risks and of arbitrary fines slapped on by EU auditors—means that we may be able to have a margin of appreciation in how we interpret some of these regulations, so that we can, for instance, send farmers a warning letter, rather than stinging them with a fine as we are required to under EU law.

**Alex Chalk** (Cheltenham) (Con): It is very welcome to us in Cheltenham that in future the Government plan to use state support to promote biodiversity on farms to a far greater extent than is permissible under the CAP. However, will the Minister indicate how we can expect our landscape to change as a result of these very welcome policy changes?

**George Eustice:** The Agriculture Bill, which is a matter for future discussion, envisages in clause 1 that we would support, for instance, measures to reduce climate change and carbon emissions and measures on carbon sequestration. We have a commitment to establish additional new woodland areas. In some areas, I suspect that there would be some land-use change. We also want to use our future policy to support a more sustainable approach to farming, for instance getting more farmers involved in catchment-sensitive farming schemes, integrated pest management, better soil husbandry and better stewardship of our hedgerows. All these issues will have an impact on our environment and its biodiversity.

**Simon Hoare:** The Minister talked about having a lighter touch, in terms of moving to a warning letter rather than having fines, and many farmers will breathe a huge sigh of relief at that. What scope does he see in the Bill to build on the trend of performance improvement, which we have started to see from the RPA but where there is still headroom for further improvements, therefore hopefully further de-stressing the art of agriculture in this country?

**George Eustice:** My hon. Friend makes an important point, which links to something I said earlier about the removal of the perpetual legal jeopardy that Whitehall has been subjected to while we have been an EU member. The issue, particularly in the CAP, is that there is a system of fines relating to what is called disallowance risk. The UK typically pays around £100 million a year in disallowance risk fines, often for very trivial errors such as a supposed lack of accuracy on maps, with a requirement that we map fields to four decimal points of accuracy, and issues about how things are recorded—even though they may be recorded, it may not be in the form that the EU auditors require. Some EU audits retrospectively make things up, so we never know how an auditor will interpret the regulations in front of us. That means that officials who work very hard in DEFRA to make sense of these complex regulations will often take a view, have legal advice and interpret a regulation in a particular way. Subsequently, auditors will come along with a different view and that creates a disallowance risk. It is a very difficult situation to have a constant sense of legal jeopardy, which leads to risk aversion and people being very cautious and sometimes quite draconian in how they deal with farmers. That has been a constant problem with the existing scheme.

**Simon Hoare:** As a former Parliamentary Private Secretary to my hon. Friend, I am pretty forensic on these matters, as he will know—I am grateful to him for his indulgence. What plans do he and our right hon. Friend the Secretary of State have for communicating, monitoring and embedding the change of culture in the RPA? I do not say this to be rude to the RPA, but it will have been trained in a certain way of doing things and, rather like people who have been held prisoners for 40 years, will have no idea how to deal with its freedom once it is released. How will he ensure that the lighter touch that is now available as a result of the domestic legislation is communicated to all levels of the RPA so that as soon as possible, from day one, farmers will feel the benefit? A legislative change, if not implemented by the practitioners, is no change at all.

**George Eustice:** My hon. Friend makes an important point. All of us—officials in Whitehall, Members of this House, and indeed, generally as a country—have to get used to our freedom and to enjoying it, and develop the confidence to exercise judgment in all fields as we leave the European Union and become a genuinely self-governing country again, which is what we will do.

I have already had a meeting with the chief executive of the RPA. It has made considerable progress over the past 18 months in improving its performance, but I have tasked him with looking at any changes in process—anything that could be adapted, removed or changed—that would make the application of the scheme easier once we have removed the constant threat and legal jeopardy caused by EU auditors, so we are doing a piece of work on this.

1 pm

**John Redwood:** I just want to say well done to the Minister. It is really uplifting that there is something positive and that we can save some money.

**George Eustice:** I thank my right hon. Friend for that comment. He and I have taken a similar view of pan-European legislation for some time, and obviously there will be many opportunities as we leave.

**Mr Richard Holden** (North West Durham) (Con): Many upland sheep farmers, particularly in my constituency, will welcome not only the extra year of payments and the confidence it will give them, but the less draconian approach that the Government seem intent on taking. With the Agriculture Bill coming, can the Minister further reassure farmers in my constituency that there will be a phased approach so that they have time to get used to the new measures?

**George Eustice:** Yes, my hon. Friend makes a very important point. Today's Bill simply brings across the existing schemes, including, as I have pointed out, all the so-called greening rules, all the cross-compliance rules, and so on. There is a small margin of appreciation that we can apply to interpret these sensibly and proportionately, which we have not been free to do to date. That said, we recognise the importance of a gradual transition to our new agriculture policy, which is why that policy envisages a seven-year transition, with a gradual phasing out of the BPS and with support to ensure that farmers have a prosperous and profitable future.

**Alexander Stafford** (Rother Valley) (Con): Now that we are getting rid of the cosh of legal threat hanging over our hard-working farming community, including in Rother Valley, can we use this as an opportunity to help, educate and upskill our farming community on the importance of biodiversity and so increase the flora and fauna in our beautiful areas? The farming community in Rother Valley already knows this, but what other support can the Government provide to encourage these things?

**George Eustice:** There are several important schemes, such as the Government-funded Farm Advisory Service and the various wildlife campaigns that also support farmers to farm in a more environmentally sensitive way. The future agriculture policy envisages that we will



provide advice and support to farmers—direct on-farm advice—about what might work on their particular holding, with their particular soil, landscape and topography. It is an exciting future, and having the right technical advice will be an important part of it, so my hon. Friend makes a good point.

**Pete Wishart** (Perth and North Perthshire) (SNP): The Minister will have seen the Scottish Affairs Committee report on agriculture in Scotland. It recommends that in considering the funding envelope across the UK he support less-favoured areas and that the funding follow the quality of the land. He was not particularly enthusiastic about that suggestion. I wonder if he has changed his mind. If not, on what central tenet does he see the distribution of funding across the UK being based?

**George Eustice:** Obviously we will work with the devolved Administrations on future funding. The Bill—in later clauses, so I will not dwell on it now—deals with recommendations for the allocation of funding this year, pertinent to the conclusions of the Bew review, which I will come on to. More generally, future policy envisages payment for public goods, but it also envisages a long transition towards that. We have given a commitment to keep the agriculture budget the same at least for this Parliament. *[Interruption.]* Within the UK, yes, there will be some discussions on allocation, but every component of the UK is likely to adopt a transition period during which they would want to keep, at least for a time, something akin to the current system as they move to a new one. That said, the funding settlement is for a future day and discussion, not for the Bill today, which covers this year only.

**Dr Neil Hudson** (Penrith and The Border) (Con): The Minister talked about public goods. As a veterinary surgeon, I am proud to say that in Penrith and The Border, in Cumbria and across the UK we have the highest standards of animal welfare and farming. Does he agree we need to articulate the fact that those standards will not be watered down and that these Bills are an opportunity for the UK to become a beacon for the rest of the world and that we will be able to raise animal welfare standards in our future trading partners?

**George Eustice:** Yes, my hon. Friend makes a very important point. As I have said, we have a manifesto commitment to protect animal welfare and food standards in future trade deals. Moreover, future policy envisages our being able to make payments to farmers—for instance, those who enter into a high welfare or high animal health scheme. We have an exciting opportunity to support high health and welfare schemes that could, for instance, reduce our reliance on antibiotics, which has been identified as a clear public good for future policy.

I will return to clause 1, as I realise there have been many interventions, which I have taken because clause 1 contains the meat of the Bill in that it brings across all the regulations.

**The Chairman of Ways and Means (Dame Eleanor Laing):** Order. For the sake of clarity and because new Members are present who might be concerned about sticking to the rules, I should explain that in addressing clause 1 the Minister is perfectly in order and absolutely right to address all the other aspects of the Bill because we have

grouped all the clauses and amendments together, and any Member may at this point refer to any aspect of the Bill they wish to raise.

**George Eustice:** Thank you, Dame Eleanor.

The Bill also covers the horizontal regulation, which governs the way paying agencies should operate; Commission delegated regulation 907/2014, which supplements the horizontal regulation with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of the euro; Commission implementing regulation (EU) 908/2014, which lays down the rules for the application of the horizontal regulation with regard to paying agencies and other bodies, financial management, clearance of accounts, rules on checks, and securities and transparency; Commission implementing regulation 809/2014, which lays down rules for the application of the horizontal regulation with regard to the integrated administration and control system—the so-called IAC system—rural development measures and cross-compliance; and Commission delegated regulation 640/2014, which also supplements the horizontal regulation with regard to the IAC system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross-compliance.

**Duncan Baker** (North Norfolk) (Con): Does my hon. Friend agree that these proposals show how the Government are leading the fight on climate change while also protecting our precious farming community? Not only will this Bill safeguard our payments for the next year, but the whole thrust of the Agriculture Bill is to allow our farmers to farm in a sustainable, environmentally friendly way that rewards them for protecting and helping our environment, which has to be applauded.

**George Eustice:** Yes, my hon. Friend makes a very important point, and that is why we have set a very different course with our future agriculture policy, though it is based on payment for public goods. It is important that we support our farmers and properly reward them for the work they do for the environment.

**James Cartlidge:** Farming in South Suffolk is fairly horizontal—fairly flat—so I welcome these regulations. On a key technical question, under all those regulations the top level of payment awarded at EU level is in euros, whereas, of course, the allocation for the payment in UK law is in pounds sterling. Is there therefore any currency risk through the year to the payments that will ultimately be received by our farmers?

**George Eustice:** There is no currency risk for British farmers in this year, because the total size of the budget has already been set by the Treasury, and it has been set at the same level as last year. Under the regulations, we have to go through the formal process of setting the exact payment rate, but, because the budget has been guaranteed and it has been guaranteed that the payment system will be the same, farmers have a high degree of confidence that—barring any minuscule changes—their payment will be the same as it was last year.

My hon. Friend has put his finger on an important problem with the common agricultural policy. It introduced an entirely unnecessary exchange rate risk for our farmers,

[George Eustice]

in that money was sent to the European Union in pounds and was then denominated in sterling at a fixed point in time, typically in September each year. That meant that if the pound had had a good year and had rallied against the euro, farmers found that their payment would be lower, whereas sometimes when the pound fell, as it did after the 2016 referendum, they had an early Brexit dividend and received a higher payment than they might otherwise have expected. That unnecessary exchange rate risk has now gone, and the budget is set for this year.

I do not want to bore people too much with these regulations. I have listed them all in detail, and there is a reason for that. In the European Union, particularly in the context of the CAP, there are three types of regulations. There are the basic regulations, which the Council of Ministers has quite a bit of involvement in shaping, and on which, through working groups, the member states have a vote. There are delegated Acts or regulations, in which there is far less involvement for the member states. They collectively have a kind of veto power, but have less of an amending role. Then there are the implementing Acts or regulations, which the Commission pretty much just makes up without any particular involvement of the member states.

That said, I am conscious that Members will never have debated any of these regulations. Ministers will have been aware of debates and discussions taking place in working groups as the basic regulation was formed, and they will have received submissions letting them know that something alarming had been handed down in an implementing Act and we could not do anything about it. Obviously, as we make regulations in future, the scrutiny of the House will be brought to bear, and Members will be able to engage in and scrutinise every bit of the detail of future agricultural policy.

The regulations that I read out earlier may have seemed like a list of rather meaningless numbers, but I can tell Members who are interested in what they mean collectively, in terms of what the farmer is required to do, that basic payment scheme rules are published annually by the Rural Payments Agency. Let me give Members a flavour of those.

The publication “Basic Payment Scheme: rules for 2019” sets out the key dates during that scheme year to which farmers must have regard. It includes, for instance—and all this is born out of the regulations that are being brought across today—the setting of 1 January as the official start of the year. The period between 1 January to 30 June is regarded as the

“EFA period for EFA fallow land”.

That is the period during which land must be fallow if farmers want to claim it. On 13 March, the “window opens”, and farmers can start sending in their applications. Between 1 May and 30 June, the so-called three crop rule kicks in, along with the

“EFA period for nitrogen-fixing crops”.

During that period, farmers must demonstrate that in that window and that window only, they have three crops on their farms. Another rule states that one of those crops can be fallow land, but the qualifying period for that type of fallow land is different from the one for the type that is covered by the EFA period.

There is a deadline of 15 May for farmers to submit their BPS application forms. They are then given a couple of weeks’ grace during which they can make changes, and they have until 31 May to do that. There is then a “late application” deadline, which means that farmers are effectively given 21 days to submit late applications, but will lose, typically, 1% of their payment for each late application day.

**Siobhan Baillie:** Will my hon. Friend tell us a little more about the legal provisions enabling amendments and corrections to be made after we have left the EU, and how it can be ensured that the Bill is operable and can continue to be implemented?

1.15 pm

**George Eustice:** My hon. Friend has made an important point. Let me say two things. First, clause 3, which I was going to come on to—I understood that you wanted me to address all the clauses simultaneously, Madam Deputy Speaker—deals with that issue in respect of the claim year 2020, in that it gives us powers akin to those that were in the European Union (Withdrawal) Act 2018 to make particular modifications and changes, simply to make this body of law operable. For instance, it enables us to replace the words “European Commission” with the words “UK Minister”, or, indeed, “devolved Administration Minister”, and it gives us the power to introduce subsequent statutory instruments to make the legislation operable.

Secondly and more broadly, for the purpose of future policy, the Agriculture Bill includes a power to modify policy. This Bill does not modify policy, but it gives us the power to make operable changes akin to those in the European Union (Withdrawal) Act.

**Ben Everitt:** I think it important to learn the lessons of our involvement in the common agricultural policy over the years, and to consider some of the things that have gone wrong with it. In the context of implementing future changes in regulation, we should recognise that, for example, the set-aside rule—which those of us who were in farming in those days know and love—would sometimes represent the difference between profit and loss for a farm. To put it bluntly, the difference between the farm being viable and not viable was what the EU paid farmers not to grow anything. How can we incorporate that balance between productivity in our land and a viable economic agricultural and rural sector in our future legislation? I am heartened to hear that we are keeping that option in this Bill.

**George Eustice:** I agree that we must learn the lessons of the common agricultural policy. Having dealt with it for some seven years in total, I know that it is something of a bureaucratic quagmire. It is very difficult to navigate, and we tend to find that the more rules we invent, the more rules we need in order to make sense of the ones that we already have. That is why we end up with all sorts of complexity, as set out in the 127-page document containing guidance and rules for farmers.

The real lesson to be learnt is that whatever we do in future should be less rules-based and more based on delivering outcomes, and should also be tailored to the needs of an individual farm. When farms have poor profitability, we should try to tackle the causes of that

by helping farmers to invest and improve fairness in the supply chain, rather than by means of an arbitrary area-based payment. That is the direction of travel that we have set out.

**Victoria Prentis** (Banbury) (Con): Does my hon. Friend agree that those like me who have smallholdings are often overwhelmed by the body of rules, and end up not claiming money that they should rightly claim? Has that been a problem historically, and are there any records that show how many people are covered by this?

**George Eustice:** Every month I have to deal with appeals lodged by farmers following decisions made against them involving, for instance, penalties or disqualifications for their particular claim year, perhaps because they were late in submitting their claim. There is often a tragedy behind those stories, and the scope for a Minister to address that within the boundaries of EU law is often quite limited, but we will have the chance to address it in the future.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): I do not think that anyone will disagree with the Minister about the need to get rid of overt bureaucracy, but on Friday I attended a farmers' breakfast with representatives of the Farmers Union of Wales, and I know that my local farmers fear that they will lose access to their biggest export markets. Over 90% of Welsh lamb and beef goes into the European single market. What assurances can the Minister give that access to that market will remain unfettered following the completion of the negotiations?

**George Eustice:** The hon. Gentleman makes an important point—a number of others have raised it—about the importance of trade. That can be about protecting our standards in respect of the trade deals that we do, but it can also be about access to the European market, which is particularly important for some sectors, notably the sheep sector. That is why the political declaration that was agreed as part of the withdrawal agreement—effectively a heads of terms—sets out the ambition to move to zero-zero tariffs on all goods. That is the approach that we will be taking, as outlined in the political declaration, but it is not dealt with by this particular Bill.

**Jonathan Edwards:** I know I am pushing the boundaries slightly, but was the Minister at all concerned by the comment by the Chancellor of the Exchequer about a week ago that there would be no alignment with European standards? If that is the case, there will be no access to EU markets, will there?

**George Eustice:** The political declaration was very clear, and it is implicit in the withdrawal agreement that we have now put in place that there will be no alignment with EU law. We are seeking agreement on the recognition of equivalence and understandings based on equivalence. It is understood that, yes, there could be some border checks and some additional paperwork, because we will not be aligning with EU law and those rights. I was not alarmed by what the Chancellor said, and I was not surprised by it, as it has been in our manifesto and it is also in the political declaration. I fully support that approach.

**Simon Hoare:** A moment ago, my hon. Friend was setting out the timetable for applying for the new basic payment. Could he, for the benefit of the Committee, set out in a little more detail when farmers can expect to receive those payments, on the presumption that an application has been legitimate and cleared all the necessary hurdles in order to secure that payment? Are we just going to mirror what exists at the moment, or are we going to create something different?

**George Eustice:** For this year, the 2020 year, the payment window will be exactly the same as in previous years. The payment window opens on 1 December. Last year, the 2019 year, we paid around 95% of farmers by Christmas or the end of December, and the latest intelligence I have is that up to 97% of farmers have now been paid. So the vast majority of farmers—well over 90% and probably more like 95%—can expect to be paid in December 2020.

**Fay Jones:** On that point, I have a farmer in my constituency who is still waiting for his basic payment from last year. Rural Payments Wales is in a mess over a degree of payment. Will there be any opportunity, either in this Bill or in the forthcoming Agriculture Bill, to include a measure to allow compensation when farmers' payments are delayed by Rural Payments Wales or the Rural Payments Agency?

**George Eustice:** That is a matter for the Welsh Government. I know that the RPA has had its issues in the past. All paying agencies in all parts of the UK are dealing with an incredibly complex body of law with a complex audit structure around it. As I say, with that being removed, I anticipate that all parts of the UK will find it easier to get payments out in a timely fashion by the end of this year.

I want briefly to touch on some of the other types of rules that are covered by this body of regulation. It sets out all the eligibility criteria—for instance, for common land and how to apply for it. It sets out specific requirements for areas such as the New Forest, which has a separate type of approach. It also sets out all the rules on transferring entitlements. There is a feature of EU law that states that someone can only claim on an area of land on which they have also lodged a so-called entitlement attached to that land, and there is a market in the transferable entitlement. The body of regulation also sets out all the so-called greening rules that were added in the last CAP reform. That includes the crop diversification rules for arable land, which stipulate that such land must have at least three crops. It includes the environmental focus area, which is the calculation someone can apply for their hedges to count towards that area. It lists the types of crops that qualify as leguminous crops for the purpose of the EFA rules. It sets out all the rules on buffer strips, including how wide a buffer strip must be when it is alongside a watercourse, and whether someone is allowed to have arable land or pasture alongside and adjacent to that buffer strip. The list goes on. It lists the types of crops that can count towards the three crop rule. For instance, it stipulates that a cabbage can be deemed to be the same as a cauliflower for the purposes of the three crop rule because they come from the same family. In other cases, it stipulates that certain crops are to be treated as separate.

[George Eustice]

Hon. Members may well be asking why on earth we will be bringing across regulations of this clunky nature. The answer, as I said at the beginning, is to provide clarity and certainty to farmers for this year only. The common agricultural policy, as currently designed, is a bureaucratic quagmire and we have no intention of retaining it for the long term. However, we recognise that evolving from the system that we have to the one that we want will take some years, and in this particular year we are proposing no change at all.

**Dave Doogan** (Angus) (SNP): I am grateful to the Minister for this information and for the insight, albeit at a slightly higher level, about how we are to proceed from the Bill into a future relationship between Government and the agricultural sector. How will he detail the relationship between Government, the devolved Administrations and the industry? Can they look forward to a two-way communication whereby they can have confidence that the Government fully understand the ambitions and pressures in the sector as we develop further legislation?

**George Eustice:** I can say that, for the Bill before us today, we have received legislative consent motions for every part of the UK, including Scotland. It is universally in the interests of every paying agency to have this Bill agreed and on the statute book so that they can pay for this year. Future policy will be a matter for the devolved Administrations, and I know that the Scottish Government will be charting their own course and setting out their own legislation. I know that the Welsh Government, while seeking some provisions in a schedule to the Agriculture Bill, will also now be predominantly striking their own course and making legislation in their own Parliament. It will be very much an issue for the Scottish Government to work with Scottish farmers, but of course we have procedures to co-ordinate around the UK and to set up frameworks where necessary. We also have Joint Ministerial Committees, which I regularly take part in it with my opposite numbers in the devolved Administrations.

**Joy Morrissey:** Regarding tribunals and disputed claims, are we going to set up a temporary agricultural tribunal or legal system to handle the processing of such claims or disputes? For example, there could be disputes over a buffer strip or over payments or claims, or perhaps when a family member of a deceased farmer has to make a new claim. Will a process be put in place as a temporary measure to handle the necessary legal framework?

**George Eustice:** My hon. Friend makes an important point. The short answer is that we have an appeals system in place. We have the independent agricultural appeals panel, which is drawn from agricultural experts, lawyers, land agents and farmers. It is a lay panel, but it hears complaints and legal objections to penalties coming from farmers. Once the appeals panel has made a recommendation, it comes to the relevant Minister, which is me. I have spent seven years dealing with these appeals, and I can reassure my hon. Friend that I leave no stone unturned in ensuring that farmers who lodge an appeal are given a fair hearing and that the issues they raise are taken into account.

**Ben Lake** (Ceredigion) (PC): On the matter of disputes, when it comes to funding allocations between the different Governments of the United Kingdom, how does the Minister envision any disputes on that level being resolved?

**George Eustice:** In terms of our discussions with the devolved Administrations, these are issues that we resolve through the Joint Ministerial Committee. We have frameworks to do that.

I will take no further interventions, because I want to address the other clauses before we move on to other speeches. I am sure that other hon. Members have a great deal to say. Clause 2 applies the provisions in the European Union (Withdrawal) Act 2018 to the direct payments legislation. This is simply about interpretation, to ensure that our courts interpret this legislation in a way that is consistent with that Act.

Moving on, clause 3 contains regulation-making powers for the Secretary of State and the devolved Administrations in relation to the retained direct payments legislation. The parliamentary procedures that apply are covered in schedule 2, which is about the power to make operability changes to correct deficiencies, such as changing the words “European Commission” to “the relevant authority in England” and so on. It is simply about making the particular provisions that are brought across operable. I will address the amendments to schedule 2 when winding up, because the shadow Minister will want to make his points before I deal with them.

1.30 pm

Clause 4 is concerned with the publication of EU law before it is brought across under this Bill. It ensures that the approach taken under the European Union (Withdrawal) Act 2018 to rules of evidence will apply equally to the legislation we are bringing across. It basically means that the law as it exists in the *Official Journal of the European Union* just before exit day is the form of law that is brought across.

Finally, clause 5 is a significant addition that I dealt with on Second Reading. It effectively gives us the power to change the financial ceilings to enable us to implement the recommendations of the Bew review for 2020, which will be of particular interest to those in the devolved Administrations. The Bew review recommended that the Scottish Government should receive an uplift in their allocation consistent with what would have been provided under the so-called convergence uplift when that calculation was run. There will be a similar but smaller payment for Wales. The Bew review also recommended that English farmers and farmers in Northern Ireland should not lose out as a result of the top-up payment made to Scotland and Wales. Clause five is important for those who represent the devolved Administrations, and it gives them the financial uplift that some have been requesting for some time. The Bew review also addressed the dispute over allocations that has been discussed many times.

The other clauses in the Bill mainly relate to the interpretation, extent, consequential transitional provisions and the like. The key issues, as I said, are in clause 1, which is why I spent so long on that particular clause.

**Daniel Zeichner** (Cambridge) (Lab): I am sure the whole House is grateful to the Minister for his extended and detailed account of clause 1. It was a gentle rural

ramble that suddenly finished with a sprint, so a cynic might imagine that the Government have finished drafting their statement on Huawei, but that would be a very cynical view.

The Opposition have of course enjoyed the great interest shown by Government Members this afternoon. After listening to some of the comments, I hope that there have been no misunderstandings, because I think I heard at one point a suggestion that the CAP was going to be used to pay farmers for not producing anything, when of course that is the whole thrust of this Government's policies. I hope that Government Members will look closely at what the Government are suggesting.

The Opposition, of course, support this Bill and the direction of travel, because there is a clear funding gap between the ending of direct payments to farmers under the CAP and the Government's considerably delayed Agriculture Bill, which will set out the new system of payments from 2021. We fully appreciate the need for financial security for farmers in the interim, but we have several continuing concerns about this Bill, because it has been rushed to make up for the fact that the Government have lost the last 14 months to delays and wrangling and have reintroduced the Agriculture Bill just days before we leave the European Union. Unsurprisingly, farmers are anxious, and of course the urgent environmental action that we need at a time of climate crisis is also being delayed.

In this last-minute rush to fill the legislative gap, there have been several missed opportunities and a number of proposals that cut corners on the parliamentary scrutiny of which they are worthy. Our surviving amendments challenge the need for Ministers to take the direct powers included in the Bill by too often using the negative or made affirmative procedure. It was a delight to hear the Minister at one point extolling the virtues of full scrutiny, and I very much hope that he will be able to transfer that thought into support for our amendments.

In clause 3(1)(a), the Government stipulate that the regulations to remedy any deficiencies in EU law being retained in the Bill will be subject to the made affirmative procedure, and so will be decided and implemented without parliamentary debate, which we think is wrong. Clause 6(1) contains a broad Henry VIII power that would effectively allow the Secretary of State to make any regulations they deemed appropriate as a consequence of the Bill—a wide approach that has been made subject to the negative resolution procedure, which allows for no parliamentary scrutiny of the decisions being made. That comes despite the Lords Delegated Powers and Regulatory Reform Committee having said that any Henry VIII power included when changing primary legislation should be subject to the affirmative resolution procedure to allow proper debate.

We appreciate that swift action might be needed in both cases, and we continue to be supportive, but we are simply making the argument, which the Minister made himself, that there should be the opportunity to scrutinise such further regulations properly, which of course is a legitimate role of this House.

With reference to schedule 2, amendment 8 deals with clause 3(1)(a) and amendment 10 relates to clause 6(1), to subject both clauses to the affirmative resolution procedure to allow for proper debate. Amendment 9 is linked to amendments 8 and 10. I stress again that we offer those amendments in a constructive spirit. We want the new Agriculture Bill to work to incentivise a whole

range of public goods in return for public money, but the urgency of the need for this change in our farm payments system cannot come at the expense of unnecessary ministerial power grabs.

Clause 3(8) is a sunset clause, and we think there was a missed opportunity here to allow greater certainty for farmers. The key question that we ask people to consider is the Bill's relationship with the Agriculture Bill and whether we are giving farmers sufficient certainty while we await the passage of the latter. Without prefiguring the discussions around the Agriculture Bill, we know that it will be highly controversial, because we do not see any guarantees from the Government that, in post-Brexit trade deals, they will guard against imports of food produced to lower standards than our own. That is a very big debate—many organisations stressed the point strongly in a letter to the Government at the weekend, and whether there will be a great future for British agriculture depends on the defending of standards. The matter is not likely to be resolved quickly and will likely be a protracted issue in any negotiations with the USA. One would have to be a great optimist to assume that the situation will necessarily be resolved in detail by the end of the year.

**Simon Hoare:** The hon. Gentleman gets to the nub of the argument about equivalence, animal welfare and general agricultural standards. Notwithstanding the fact that the negotiation will be detailed and probably tricky at times, does he take any comfort at all from the words of the Prime Minister, the Secretary of State for Environment, Food and Rural Affairs, the Minister of State and, indeed, other Government spokesmen about the starting point from which they begin, namely that there will be equivalence and that our markets will not be swamped? I represent a very rural constituency, and this matter is a worry for me—he will remember that from previous agriculture Bill proceedings—but I am certainly taking great comfort from what those on the Treasury Bench are saying.

**Daniel Zeichner:** I am sure that we will return to this issue over the coming weeks and months. We hear what the Government say, but the simple way of resolving the matter would be to put something into the Bill, which is what many people would like to see. The point in this context is that we would all agree that this is not easy. It may well take time, and it will be difficult.

Alongside the potential delays, the National Audit Office has pointed to teething problems with the Government's planned environmental land management schemes, which are terribly important to how our rural areas will be supported in future. Added to the 14-month delay to the Agriculture Bill, the Opposition are simply not convinced that everything will be in place for the new farming payment system by the end of the year.

We want to see an urgent shift to a payment system that rewards public goods, environmental protection and welfare standards, but there is a danger of continuing uncertainty for farmers who will have to make decisions in just a few months' time about their plans for the following year. If the introduction of the new payment system is delayed, it is imperative that a continuation mechanism is in place in this Bill.

The new Agriculture Bill proposes powers to extend direct payments in future, so we will doubtless discuss those powers at that point, but the fact remains that, as

[Daniel Zeichner]

we stand here today, that Bill has not even had its Second Reading. We are starting with this Bill, and we believe it would have been wiser for the Government to have re-examined the sunset clause to allow the possibility of extending the provision of direct payments to farmers beyond 2020 in the event of any delay. That would have given confidence and, frankly, would have reflected what many of us think is likely to happen anyway.

**Tim Farron:** The hon. Gentleman is making some important points. As things stand, we are certain that the BPS will begin to be phased out in 12 months' time, and there is a possibility that we will have the environmental land management scheme by 2028. In principle, he and I probably agree that scheme is a good thing but, in practice, it does not yet exist. Does he agree there is a danger that, in the seven-year transition, we will lose many of the farmers we need to deliver those public goods?

**Daniel Zeichner:** I suspect that discussion will continue, but the hon. Gentleman makes an important point. As I said on Second Reading, we have replaced the certainty in the system. The only certainty we have now is of future uncertainty, which makes it extremely difficult for people who are planning ahead.

The Government have expressed total confidence that a further period of direct payments will not be needed. I wonder whether we will be having this discussion again in a year's time. They are absolutely confident that there will be no further delays and, frankly, we hope they are right, but if they are not, I suspect we and others will be quick to remind them of the problems they caused by failing to prioritise safeguards in such an extension.

Another missed opportunity is the exclusion of measures to provide potential compensation to those farmers who have faced, and likely will face, delays to their payments. I cannot help noticing that the hon. Member for Brecon and Radnorshire (Fay Jones) made this point, and I am sure she will happily support us when we return to this topic in future.

Although the Government have rightly lauded the efforts of the Rural Payments Agency to pay farmers on time this year, I am afraid we are all well aware of the previous difficulties, poor performance and delayed payments in its management of direct payments to farmers.

Of course, it is not only about the Rural Payments Agency's past performance. Look at what it is facing now: there is a real risk that it will be diverted by planning ahead for changes next year while we enter this period of uncertainty about our post-Brexit trade negotiations and the complex provisions of the Agriculture Bill. The danger is that we will find late payments building up again at precisely the time when farmers will most need financial certainty. A sensible response to that threat would have been to make provisions to enable farmers to be compensated if they suffered hardship or financial loss because of a delay in payments under this Bill. I hope the Government will duly consider a compensation mechanism for any such delays.

Several hon. Members *rose*—

**The Chairman of Ways and Means (Dame Eleanor Laing):** It is a great pleasure to call the newly re-elected Chairman of the Select Committee on Environment, Food and Rural Affairs, Mr Neil Parish.

**Neil Parish:** I thank Members for reappointing me as Chair of the Environment, Food and Rural Affairs Committee. As I said in my spiel on seeking re-election, my door will always be open to Members on both sides of the House. That was not just a ploy to be re-elected; it is very much my philosophy. I encourage Members to stand for membership of the Committee.

I direct Members to my entry in the Register of Members' Financial Interests.

I welcome this Bill, as it is essential that farmers have certainty for the coming year. Fifty-eight per cent. of farm profitability comes from the basic payment scheme, and we need to make sure that we not only retain those payments. As we look to our trade deals and our future agricultural production, it would be great to see more of our farming income coming from what farmers are paid for their produce, rather than just from support payments, much as we welcome them.

1.45 pm

I thank the Minister for his frank, open and detailed breakdown of the Bill, and I will take this opportunity to consider all the clauses together. I also thank him because, over the years, he has fought hard on various cases of hardship due to farm payments. Of course, he has often been stymied by the rules of the common agricultural policy. I think I correctly interpret what he said, which was that, even in this coming year, he will have a little more flexibility on dealing with this, which is essential.

The Minister's speech was interesting, because I made a claim back in the 1990s under the integrated administration and control system—I queued up at Exeter to get the Ordnance Survey maps—and I saw the complete disaster of that system, which was quickly corrected the following year. We built on that system to get it almost right, and then the next Labour Government came in and changes were made to the common agricultural policy. It went from direct payments for sheep, cattle and crops to area payments and, again, there was another huge problem with the system: delays, delays and more delays. Lessons probably need to be learned from that. We have had our own problems with the system when we were in government, so I am not saying it is all down to the Labour Government. We all have to plead a certain amount of guilt in this process.

I welcome this Bill, but we need to make sure we get the new system right before we implement it. Previously we implemented systems and then tried to get them right. As I have said before, the trouble with the present system is that farmers are always guilty until they can prove their innocence. In a court of law in this country, we are professed to be innocent until proven guilty.

The Minister talked about speaking to the head of the Rural Payments Agency, and a real cultural change is needed. For all the rights and wrongs of the CAP—Europe's system of fines and draconian rules—we now have a chance to make it more flexible. The Rural Payments Agency will need to give farmers more advice, because it is the policeman—perhaps it should now be “policyperson”—and it has previously found it difficult to advise farmers when making those payments. I would like to see that culture change completely, because it is necessary.

**Bim Afolami (Hitchin and Harpenden) (Con):** Does my hon. Friend agree that, on this question of rural payments, many of the changes needed are not just

cultural but ministerial? They do not require extra changes in legislation, so there is an opportunity for the Minister, the Department and, indeed, Members of this House to get things right over the coming months. I have many constituents, as I am sure he does, who complain about the system very much.

**Neil Parish:** My hon. Friend raises a good point. If I interpret the Minister correctly, there will be much more flexibility to look at individual cases and have some discretion. I would like to see that written in blood before I am certain it will happen, as we have had so many problems over the years. My hon. Friend will know that we have had these problems not only in his constituency but across the country, and not for the want of the Minister trying to get this sorted. I believe he will, but we need to be aware of it.

I also welcome the Minister's setting out that the entitlements for claims and all those things will be covered not only under this Bill, but in the new system. Entitlements for making claims have always been a major problem over the years, and as the systems have changed many people have fallen out of the various systems for being able to make a claim and then have had to appeal. Some of those appeals have been allowed, but some have not, and there has been some real hardship in some cases. This issue is important as we move forward.

One Conservative Member made a point about smallholdings, and it will be interesting to see what we do on that in the future, because at the moment we exclude those under 5 hectares from payments. If it is an area payment, I can see some logic to it, because of the number of claims, but if we are to move to a more environmental system, should not some of those smallholders also be entitled to a payment? I accept that that is very much for the next Agriculture Bill, but today's Bill does allow for a continuation of payment and, we hope, some flexibility.

The Bew report recommended changes to the way in which the UK CAP funds are distributed among the UK nations. Following the review, the Government increased the amount of direct payment for Scotland and Wales. I very much welcome the money going to Scotland and Wales, but as an English farmer and someone representing an English seat, I naturally want to make sure that that goes as extra money and not at the expense of those payments coming to English and Northern Irish farmers. I think I have had the assurance from the Minister that that is the case.

**Fay Jones:** Does my hon. Friend agree that farmers in my constituency are at somewhat of a disadvantage, in that the Welsh Government want to phase out direct payments much faster than the UK Government? My local farmers who sit on the border between Wales and England will be looking over the hedge at neighbours who enjoy an awful lot more support from their Government.

**Neil Parish:** I very much welcome my new hon. Friend—it is great to have her here representing Brecon and Radnorshire. She makes an interesting point. I believe we are almost going too fast in transferring from one payment to another, given the history of not always getting these things correct in the first place, and so I would take a bit more time. The Welsh Government are

going faster and that is the wrong way to go, because we have to make sure that the environmental schemes are up and running, and that they are not only delivering for the environment, but delivering cash into the pockets of farmers. I made this point last week when I said on Second Reading that some farmers believe they can replace all the money that comes from the basic farm payment with the new environmental schemes. They may or may not be able to do that. Perhaps some on permanent pasture, upland and grassland might do so, but others might not, and in Wales, that will be piling on the agony if they are not at all careful.

**James Cartlidge:** Obviously, I congratulate my hon. Friend on his re-election success. I very much agree with him that we need a lengthy transition and a stable period as we move to the new system; surely the important thing is investment from farmers, as ultimately we need higher productivity, but in order to get to that they need to have stability in the interim to plan that investment, with security about the outcome, until the new system is in place.

**Neil Parish:** I welcome my hon. Friend's comment, because he is absolutely right. I see a problem in the future, not only with this Bill, but with the future Bill; we rightly talk much about enhancing the environment, but we also talk about the productivity and profitability of agriculture, and we must make sure the two knit together. I am absolutely not convinced that they do at the moment—I am sure the Minister and Government will persuade us otherwise. I accept what my hon. Friend the Member for South Suffolk (James Cartlidge) says, because farmers will not want to earn all their income from environmental payments, and that is not the way forward, so they therefore need to earn an income from what they produce. That is the important bit: how we have a productive agricultural system and a more environmentally based one, and how we incorporate the two. I am sure that we can, and I know the Minister has many ideas, so I look forward to that.

This Bill also deals with the Rural Development Programme for England—the development money that sometimes goes to rural areas; it goes into village halls and all sorts of wider aspects. I take it that the Bill will also cover those sorts of payments for the forthcoming year, because I know that in my area in the Blackdown hills and in others it is very important.

I intervened on the Minister to ask about the issue of our payments to the EU, but I do not think I got a complete answer. He assured us that we will not be making a double payment—the payment we pay to our farmers will not then also be paid to the EU. At the moment, we pay more into the CAP than we receive from it, so, to some degree, we subsidise agriculture across the whole of the EU. As we leave this year, we will not be making that payment to them and so we should be saving money. My question was about that and he may be able to deal with it in his summing up. I do not know whether we have the detail of that yet, but it is essential that we make that saving.

Going back to Wales and Scotland, I very much welcome the extra money there. I am very much looking forward to the Second Reading of the Agriculture Bill next week. One thing that we hope we will be able to do when we get the Select Committees back up and running

[Neil Parish]

is look at detail about how these new schemes are going to work on the ground, and how they are not only going to deliver a better environment and better biodiversity, but allow good quality, high animal welfare production. We very much enjoy that in this country, across the whole of our four nations, and it is essential.

One or two Conservative colleagues might throw up their hands in horror at this last statement. We have to make sure that as we roll out the new system, we take some of the parts of the basic farm payment scheme and the CAP that have worked reasonably well and we do not throw all the babies out with the bathwater. We need to make sure we take those aspects of what is good about the current system and enshrine them in the new one, while making it more adaptable and much lighter on its feet, and changing the culture of the RPA and DEFRA. We have good Ministers and a Secretary of State who will be able to interpret and help farmers into this new world, so that in the end we can deliver a better environment and better food production, and produce more food in this country, not less, and look forward to a bright future. I very much welcome this Bill.

**Deidre Brock** (Edinburgh North and Leith) (SNP): At the risk of repeating myself, I am going to repeat myself. The Bill is needed only as a result of the Tory party's descent into a Brexit fetish. Having to craft emergency legislation to do what was until now normal and routine seems almost a metaphor for the chaos to come. Here we are compensating for a Government who failed to plan and seem surprised that the logical consequences of Brexit are coming to pass. Like those Brexit supporters who have been surprised to discover that the loss of freedom of movement will in fact apply to them, too, the Government seem ill prepared for a future outside the EU.

2 pm

The Bill needs to go through to paper over some of the cracks and allow the business of farming and crofting to go on. No one will oppose it, so I will not take up much time speaking about it. Nor will I do what other Members did in the earlier stages and haver on about matters unconnected to the Bill. I will not, for example, talk about how crofters and farmers will face massive uncertainty at the autumn markets if there are tariff barriers and trade hurdles with the EU. Nor will I lay out the succession of broken promises from one UK Government after another. I will not point out the problems that agricultural businesses will face in importing fertiliser, animal feed, herbicides, pesticides, machinery and so on. Let all those other things wait their turn in the debates on the maelstrom of Brexit consequences. I may, though, mention the purloined convergence cash from time to time, and demand that its return does not simply become a bit of public relations. It should be returned with humility, rather than a fanfare. We can hope, I suppose.

I wonder whether Ministers have had the chance to consider the questions they were asked and failed to answer last week. [Interruption.] Perhaps the Minister could have a wee listen, because I am keen to hear his answers. Those questions came from Members representing a range of parties and a wide geographical spread. The Minister suggested last week that the issue of possible

currency fluctuations had been considered, but he did not offer an answer to the question posed by the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone). Will any drop in the value of sterling see a corresponding uplift in farm payments, to take account of the increased costs of the imported products that farmers need?

In answer to the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), who asked whether there would be a multi-annual framework, the Secretary of State said that the details had not been worked out yet. Surely the basic framework of the scheme is more than a detail. When are we likely to hear the details? The Secretary of State also said that she had yet to decide on basic payments, which have been raised by other Members today. That is the kind of information farmers are likely to be desperate to get so that they can plan their businesses. When will we see the details, or even the outline of them? More importantly, when will farmers be getting news about how much they are likely to get—or some way to work it out?

The Secretary of State said that the division of moneys was yet to be decided; when will we hear details about the settlement for the devolved Administrations? While I am on that subject, let me get back to the convergence funding, because it is important. The convergence funding was payable to Scotland to even out farm payments, taking into account the extent of Scotland's less-favoured areas. Last week, however, the Minister said that

“there will be an uplift in funding for Scotland and Wales to reflect their severely disadvantaged area status”,

and that

“the uplift for Scotland and Wales will be paid for with new funds. There will therefore be no loss to the BPS payments for English or Northern Ireland farmers.”—[*Official Report*, 21 January 2020; Vol. 670, c. 217.]

That means that there is no levelling of payment, Scottish farmers are being short-changed again, and that severe comparative disadvantage to which the Minister referred remains. Will the Minister give assurances that additional funding will come to Scotland—and, of course, go to Wales—to address that imbalance? That is, after all, what the convergence funding was supposed to do.

On the unsettled issue of long-term guarantees, will Scotland's farmers be able to rely on the cash going to Scotland from the Treasury? Will the funding keep pace with the inflationary costs that farmers and crofters will face? It really concerned me earlier to hear the Minister's language on future support. As the English system moves away from providing support for food producers, will the funding available for Scotland's food producers be maintained in real terms? It seems clear to me that the proposed scheme for England will store up some serious long-term problems in food production, without actually delivering on the public goods that the environmental campaigners hope for. That will become clearer as modifications to those public goods are made under the provisions of clause 50 of the new Agriculture Bill, but the ability to provide subsidies for grouse moors and monoculture forests is already written into the first clause of that Bill.

All those will, in the main, be matters for English politicians and campaigners to debate. As the shadow Secretary of State, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said last week, farmers will be asking how it affects them. My concern



is for the effect that the Bill might have on Scotland and Scottish food production, so what guarantees can Ministers offer us today about the security of future funding for Scottish farms crofts and food production? The Bill will not be opposed, but equally those questions will not go away.

**Simon Hoare:** I welcome the Bill for several reasons. First, it provides us all with an opportunity, in this increasingly urbanised media and world, to remind ourselves of the important role that farming plays, not only crucially in respect of food security but, as other Members have alluded to, in respect of landscape management, which clearly assists our tourism sector, and water quality, which clearly affects tourism in coastal areas.

The role that agriculture plays is pivotal. Part of the problem is that a lot of people glean their knowledge or experience of farming and the agricultural sector only from “Countryfile” and “The Archers”, which provide a slightly narrow picture of what it is like. They are both great programmes; they are staple listening and viewing in the Hoare house—and, indeed, where I live, as well. Sorry, I just could not resist. Nevertheless, too many people think that farmers are loaded and that the Bill is just a bung to already wealthy people. Those of us who know farmers, represent farmers and talk to them in our constituencies know that that is very far from the truth.

It is important that in times of uncertainty, as we transition from a 40-year membership of the EU to striking out on our own, we provide certainty where we can. As I said to the Minister in an intervention, arable of course needs certainty, but so too do those sectors where there are greater fluctuations, either in consumer trends, price fluctuation, weather or disease. The lamb sector, beef sector and dairy sector are the mainstays of the Blackmore Vale’s agricultural focus, while the Cranborne Chase in the east of my constituency is more chalk land—

**James Cartlidge:** That’s Cheltenham!

**Simon Hoare:** Yes, chalk land, just like the constituency of my hon. Friend the Member for Cheltenham (Alex Chalk). I thank my hon. Friend for that sedentary heckle. It is more chalk land and therefore is predominantly, although not exclusively, arable.

Certainty is important because we are dealing with long-term planning. Do farmers have the confidence to ask lenders for money to buy a new piece of farm equivalent? Do they have the confidence or certainty to plant a certain crop? Some of my local farmers in North Dorset now grow milling grains for the German beer sector. Some of them are growing white poppies, the stalks of which are exported to Hungary for medical purposes—so that medical opium can be extracted to provide painkillers. If someone is going to put their herd or flock into a growth spurt, and if they want to see them calve and lamb, they want certainty that there is some basic underpinning to their sector. That is what the Bill does, which is why it is to be supported.

The huge scope for agritech is important, and I am certain that we will hear that echoed in the debates on the Agriculture Bill—this Bill and the Agriculture Bill are in effect two sides of the same coin. Again, the agritech sector needs certainty. There are productivity

benefits and environmental benefits to it, so we must make sure that the sector, which is growing and really taking root in the UK, has the confidence to continue.

My final point is with regard to audit. Various Members have probed the Minister about the performance of the Rural Payments Agency and how, effectively, it will look. Some within the agency will be suffering from Stockholm syndrome, and they need to be freed from that and to be able to take a lighter touch. However, in reference to the point about the audit trail made by the Chairman of the Select Committee—I congratulate him on his recent election—we must not throw the baby out with the bathwater. The British taxpayer must be certain that the payments made to farmers are fair, needed and transparent. Therefore, let us make sure that there is a clear audit trail on this homegrown UK system, so that not only British farmers have confidence and certainty, but the British taxpayer has certainty that their money is being put to good purpose to support and to encourage agriculture, that vital mainstay of the British economy.

**Jim Shannon** (Strangford) (DUP): It is a pleasure to follow the hon. Member for North Dorset (Simon Hoare). I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on his re-election as Chair of the Select Committee. He brings a wealth of experience to that position, and we wish him well in it.

I am very pleased to speak in this Bill Committee, both on direct payments and on the commitment that the Minister has given. As always, I am pleased to see him in his place. He understands agriculture, just as he understands fishing, for which he also has responsibility. We look forward to his co-operation with the Northern Ireland Assembly, and particularly with the Minister for Agriculture, Environment and Rural Affairs, Edwin Poots, who is my party colleague.

The agrifood sector is vital to the economy of Northern Ireland, and of my constituency in particular, whether we are talking about milk, beef, sheep, lamb, poultry or arable crops. Sustainability, to which the Minister referred, is critical to enable the agricultural sector to maintain its high food standards, and to gain through its partnership with the manufacturing companies.

**Neil Parish:** I am sure that my hon. Friend agrees that family farms are a structure that is to be found across the whole United Kingdom, but nowhere more than in Northern Ireland. This Bill and the future of agriculture are critical to Northern Ireland.

**Jim Shannon:** I thank my hon. Friend for his intervention. I agree wholeheartedly, and will go into that shortly.

I want to talk about the farmers who do well, the companies that work through them, and the partnerships that are established. Lakeland Dairies, which employs some 260 people, produces milk and powder and exports them across the world. There is also Rich Sauces, Willowbrook Foods and Mash Direct. Those are just four of the companies in Northern Ireland that work in partnership with farmers. Farmers with direct payments enable those companies to produce good products, which they sell across the world.

Farmers in my constituency and in Mid Down are ranked second for milk production across the whole of Northern Ireland. I declare an interest, Madam Deputy

[Jim Shannon]

Speaker: I am not only a member of the Ulster Farmers Union, but a farmer, so I understand the importance to my neighbours of milk and the whole sector. I received correspondence from the Ulster Farmers Union, the sister organisation of the National Farmers Union. I welcomed the announcement from Her Majesty's Treasury on farm funding for 2020, as it delivers on the commitment made by the Conservative party, and by the Minister. It is essential that Northern Ireland's share of UK farm funding is maintained. It is my understanding that Her Majesty's Treasury has confirmed to the Department of Agriculture, Environment and Rural Affairs in the Northern Ireland Assembly that the money will be rolled over from 2019 to 2020.

We hope that DAERA will be able to pay 100% of payments by mid-October. Has the Minister had an opportunity to discuss the nitty-gritty directly with the new Minister in Northern Ireland, and is there an understanding of how we will achieve the things that we wish to?

Getting a new Northern Ireland agriculture policy up and running by 2021 will be very ambitious, but I hope that the Government are up to the challenge. Last week, the Ulster Farmers Union's beef and lamb policy committee met to discuss the priorities for the new Northern Ireland Agriculture Minister. The UFU's hill farming policy committee will meet this week to look at its key priorities. I tell the Minister that because it is important that we work together, and that what is happening in Northern Ireland is mirrored by what is happening here.

2.15 pm

I assume that a key priority is to re-establish the areas of natural constraints scheme, especially now that the flattening of payments is frozen at five sevenths of the commitment. Beef and lamb are key priorities for support. Again, I put that on the record because it is important to the farmers back home. As the hon. Member for Tiverton and Honiton said, we have small farmers in Northern Ireland who depend on the direct payment scheme to enable their farms to deliver profitability. Beef and lamb are key priorities for support. Immediate-use targeted suckler cow payments are needed to stabilise the numbers. We also need immediate examination of the impact of the €100 million beef exceptional aid measure scheme received by Irish beef farmers. DAERA must consider emergency support for Northern Ireland beef producers.

Let me turn to the safety net—the volatility mitigation support. The Ulster Farmers Union requests that a deficiency scheme, or slaughter premium scheme, be established for the Northern Ireland beef sector. A draft proposal has already been submitted to DAERA. I am keen to know whether the Minister has had the chance to look at those things yet, as they will provide a safety net for farm businesses and the rural economy. We need the Minister to be involved with the Northern Ireland Assembly Minister on that.

We also need an immediate new targeted breeding ewe payment—similarly, a roll-over of the scheme in the Republic of Ireland. Such targeted support will contribute positively to sheep welfare. We want immediate re-instatement of DAERA funding for GrassCheck 2020, Beef from Grass and Land from Grass.

The Northern Ireland Agriculture Minister has committed to doing all in his power for the sector, but we also need the Minister's commitment on this. I am pleased to see that in clause 3(2), the Secretary of State must obtain the consent of

“DAERA, if the regulations relate to that body of law as it applies in or as regards Northern Ireland.”

It is clear that the Minister and this Government have given their full commitment to working along with the Northern Ireland Assembly to ensure that these things happen.

The Ulster Farmers Union has concerns that the farming sector in Northern Ireland will fall under EU controls; we would like assurance from the Minister that that will not be the case. We want to be treated the same in every way as the rest of the United Kingdom. Close co-operation between the Ministers in Westminster and the Northern Assembly is vital.

I conclude with a point on the environmental schemes. They are critical if the Government are to meet their target of net zero carbon by 2045. The tree planting, for instance, will result in trees that will become the lungs of the world. The Glenwherry grouse project is sponsored through direct payments, but it also enables the environment to grow and sustain itself, so that it is there for the future.

I very much welcome what the Minister has said. I look forward to working co-operatively with him, and beseech him to ensure that he works alongside the Northern Ireland Assembly. If that happens, we all gain.

**Dave Doogan:** I have very much enjoyed the observations from around these islands in this debate. I would like to reflect on the answer that the Minister gave me, and offer him an opportunity to expand on it a little in his summing up. I asked how Ministers in the UK Government would interact with the agricultural sector; its representative bodies—the NFU and the National Farmers Union of Scotland—and Ministers in the various devolved Administrations on how we take forward the next cycle of developing a post common agricultural policy, post-EU agricultural framework for the United Kingdom.

Although the devolved Administrations have substantive authority and control over many of these issues, they are necessarily subsidiary to the UK. I definitely wish that that was not the case, but in so far as it remains the case, it is incumbent on Ministers to take a co-operative and collegiate approach to setting objectives for developing, and delivering the very best for, our agricultural sector. I would like to hear how the Government intend to do that.

In the Minister's response to a question from the hon. Member for North West Durham (Mr Holden), we heard about the phasing of the changes as we evolve after the common agricultural policy, and about how that phasing would be undertaken. That is a key element of understanding exactly what farmers and representative bodies wish to see. As the Chair of the Select Committee pointed out, there are elements of the CAP that are worth keeping, and the Minister would do well to ensure that he liaises with people on the frontline of agriculture about what those elements are. There must be recognition that although the Bill bridges a gap, it does not give an opportunity for the meaningful transition of long-term planning. Many colleagues across the

House have spoken about the need for investment in capital equipment and machinery because of the changes in the produce of farms. It is important that there is some indication or signposting about transferring and evolving the post-CAP scenario into something that will really deliver meaningful material change for agriculture.

**George Eustice:** I wish to address some of the points raised by hon. Members, including the shadow Minister, who tabled some amendments.

On the claim that the Bill has been rushed, the reason that we need to get it through Parliament now is that we cannot allow an air gap to open up in the application of these regulations. We leave the EU at the end of January. Members will be aware, from what I said earlier, that the scheme year is already open. Farmers are already making decisions about cropping and how much land they must leave fallow. Many of the deadlines are already upon us. The scheme window opens in March, so we must have the legislation in place to ensure that the schemes can be implemented. That brings me to my main point, regarding Opposition amendments 8 and 9 to schedule 2, which would remove the made affirmative procedure. The regulations must be made by exit day so that there is not an air gap. If we waited for the affirmative procedure, these necessary regulations would not be in place in time; there would not be operable law in place. That is why the made affirmative procedure is appropriate for clause 3(1) and (3).

The shadow Minister suggested that we needed a provision to extend the Bill. We do not need such a provision because the Agriculture Bill will replace these arrangements. As far as compensation and late payment penalties are concerned, the simple fact is that we need to simplify the scheme to ensure that people are paid on time, not to have lots of complex remapping. That is what we intend to achieve through this legislation.

*Question put and agreed to.*

*Clause 1 accordingly ordered to stand part of the Bill.*

*Clauses 2 to 9 ordered to stand part of the Bill.*

*Schedules 1 and 2 agreed to.*

*The Deputy Speaker resumed the Chair.*

*Bill reported, without amendment.*

*Third Reading.*

2.24 pm

**George Eustice:** I beg to move, That the Bill be now read the Third time.

I thank the House for the debate on this Bill, which is so vital for the agricultural sector across the UK. I recognise the frustrations that some Members might have had because of the need for the Bill in the first place, given that the Agriculture Bill is on its way. Let me reaffirm that this Bill makes no policy changes; it is about continuity. It is a small, technical Bill to ensure that the Government and devolved Administrations are able to pay direct payments to farmers for the 2020 scheme year. Our future intentions for agriculture in England have been laid out by the Government in our Agriculture Bill, which was introduced on 16 January. We know that farmers need stability, certainty and a smooth transition to our new system of public money for public goods, so we will not switch off direct payments overnight. That would be irresponsible. There will be a

seven-year agricultural transition period, allowing a system of public money for public goods to be introduced gradually.

I acknowledge that the Bill is being passed according to a tight timescale. However, it is imperative that it and the necessary secondary legislation are in place and in force by exit day, which will be upon us at the end of this week. The withdrawal agreement will stop the CAP direct payments legislation applying in the UK for the 2020 scheme year. This was intended so that the UK would not have to pay into the EU's next budget cycle, which funds the 2020 direct payment year.

**Neil Parish:** I am going to try once more to get an answer from the Minister. We will not be paying into the common agricultural policy money that comes back to us, but will we be paying the amount that we paid before, which contributed to the CAP across the rest of the European Union?

**George Eustice:** I am sorry that I was not able to address my hon. Friend's point previously. We will not be contributing to the next multi-annual financial framework or the 2021 budget. Therefore, not only will we not be contributing and getting back money for our farmers—we will pay that ourselves—but we will not be paying into this scheme year for EU farmers, because we will not be contributing to that part of the budget.

I am pleased that the Bill is becoming law so that we can ensure that farmers in each and every part of the UK have the certainty they need as we leave the CAP, and embark on our new and ambitious programme. The Bill has received legislative consent motions from every part of the UK, including Northern Ireland, even though the new Administration formed only recently, and I concur with the point made earlier by the hon. Member for Strangford (Jim Shannon).

2.27 pm

**Luke Pollard:** I thank the Minister for repeating what he said in Committee of the whole House. There is cross-party support for the Bill but, as my hon. Friend the Member for Cambridge (Daniel Zeichner) said, that does not mean that there are not some issues worth highlighting. As I said on Second Reading, I declare an interest in that I am a proud brother of a sheep farmer in Cornwall who farms rare breed sheep and is married to a beef farmer; in fact, they are both based just up the road from the Minister's constituency.

We will not be opposing the Bill, but I need to add the climate crisis to the context that the Minister set out, because listening to the remarks of Government Members there seems to be a slight disconnect between what is in this Bill and the forthcoming Agriculture Bill, and what is in the notes that they are being given to read out. It is really important that we get this right. The Government are proposing moving from a system of supporting farmers via the land they own to a system of supporting farmers based on environmental land management and other environmental public goods. This will be a good scheme if delivered correctly. It is not a subsidy for productivity or food production. After listening to some of the speeches on Second Reading and today, I am concerned that not all Government Members have quite understood this, so I encourage colleagues to consult the recently re-elected Chair of the Select Committee

[*Luke Pollard*]

on Environment, Food and Rural Affairs, to whom I pass on my congratulations; it is always good to see Members from Devon in places of authority.

It is important that we get this right because if we are fighting on the wrong pitch, we cannot do a decent job of scrutinising the biggest fundamental changes to our agricultural system since the Labour Government's introduction of the Agriculture Act of 1947. That is why we need to make sure that this is done properly.

The Minister could address elements raised by his hon. Friends and, indeed, by my hon. Friend the Member for Cambridge, about the future of the Rural Payments Agency. The hon. Member for North Dorset (Simon Hoare) raised some valid concerns about the culture of the RPA. I commend the work of the officials there who have been working under immense pressure not only because of the potential changes to how the CAP has worked but because their budget has gone down from £237.6 million when the Conservatives came to power in 2010 to just £95 million in 2017-18. If we are to change our agricultural system, the culture of the organisations that work in agriculture will also need to change, and that will need to be properly scrutinised and given time to bed in. It would be worth the Minister reconsidering our amendments that would have given Ministers slightly more leeway to look at that.

This Bill needs to be seen in concert with the Agriculture Bill. I appreciate that the Minister said that time is of the essence, and indeed it is, but time has not been of the essence over the past 14 months as Ministers sat on the Agriculture Bill, the Fisheries Bill and the Environment Bill. They have been taking it very easy, with a laid-back and pedestrian attitude. It is therefore somewhat cheeky but appropriate for the Minister to say in this context that parliamentary scrutiny cannot be delivered now because we have taken so long to get to this point. That excuse needs a bit more work, because we need to guarantee that Henry VIII powers are not being used disproportionately. I fear that in this setting they should have been used in a slightly different manner. We do need to get this right.

There are also elements of how we can support rare breeds, and other items that were discussed on Second Reading but were not mentioned in Committee and are still issues of concern for our rural communities—not only for hill farming, which I mentioned before, but for crofters, as raised by colleagues in the Scottish National party. We need to make sure that those specific types of farming are supported in any extension or new form of agricultural support. The Minister has a timeline whereby he wishes to reform agricultural support in the next few years or so, but by loading all the changes towards the end of that process, and not the start, we are giving our farmers notice that there will be considerable changes but not enough time to get it right.

The hon. Member for Westmorland and Lonsdale (Tim Farron) spoke about the importance of the ELM schemes and getting those right. This is a technical detail that I am not sure that everyone has been following. If we are to get this right, it is really important that the ELM schemes are properly scrutinised and given time so that we can not only see what the consequences are but improve them before there is a large-scale roll-out. The farming sector is willing to work with Ministers on

this to get it right. We know that the “public money for public goods” approach is a philosophy that is supported by many in the farming communities, but we cannot have a new philosophy, a new approach and a new funding system implemented too fast without the proper time to bed it in and improve it to make sure that it all works. The Minister is speeding through this Bill when we could have the option of looking at whether the system needs to be extended for a further year in due course.

**Jim Shannon:** On the point about the importance of this transfer, does the hon. Gentleman feel that it is very important in terms of our sheep markets, as the hon. Member for Westmorland and Lonsdale (Tim Farron) said? The hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) referred to the 95% of lamb produce that goes out of Wales. In Northern Ireland the figure is 97%. With the changes coming in, it is very important that we hold on to the markets where we can sell that stuff in the meantime.

**Luke Pollard:** I thank the hon. Gentleman for that comment. This goes to the heart of some of the debates that might transition into our discussions on the Agriculture Bill.

I want us to have a farming system that reflects the climate crisis, taking due cognisance of food miles and the carbon intensity of importing food from one side of the planet to another when our home-grown local produce is of exceptional quality and something that we can be very proud of. Speaking as a west country MP—indeed, the Minister is another—I think we need to recognise that the south-west creates some of the most fantastic foodstuffs in the country. Representatives from right around the country have their own produce that they can be very proud of. British produce is something that we should be very proud of. I encourage all Members to support buying goods with the red tractor logo to make sure that we take steps to encourage consumer behaviour in buying local.

That is really important, because in any future trade arrangements discussed in other legislative vehicles, we need to ensure that our UK farmers are not undercut. It is important that we set out what that means, because chlorinated chicken and hormone-treated beef are of concern to many people. This does not mean that UK farmers will be treating their chickens with chlorine or using antibiotics on an industrial scale as US agriculture does; it means that we will be allowing access to our market for food produced in that way. It is not the chlorine or the antibiotics that are the main concern—it is the fact that they are used in the first place because the animal welfare standards for those animals are so low. We will need to rehearse and repeat this argument as we get closer to Second Reading of the Agriculture Bill.

It is also important to set out that we need a fairer form of farm support that makes sure that our farmers get their payments on time. Improvements have been made but there is still more progress to be made. We need to support our farmers in decarbonising agriculture, partly by allowing our natural habitats to thrive. We must ensure that farm run-off does not pollute our watercourses, as we heard earlier. We must create a system where we are moving effectively and efficiently towards public money for public goods, not a form of farm subsidy.

This Bill completes a technical amendment that the Minister could, should and probably would have made a year ago, if he had been allowed to by the Whips. I am glad it has been done now. However, as we lead up to the Agriculture Bill, we must make sure that we have a system of farm support, and a debate, that is worthy of the importance of the high-quality, nutritious, locally produced, decarbonising food production that all our farmers and, indeed, our voters want to see.

2.36 pm

**Deidre Brock:** I thank the Minister for his contributions, but I was saddened that he chose not to answer any of my questions, so I will just put them on the record once again.

I was certainly waiting for an answer to my question about convergence moneys. Convergence money was supposed to level up—that being the phrase du jour—our support for farmers and crofters across the UK, paid as it was for the extent of less-favoured areas in which they are largely located. Ensuring that Northern Irish and English farmers retain their uplift means that the whole purpose of convergence moneys being awarded has been effectively ignored. I would love to hear what the Government will be doing to address that.

May I ask again what compensation for currency fluctuations farmers and crofters can expect? When can we see the details of multi-annual financial frameworks, the future basic payments, and, very importantly for Scottish farmers and crofters, the settlement that the devolved Administrations will receive?

**Mr Steve Baker (Wycombe) (Con):** I listened carefully to what the hon. Lady said and have taken a moment to digest it. She mentioned compensating farmers and crofters for currency movements. Does the SNP propose to compensate all international traders for currency movements? Could she tell us a bit more about what she proposes?

**Deidre Brock:** We are talking specifically about the payments that are being made at the moment, so I am not really sure why the hon. Gentleman wants to drag in a completely separate subject.

Given the currency fluctuations that are occurring and have of course occurred since the EU referendum and the plummeting of the pound, most farmers would expect that some sort of compensation should be at least contemplated by the Government going forward. That is the extent of my contributions for now, but I hope that at some stage, perhaps during the passage of the Agriculture Bill, some of the questions that I have raised can be addressed by the Minister.

2.38 pm

**Tim Farron:** Adding to comments that others have made, this is undoubtedly necessary legislation and we certainly will not seek to oppose it. It is a small amount of certainty in a sea of uncertainty for our farmers—certainly for mine in Cumbria.

When I speak to farmers throughout the lakes and dales and the rest of south Cumbria, they tell me that their concerns regarding our departure from the European Union are manifold. One undoubtedly is the future of direct payments and the environmental payments that we now refer to as coming under pillar two, but the concern about trade deals is massively significant. Over 90%

of Cumbrian farm exports are to the single market, so a deal is critical. The problem is, of course, that if we are desperate for a quick deal, the chances of us getting a good one are, almost by definition, reduced.

It seems to me that there are three options; I cannot think of a fourth one. Option one is that we align wholly with single market rules, either officially or unofficially, in which case we have lost control, not taken it back one little bit. Option two is that we de-align and increase our standards, as many people say we would, but that will likely mean increasing input costs, making British farming less competitive at home and abroad. Option three, which is most likely, is that we de-align and reduce the standards of our production, meaning that we may be competitive, but we undermine everything that we said we hold dear and everything that our farming community holds dear. I see no alternative to those three options. We need there to be a deal, but the chances are—in fact, the certainty is—that it will not be as good as the one we currently have.

I am glad that the Government are committing to this legislation, which gives some stability and predictability for the next 11 months. While there is a commitment to £3 billion or so a year for the life of this Parliament, we have no clarification about where that money will go. For all its faults, the CAP money that came to this country was restricted for use on agriculture and the environment. If we are making up our own rules, to which there are many advantages, who is to say that the £3 billion that the Government have allotted will not end up being siphoned off to other rural pots? That might be all well and good, but it would reduce the amount of money going into agriculture. In fact, when I questioned the former Secretary of State for Environment, Food and Rural Affairs on that point, he specifically said that he could not promise that all the £3 billion would be spent on agriculture and the environment. I would like the Minister to comment on that. Will all this money be ring-fenced for agriculture spending? There is nothing to force the Government to do that at the moment. It is a likely cut in the money that will go into our agricultural sector.

Over the last 45 years or so that we have been in the European Union and the Common Market before it, we have not had to debate whether it is right to subsidise food, but we do, and if we stop, we will notice. The average spend on food in 1970 was roughly 20% to 25% of household income. Today, it is around 9%. Whether it is right or wrong to subsidise food, we have done so, and choosing not to will have enormous consequences for the lives of every one of our constituents and colossal political consequences. Thinking this through is vital.

We must consider the unintended consequences. As several Members have said, there is an understanding throughout the agricultural community—indeed, across the country—that we should be spending public money on public goods, and I completely support that, but there is great vagueness about that as things stand. For instance, farmers in my community have always opened their doors to local primary schools, so that children can look around, enjoy being on a farm and get a sense of where their food comes from. In the future, will he or she have to formally bid for funding to provide that public good? Are we in danger of getting to a stage where we account for everything and take the heart out of the public role that farmers currently provide willingly and freely?

[Tim Farron]

So many of those public goods are hard to pin down. How do we make a payment to a farmer in Troutbeck, Kentmere, Longsleddale or the Langdale valley to compensate and reward them for the aesthetics of their land—for ensuring that the Lake district continues to be our premier rural tourist destination and the second biggest tourist destination in the country? How do we put a price on that or fund it? These things are massively important and will not be easily done overnight.

We must think about the value that farmers bring to the United Kingdom. In terms of the production of food, we already import nearly 50% of that which we eat. It is so important that we maintain at least what we currently produce and preferably expand our production. Farmers also maintain rare and natural habitats, promote biodiversity and look after our rich heritage landscapes, which underpin our tourism industry, worth £3 billion a year to the Cumbrian economy and providing 60,000 jobs. What about the water management work in the uplands, protecting the towns and villages from flooding? All those things are massively important, and we will have nobody to deliver the environmental goods that we so desperately need if there is nobody working in the farming industry—especially in the uplands—at the end of the seven-year transition period. If we care about the environment, we care about protecting the livelihoods of those people who are there as our partners to protect our environment.

That is why I am so concerned about the Government's plan to start phasing out basic payments from next January, which make up 85% of livestock farm incomes in this country. That is a certainty; it is what they face. It is, if you like, a seven-year notice to quit. For all the benefits that I believe and hope environmental land management schemes will bring, they will not be available to everyone until 2028. That is seven years during which British farming has to hang in the balance. Many farmers will either choose to leave the industry before it gets bad or will go under because it has got bad. If we care about our environment and protecting the public goods that farmers bring to this country, we must do the right thing—I challenge the Minister to do this—and agree not to phase out the BPS until 2028 for anyone until ELMS are available for everyone.

2.46 pm

**Jim Shannon:** It is a pleasure to follow the hon. Member for Westmorland and Lonsdale (Tim Farron), who speaks passionately for his constituents. He talked about the importance of farming to his constituency and the high-quality products that his farmers produce. My farmers in Strangford produce equally high-quality food that goes all over the world. One example is a milk product that goes to Lakeland Dairies and then travels as far as China. The former International Trade Secretary helped to secure a contract with the Chinese authorities worth £250 million over five years for that product. That high-quality produce made in my constituency is so important.

**Sammy Wilson** (East Antrim) (DUP): Does my hon. Friend accept that, while it is important that any payment system to farmers be directed towards protecting the rural environment, it is equally important that there should be no disincentive to produce high-quality food?

**Jim Shannon:** I thank my right hon. Friend for his intervention and agree wholeheartedly with him.

Direct payments have made some really important environmental projects happen across Northern Ireland—projects that probably would never have seen the light of day and that tie into the Government's policies on the environment and climate change. As I said to the hon. Member for Ceredigion (Ben Lake) earlier, it is not possible to stop those environmental schemes, especially where tree-planting is involved, because it is important that a number of organisations continue that work over time. The National Trust has made a commitment to plant trees in 500 of the properties for which it has responsibility. The Ulster Farmers Union and the National Farmers Union are encouraging their members to do likewise. It is vital to ensure that those schemes continue. We cannot remove a tree-planting scheme and turn the land back to agricultural land; it is not possible.

**Ben Lake:** The hon. Gentleman makes a good point. Surely this underlines the importance of ensuring that we get things right now, because as he just outlined, it is not easy to make up for any mistakes that are made.

**Jim Shannon:** Absolutely. The Government and the Minister have ensured today that the regional Administrations in Scotland, Wales and Northern Ireland are part of this project together. It is my hope that, under this Bill as it is coming forward, direct payments can continue. I would like them to continue long beyond that, but this process moves us towards where we need to be.

There is a very important point for Northern Ireland. The Chair of the Environment, Food and Rural Affairs Committee, the hon. Member for Tiverton and Honiton (Neil Parish), referred to this earlier, and I want to conclude with this comment. In Northern Ireland, we have a history and a tradition of small farms. My farm—the farm we have in our family—is only 62 acres. Farms are getting bigger now because they have to do so to move forward, but I think it is really important that this direct payment scheme enables small farms to be viable and makes them sustainable for the years to come. Many, myself included, probably across all of Northern Ireland, were reared on a farm of 60 or 70 acres, with their children going to school, and their whole life was sustained on that. It is really important for the future that Northern Ireland and those small farms can be sustained, be viable and have a future. We wish to have that future within the United Kingdom of Great Britain and Northern Ireland. We do not want to be any different; we want to be treated the same in Greyabbey, where I live, as in Gloucester or anywhere else.

2.50 pm

**Neil Parish:** It is a great pleasure to speak on Third Reading, and to follow the hon. Member for Strangford (Jim Shannon), including to raise some of the points that he made. A point made by those all across the House is that this is a continuity Bill that we very much welcome to keep the payments going as they are. However, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) made the point for the Opposition that the last Agriculture Bill was in the 1940s, after the war, when we were looking to increase the production of food. Later we went into the common agricultural

policy, which spent all of its life increasing production across the whole of the European Union until we got to the 1980s, when we had milk quotas and all sorts of restrictions to try to limit production, and so on. We have seen a whole period of agriculture and food production that has very much been linked to production.

I very much want to raise this point: as we move forward not only with this continuity Bill but with the new Agriculture Bill, we can actually take forward production and enhance the environment at the same time. I have made this point in this House so many times. The countryside we see across the whole of the four nations of the United Kingdom is not there just as God provided it, but is a managed landscape. It is managed by farmers. That is why we can have production, but also have a great environment.

As we talk about carbon and about growing trees, we sometimes forget about the amount of carbon that permanent pasture holds in the ground. If we have permanent pasture, we as humans—I do not want to be too facetious here—cannot actually eat grass, so we do need livestock and red meat production. We also need to look at varieties, species and rare breeds to make sure that we can have a very diverse agriculture in the future.

As has been said, I think there is much to be done, and sometimes we do not realise the enormous nature of what we face. Before I got to this House, I tried to make my living as a farmer. For the whole of our lives, farming policy has been dominated by the common agricultural policy, with 28 countries of the European Union wanting different forms of crops and different types of agriculture. Even if we take sheep production, which across the four nations of this country is very much an extensive form of production, we can see in France that it is a much more intensive form of production. Farmers in France produce their sheep in a much more intensive way, whereas for us it is grassland production, and I think grassland beef and sheep are going to be very important in the future market.

The hon. Member for Strangford raised a point about smaller farmers and family farms. That is where we have to be careful to say that having good-quality, high-welfare, intensive production is not all wrong. We very often say that we have some of the best poultry units in the world, but that is intensive production. As the shadow Secretary of State said, if we compare that with the production that takes place in America, we see that the density of population of chickens is two or three times that of our own, and we see the use of antibiotics in the water as a precautionary mechanism, which we have not used now for many years.

We have spent a lot of time in this country creating agricultural production that is welfare-friendly, reducing antibiotics and making sure that we can deliver high-quality production. What we do not want to see in any future agriculture Bill or certainly in any new trade deal is those high standards of welfare being watered down, including—dare I say—in any mechanism to get a trade deal across the Atlantic. Therefore, it is absolutely key, as we move not only to the continuity of payments Bill but to the new Agriculture Bill, that we do not take our eye off the fact that we need a good trade deal. The point has been raised that, while we are talking about the continuity of payments this afternoon, many farmers out there, especially in the poultry sector, do not actually receive any payments at all. They are very keen on the trade deal that will take place to make sure they can carry on having a living.

As we move forward with the Agriculture Bill and look at the new system of payment, it is important that we in this House do not actually put farmers out of business. We want to make sure that we enhance farming; make sure that farmers can then deliver good-quality agricultural production and can afford to remain in business; and very much make sure that we can deliver the agriculture that we need.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

## UK Telecommunications

2.57 pm

**The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab):** Mr Speaker, with permission, I would like to repeat the statement by my noble Friend the Secretary of State for Digital, Culture, Media and Sport in the other place on the security of the telecoms supply chain.

This Government are committed to securing nationwide coverage of gigabit-capable broadband by 2025, because we know the benefits that world-class connectivity can bring—from empowering rural businesses to enabling closer relationships for the socially isolated and new possibilities for our manufacturing and transport industries. We are removing the barriers to faster network deployment, and we have committed £5 billion of new public funding to ensure that no area is left behind. It is of course essential that these new networks are secure and resilient; that is why the Government have undertaken a comprehensive review of the supply arrangements for 5G and full-fibre networks.

The telecoms supply chain review laid before this House in July underlined the range and nature of the risks facing our critical digital infrastructure, from espionage and sabotage to destructive cyber-attacks. We have looked at the issue of how to maintain network security and resilience over many months and in great technical detail; we would never take decisions that threaten our national security or the security of our Five Eyes partners.

As a result, the technical and security analysis undertaken by GCHQ's National Cyber Security Centre is central to the conclusions of the review. Thanks to its analysis we have the most detailed study of what is needed to protect 5G anywhere in the world, and because of the work of the Huawei cyber-security evaluation centre oversight board, established by the NCSC, we know more about Huawei and the risks it poses than any other country in the world.

We are now taking forward the review's recommendations in three areas. First, in terms of world-leading regulation, we are establishing one of the strongest regimes for telecoms security in the world, a regime that will raise security standards across all the UK's telecoms operators and the vendors that supply them. At the heart of the new regime, the NCSC's new telecoms security requirements guidance will provide clarity to industry on what is expected in terms of network security. The TSRs will raise the height of the security bar and set out tough new standards to be met in the design and operation of the UK's telecoms networks. The Government intend to legislate at the earliest opportunity to introduce a new, comprehensive telecoms security regime to be overseen by the regulator, Ofcom, and Government.

Secondly, the review also underlined the need for the UK to improve its diversity in the supply of equipment to telecoms networks. Currently, the UK faces a choice of only three major players to supply key parts of our telecom networks, and this has implications for the security and resilience of those networks, as well as for future innovation and market capacity. It is a market failure that must be addressed. The Government are developing an ambitious strategy to help diversify the supply chain, and this will entail the deployment of all the tools at the Government's disposal, including funding.

We will do three things simultaneously: we will seek to attract established vendors who are not present in the UK to our country; we will support the emergence of new, disruptive entrants to the supply chain; and we will promote the adoption of open, interoperable standards that will reduce barriers to entry.

The UK's operators are leading the world in the adoption of new, innovative approaches to expanding the supply chain, and the Government will work with industry to seize these opportunities. We will also partner with like-minded countries to diversify the telecoms market, because it is essential that we are never again in the position of having such limited choices when deploying such important new technologies.

The third area covered by the review was how to treat vendors who pose greater security and resilience risks to UK telecoms, and I know that the House has a particular interest in this area, so I will cover the recommendation in detail. The risks identified may arise from technical deficiencies or considerations relating to the ownership and operating location of the vendor. As hon. Members may recall, the Government informed the House in July that they were not in a position to announce a decision on this aspect of the review. We have now completed our consideration of all the information and analysis from the NCSC, industry and our international partners, and today I am able to announce the final conclusions of the telecoms supply chain review in relation to high-risk vendors.

In order to assess a vendor as high-risk, the review recommends that a set of objective factors are taken into account. These include the strategic position or scale of the vendor in the UK network; the strategic position or scale of the vendor in other telecoms networks, particularly if the vendor is new to the UK market; the quality and transparency of the vendor's engineering practices and cyber-security controls; the vendor's resilience both in technical terms but also in relation to the continuity of supply to UK operators; the domestic security laws in the jurisdiction where the vendor is based, and the risk of external direction that conflicts with UK law; the relationship between the vendor and the vendor's domestic state apparatus; and, finally, the availability of offensive cyber-capability by that domestic state apparatus or associated actors that might be used to target UK interests.

To ensure the security of 5G and full-fibre networks it is both necessary and proportionate to place tight restrictions on the presence of any companies identified as high-risk. The debate is not just about the core and the edge of networks, nor is it just about trusted and untrusted vendors. The threats to our networks are many and varied, whether from cyber-criminals or state-sponsored, malicious cyber-activity. The most serious recent attack on UK telecoms has come from Russia, and there is no Russian equipment in our networks. The reality is that these are highly complicated networks, relying on global supply chains where some limited measure of vulnerability is almost inevitable. The critical security question is how to mitigate such vulnerabilities and stop them damaging the British people and our economy.

For 5G and full-fibre networks, the review concluded that, based on the current position of the UK market, high-risk vendors should be excluded from all safety-related and safety-critical networks in critical national



infrastructure; excluded from security-critical network functions; limited to a minority presence in other network functions up to a cap of 35%; and subjected to tight restrictions, including exclusions from sensitive geographic locations. These new controls are also contingent on an NCSC-approved risk mitigation strategy for any operator who uses such a vendor.

We will legislate at the earliest opportunity to limit and control the presence of high-risk vendors in the UK network, and to allow us to respond as technology changes. Over time, our intention is for the market share of high-risk vendors to reduce as market diversification takes place, and I want to be clear that nothing in the review affects this country's ability to share highly sensitive intelligence data over highly secure networks, both within the UK and with our partners, including the Five Eyes. GCHQ has categorically confirmed that how we construct our 5G and full-fibre public telecoms networks has nothing to do with how we share classified data, and the UK's technical security experts have agreed that the new controls on high-risk vendors are completely consistent with the UK's security needs.

In response to the review's conclusions on high-risk vendors, the Government have asked the NCSC to produce guidance for industry. This guidance was published earlier today on its website. The NCSC has helped operators manage the use of vendors that pose a greater national security risk, such as Huawei and ZTE, for many years. This new guidance will include how it determines whether a vendor is high-risk, the precise restrictions it advises should be applied to high-risk vendors in the UK's 5G and full-fibre networks, and what mitigation measures operators should take if using high-risk vendors.

As with other advice from the NCSC on cyber-security matters, this advice will be in the form of guidance. The Government expect UK telecoms operators to give due consideration to this advice, as they do with all their interactions with the NCSC. I hope the whole House will agree that if we are to achieve our digital connectivity ambitions, it is imperative that we can trust the safety and security of our telecoms networks. Risk cannot be eliminated in telecoms, but it is the job of Government, Ofcom and industry to work together to ensure that we reduce our vulnerabilities and mitigate the risks.

The Government's position on high-risk vendors marks a major change in the UK's approach, and when taken together with the tough new security standards that will apply to operators, this approach will substantially improve the security and resilience of the UK's telecoms networks, which are a critical part of our national infrastructure. It reflects the maturity of the UK's market and our world-leading cyber-security expertise, and follows a rigorous and evidenced-based review. It is the right decision for the UK's specific circumstances.

The future of our digital economy depends on having trust in its safety and security, and if we are to encourage the take-up of new technologies that will transform our lives for the better, we need to have the right measures in place. That is what this new framework will deliver, and I commend this statement to the House.

3.8 pm

**Nick Thomas-Symonds** (Torfaen) (Lab): I am grateful to the Foreign Secretary for his statement and for giving me advance sight of it.

I am pleased that the Government have finally set out the conclusions of the telecoms supply chain review in relation to high-risk offenders after far too long a period of dither and delay. As the Intelligence and Security Committee made clear in July of last year, this debate has been unnecessarily protracted and damaging. A decision was required urgently so that everyone concerned can move forward. Our telecoms sector, businesses and households need clarity and certainty to move forward; leaks, rumour and confusion on this simply cannot continue.

The safety and security of our critical national infrastructure is crucial. Robert Hannigan, the former head of GCHQ, has said that decisions about providers should be made on

"technical expertise and rational assessment of risk",

and I agree. It is for the Government to consider the best expert security advice they are given, and act upon it. Ministers should have robustly investigated the risk posed to our critical national infrastructure. I appreciate the confidentiality of National Security Council meetings, but I hope the Foreign Secretary can provide a firm assurance that that is the case.

Guarantees about the safety and security of the network going forward are now absolutely crucial if Huawei is to be involved in building the 5G network. It is for Ministers to make decisions in our national interest now and going forward, and never to be held hostage by shifting transatlantic geopolitics. A rush by the Government to throw themselves into the arms of President Trump to secure a trade deal must not govern everything they do. There is a wider point here. As we assess potential risks to our critical national infrastructure, whether from Huawei or anywhere else, we should ensure that the UK network is constructed in such a way that it is in the best possible condition to withstand attacks, wherever they come from. Resilience in the network is essential, irrespective of this decision or decisions about any other 5G provider. I hope the Foreign Secretary will provide reassurance on that.

Huawei is already embedded in the 4G network, but there is a wider question. After a decade of successive Conservative Governments, we do not have our own capacity to secure our critical national infrastructure and security, rather than relying on other countries. As I think the Foreign Secretary conceded, the UK has been left to choose between just three 5G vendors. What will the Government do to support local manufacturing and our own tech sector in growing businesses that can secure our critical national infrastructure? I have heard his words today about market diversification, but they are not enough. The Government need to act.

5G will have an extraordinary impact on our day-to-day lives. It is transformational, with faster data speeds, higher capacity and faster responsiveness. The majority of our constituents now have access to a large number of smart devices. Every year that number is growing, and the 5G network will have the advantage of being able to cope with that growing capacity. 5G will shape the economy of the future. Innovative technologies of the future rely on its development, and it must progress speedily.

The Government's original announcement that the UK would be a global leader in 5G was back in 2017. The Government also set a target of the majority of the population being covered by a 5G signal by 2027. In his

[Nick Thomas-Symonds]

statement, the Foreign Secretary committed to securing national coverage of gigabit-capable broadband by 2025. Those targets have to be met. The UK is already way too far behind in its digital infrastructure, and we need to act fast. In September 2019, about 10% of premises in the UK—3 million premises—had access to full fibre. In France, 38% of households have access. In Spain, it is 77%. In Portugal, it is 70%. It is simply not good enough. It is letting all our constituents and businesses down, and the Government have to do more.

Moving forward, I would be grateful if the Foreign Secretary responded to the following points. Given the concerns expressed by our Five Eyes partners, if Huawei is to be deemed a high-risk vendor, will the Foreign Secretary again be as transparent as he can be and make clear how the decision will not bring about risk to communication channels that are used for intelligence sharing? Will he explain how the controls on how high-risk vendors are deployed will work? How durable is the barrier between core and periphery in the 5G network, and how will that be overseen? He mentioned the Huawei cyber-security evaluation centre oversight board, and more detail on how that will work would be appreciated.

The Intelligence and Security Committee's statement on 5G suppliers of July last year set out that the Government must assume all worst-case security scenarios and protect the network accordingly. Will the Foreign Secretary confirm that such contingency planning is taking place? Finally, will he also confirm when the world-leading regulations he talked about will be brought before the House?

The public deserve a durable, secure and reliable 5G network for the future to ensure that our economy moves forward. The Government's decision today is a small step in a very long process. They can be assured that we will hold them to account on the delivery of a secure, world-class service for all our constituents.

**Mr Speaker:** Just before the Foreign Secretary answers, and so that Members know where we are, let me just say that I will be running the statement up to 4 o'clock.

**Dominic Raab:** I thank the hon. Gentleman for the considered questions he raises. He is right to do so. We have looked at this issue very carefully. He expressed concern about delay, but I think it was absolutely right that, on such a sensitive decision with such a range of complex considerations, from commercial and infrastructure to security, we took the time to get this right. He called for an objective and rigorous analysis; that is precisely what has gone into this decision through the telecoms supply chain review, the analysis of the National Cyber Security Centre, and the other work that has been done, including by the Huawei cyber security evaluation centre oversight board. As a result, we have a greater level of insight into the challenges and the opportunities relating to 5G—in particular the challenges in relation to high-risk vendors—than any jurisdiction in the world.

The hon. Gentleman asked about intelligence considerations. GCHQ has confirmed categorically that how we construct our 5G and full-fibre public telecoms networks has nothing to do with how we will share classified data. Intelligence sharing will not be put at

risk—and will never be put at risk by this Government. It is worth saying that high-risk vendors never have been, and never will be, in our most sensitive networks. He will have heard the public remarks by Andrew Parker, the head of MI5, who said that he has no reason to think the UK's intelligence-sharing relationship with the US will be impacted, and that the Five Eyes intelligence relationship was the strongest they have ever seen.

The hon. Gentleman asked a range of other questions. The reality is that the decision we are taking today allows us to build on what will be one of the toughest regimes in the world, protecting, and providing the right balance on the protection of, our 5G infrastructure. As I set out in the statement, the Government recognise the imperative to diversify supply. That will involve UK operators making sure that more challengers can come into the market place. It could well involve—this is something we will want to look at—international co-operation with like-minded, close partners, so that we avoid ever having that shortfall of competition and diversity of supply in this country.

The hon. Gentleman referred to the ambitious delivery of the 5G network and full-fibre broadband. That is precisely why we had to undertake rigorous analysis and take the time to get the decision right, and why it is so important to take the right decision, which is what the Government are doing today.

Finally, the hon. Gentleman asked about enforcement. The initial approach will be through guidance, as I explained in my statement. We are committed to bringing forward legislation as soon as possible, but we will make sure we have the robust enforcement to go with the rigorous regime that I set out.

**Mrs Theresa May (Maidenhead) (Con):** I commend the Government for taking a decision that protects our national security but also recognises the interests of our economy. That is right for the UK, because it recognises the construction of our networks and our capabilities, and gives us the toughest regime in the world. My right hon. Friend has already referenced the fact that we never have had, and never will have, high-risk vendors in our most sensitive networks, and the fact that this decision has no effect on our ability to share intelligence with our allies. My right hon. Friend also referenced the current market failure. He set out the steps the UK Government will take to rectify that. Does he agree that it is essential that our Five Eyes partners—all our Five Eyes allies—be willing to work with us and other like-minded countries to ensure the market diversification that is in all our interests in the long term?

**Dominic Raab:** I thank my right hon. Friend, and I pay tribute to the assiduous and rigorous work done under her leadership and by her Government, which has made possible the decision that we make today. I can confirm that, in her words, there will be no impact on intelligence. We seek to continue to work with the Five Eyes on intelligence; indeed, we want to strengthen that relationship as we depart from the EU. Co-operation should also expand in relation to dealing with the shortfall in, and the need to improve diversity of, supply in the telecoms network.

**John Nicolson (Ochil and South Perthshire) (SNP):** The Conservative party likes to brand itself as the party of security, but many will think that this decision is

born out of weakness. It has come about as a result of short-termism and decades of under-investment. The Prime Minister has gone for the cheapest, least secure option, but it does not take a genius to work out why Huawei is so competitive in cost. It is the Chinese Communist party branded as a company, and the Conservative Government have chosen low cost over security. 5G has been described as the central nervous system of a modern society, and every citizen wants to know whether the state itself can be undermined by the decision that the Government have made. But let us be in no doubt: 5G infrastructure from China is not safe. Under Chinese law, every Chinese company is mandated to give whatever help it is asked to give to the Chinese intelligence services, and in secret. That alone should have been enough for the Prime Minister to decide against allowing the company access.

The Secretary of State has said that the company will be limited to 35% market share in the periphery of the 5G network and will be banned from core functions, but anyone who understands 5G will know that that is not how it works. Installing masts, for instance, may seem innocuous, but each antenna has software, which is remotely updatable, and the so-called peripheral access network can communicate. It can contain malware, which these days is tiny and hard to detect. There is a very good reason why countries such as Australia and New Zealand have chosen not to let the company into their markets. I suspect history will judge that their Governments showed more wisdom at a critical time.

The Government have made a choice: low cost over security. It is the wrong choice, and surely the Foreign Secretary must realise that future generations may come to judge his decision harshly.

**Dominic Raab:** The hon. Gentleman questioned the rigour of the decision, but as I set out in my statement, it follows—in fairness to the hon. Member for Torfaen (Nick Thomas-Symonds), he acknowledged this—what has been a very thorough and extended assessment, including the telecoms supply chain review and the analysis on the security side by the National Cyber Security Centre. I am afraid that the hon. Member for Ochil and South Perthshire (John Nicolson) is at odds with all of that analysis, including that provided by the intelligence agencies to the Government. He mentioned some countries that have taken a different decision, but as far as I am aware, New Zealand has not taken the decision that he describes. I am afraid that he is wrong on that count. If he is calling for an outright ban he should say so, and he should also address square on the fact that the analysis that we have received shows that that would not be an effective, targeted or forensic way to address the security concerns rightly identified by the review that we conducted. It would not remove Chinese production from the UK telecoms supply. It would reduce competition, which he suggested is part of the problem, and that would make things worse. It would significantly increase the costs for industry and would delay the roll-out of 5G. On all counts, I say respectfully that he has got his analysis wrong.

**Dr Julian Lewis** (New Forest East) (Con): Do the Government accept something that I had difficulty getting their predecessor to accept—that Huawei should not be regarded as a private company because it is intimately linked with the Chinese communist state and

its deeply hostile intelligence agencies? If they do accept that, as they should, are they confident that the safeguards that will be put in place will be sufficient to guard us against a deeply hostile intelligence agency, such as he implied in his statement we needed to do in relation to Russia?

**Dominic Raab:** As I set out in my statement, we have been very clear that the relationship between any private business and a Government or state operator has been at the centre of the analysis that we and that the National Cyber Security Centre have conducted. Based on the distinction between the centre or core and the periphery or edge, the different restrictions that can be made on access, and the 35% cap on accessing the periphery, I am confident that we can provide my right hon. Friend with precisely the reassurance that he asks for.

**Mr Kevan Jones** (North Durham) (Lab): I welcome the statement and, as a member of the Intelligence and Security Committee in the last Parliament, I can say that I have seen nothing that means that this decision will compromise our Five Eyes relationship, or that the potential risk of including Huawei in the 5G network cannot be mitigated. The Foreign Secretary refers to market failure; this is not market failure. The Chinese Government, through Huawei, have adopted a deliberate policy of dominating the market by billions of pounds of investment in R&D and the acquisition of related activities. Can the Foreign Secretary outline how much the Government are proposing to put into R&D in this sector, and will there be a ban on Chinese companies acquiring UK companies that are developing technologies in the sector?

**Dominic Raab:** I thank the right hon. Gentleman for his positive remarks. We are making sure that we produce legislation as soon as possible that can deal with the various enforcement mechanisms and requirements he mentions. He referred to Huawei and the Chinese investment; the critical question for us is what we do, so we are taking the measures now in relation to guidance, and as soon as is practical in relation to legislation. There is a medium-term piece of work that we need to do to look at the health of the telecoms market and make sure that, both in terms of the domestic measures we take—legislative, investment and otherwise—and the international partnerships that we nurture, we do not end up in that situation again with any other critical piece of telecoms, let alone wider national, infrastructure.

**Mr David Davis** (Haltemprice and Howden) (Con): I will answer the Foreign Secretary's question to the Scottish National party spokesman: yes, I do think Huawei should be banned from our networks. It was founded by a member of the People's Liberation Army. Even if it were not an arm of the Chinese Government, the 2017 law requires that it take instruction from the Chinese intelligence agency. In the future, the size and complexity of the problem we are trying to protect against will be enormous. Huawei alone—forget the rest of China—has tens of thousands of researchers working on this, and I am afraid that the only way to protect our safety is to ban it.

**Dominic Raab:** I welcome my right hon. Friend's scrutiny, as ever. I am afraid I disagree with him because I and the Government do not believe—and, critically,

[Dominic Raab]

the range of analysis that we have had leading into the decision does not back up—the suggestion that an outright ban would be a targeted way of dealing with the legitimate security concerns that we share right across the House and want to address; nor has he, or anyone else who has called for an outright ban, addressed the wider cost, delays and the impact that it would have both on the telecoms sector and, in particular, the roll-out of 5G.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): This statement is a mess, but it is perhaps an inevitable mess, given the Government's lack of investment in our infrastructure and strategic engineering capability, and their short-term, hands-off, cost-only approach to our digital future. Every generation of telecoms technology is the platform for the next, so will he guarantee specifically that every Huawei box will meet interoperability standards so that it can be swapped out for another vendor when one comes along? And what specifically—not in generalisations—is he doing to enable a British-based manufacturer of telecoms equipment so that we are not in this position again?

**Dominic Raab:** On the enforcement side, the first thing that the Government will do is come up with the guidance and requirements for the industry, which I am sure that it will want to comply with. That will be followed very swiftly by legislation to make sure that we have legally binding, thorough, consistent and rigorous enforcement of all the different requirements. The hon. Lady is right to talk more broadly about not just defending against high-risk vendors but building up a wider, more diverse supply of UK-based operators. That obviously requires fiscal measures, international co-operation with our partners and a range of other regulatory considerations. All those are going to be looked at by the Government.

**Penny Mordaunt** (Portsmouth North) (Con): I understand the restriction of high-risk vendors to non-core, but does my right hon. Friend agree that excluding high-risk vendors from any provision is one way that we can discourage companies and states that do not operate under international norms and business standards? That is why this decision is regrettable. Does he agree that this country must never find itself in this position again?

**Dominic Raab:** I pay tribute to my right hon. Friend. I agree with the second part of her question, and I have laid out at length the legal, regulatory and fiscal measures that the Government will consider taking to prevent this from happening. I and the Government do not believe that an outright ban would address in a targeted way people's legitimate security concerns about high-risk vendors. It would be a very blunt tool to address a very specific problem.

**Daisy Cooper** (St Albans) (LD): The Government make a distinction between the core and the periphery, but many people have made the point that as the network continues to integrate, that distinction will disappear. What reassurances can the Secretary of State provide on that? The periphery, where Huawei will be committed to operate, includes radio masts that are used for emergency services, search and rescue and

distress signals, and by 100 community RAYNET—Radio Amateurs' Emergency Network—organisations. What assurances can he provide on that?

**Dominic Raab:** I thank the hon. Lady for those good, focused questions. The core of the network is the nerve centre for our national telecommunications network. It is for the most sensitive functions, relating to things like protecting sensitive data, and that is how we can identify very clearly the specific requirements needed to protect them. The access network—the periphery or the edge, as it is called—is the infrastructure connecting customer devices and equipment to mobile phone masts, transport and transmission networks. There is a clear distinction. She is right to say that technology is fluid and this may change over time, but we are very clear on the functions that we have identified and the way that we are going to protect them.

**Sir Iain Duncan Smith** (Chingford and Woodford Green) (Con): I say to my right hon. Friend that I am deeply disappointed by this decision. I have spoken at length to security officials, who will always say that defending in cyber-security is a game of catch-up—always catching up with the next algorithm change, and we can never guarantee that we spot it sometimes until too late. The reality of the 5G network is that it is fundamentally different. There will be less and less centralised function with more and more going to the periphery, which is exactly where Huawei will be. Given that he did not mention China as a threat to us in cyber-security—he mentioned only Russia—does he now believe that China is a threat to us in cyber-security; as he takes on those threats to us, does he think that he will now drive Huawei out of our future systems progressively, as quickly as he can?

**Dominic Raab:** The Government and the various statements that have been made in relation to the security risks have consistently called out China for cyber-attacks and other nefarious ways in which they risk—[*Interruption.*] I am doing it now, so hopefully my right hon. Friend will be reassured. We are squarely focused on that, but in relation to 5G it is important to assess very specifically, in a targeted way, the nature of the risk and make sure that we have the right tools to deal with that risk. As I said in an earlier answer, the risk of an outright ban is that it is a very blunt tool to deal with a very specific problem, but he is right to say that we have to be very mindful as technology develops in the future.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): In the discussions with the United States over the Huawei decision, did the US Administration make any linkage between our decision and any potential trade deal between the UK and the US?

**Dominic Raab:** I have never had any conversation where that linkage has been made, and nor am I aware of any.

**Richard Graham** (Gloucester) (Con): I welcome this statement, which balances the advantages of world-class telecoms technology with the need to manage complex challenges from high-risk vendors, and I think the Government's acceptance of the restrictions and regulations proposed by the National Cyber Security Centre should give us all confidence. Does my right hon. Friend agree

that, contrary to some media reporting, rather than this decision setting us on a collision course with the US, in fact the UK will be working very closely with US and other Five Eyes partners to develop alternative technologies over the next few years?

**Dominic Raab:** My hon. Friend is right about the challenge we face, but there is also an opportunity, specifically for, but not limited to, the Five Eyes partners, to look at this and see what challenges we face in the future—not just now—and to work collaboratively with business and within government to make sure we never find ourselves in this position again.

**Sammy Wilson** (East Antrim) (DUP): It was probably inevitable that this decision would be made, given the Government's desire—rightly—to roll out 5G and broadband across the UK. The Secretary of State has given assurances today that he will try to ensure that in the future we are not as dependent on foreign technology, but in his statement he said that one of the three areas open to him was to reduce barriers to entry. Does this decision not actually create greater barriers to entry, insofar as Huawei will have a stronger grip on the market and economies of scale and so will be able to keep competitors out of the market?

**Dominic Raab:** If the right hon. Member looks at the range of restrictions—from exclusion at the core through to the 35% cap at the periphery and the specific locations where Huawei will not be allowed access—he will see that we have both struck the right balance in terms of market diversity and protected and provided resilience for the telecoms infrastructure.

**Michael Fabricant** (Lichfield) (Con): Notwithstanding the fact that all our iPhones are manufactured in China by a company associated with Huawei, I want to ask my right hon. Friend about the four 5G networks already under construction in the UK. What action is he taking regarding these existing networks? Will the data being transferred, and where it is being transferred to, be secure in the future? Finally, will the resilience of our 5G networks be maintained?

**Dominic Raab:** My hon. Friend makes a good point not just about new entrants to the market but about those with existing stakes in infrastructure. The guidance and legislation will apply to all of them. There will be transitional arrangements to make sure that those already in the marketplace can adjust, but that will have to be reasonably swift so that we also have the assurance we need around security.

**Carol Monaghan** (Glasgow North West) (SNP): I cannot work out whether it is naivety or arrogance that prevents the UK Government from seeing the high risk presented to our national security by Huawei. This is a company financed by the Chinese Communist party, and we are giving it an open door to our security. How can the Secretary of State provide any guarantee of our future security when software can be updated remotely and technology develops daily?

**Dominic Raab:** The hon. Member is right to point to the fluid nature of technology. We will make sure we have the right regulatory regime. It will be one of the

toughest in the world and, through the technical requirements and guidance, will be able to adapt to any shifts in technology. Inherently technology is fluid, and we will have to keep this under constant review, but we have struck the right balance not just to deal with the security risk we face, which both sides of the House share an interest in addressing, but to make sure we have investment in infrastructure. That is the balance the Government have struck.

**Dr Liam Fox** (North Somerset) (Con): My right hon. Friend is well aware of the high level of anxiety around this decision both here and in the United States. As far as he is able, can he tell us whether in Washington the anxiety is primarily around Britain's ability to mitigate the risk of Huawei involvement in 5G or about giving a green light to other countries that do not have the same capabilities as the UK?

**Dominic Raab:** I suspect that my right hon. Friend has had many conversations with our American partners and friends. We are starting in a different place from the US, which does not have Huawei in its existing networks and can use different suppliers, but I can reassure him of two things.

First, we considered all those aspects during the telecoms supply chain review, which constitutes the most detailed and broad analysis that has ever been done in the world. Secondly, on a number of occasions during the decision-making process we asked the United States whether it had an alternative to the use of Huawei that would work for the United Kingdom, and none of our conversations in Silicon valley or anywhere else identified a solution that would work for the UK.

**Matt Western** (Warwick and Leamington) (Lab): The Secretary of State will be aware that many countries, such as the United States, Australia, India and, I think, Japan, have banned Huawei, but is he also aware that Vietnam is developing its own network? How is it that this country cannot do the same?

**Dominic Raab:** I do not think there is any reason why we cannot, but we must provide the necessary investment and the right market structure and level playing field. We must also engage in some of the international relations, networks and partnerships that can assure us of either a home-grown alternative for the future, or one that is worked out with our most highly trusted partners.

**Bob Seely** (Isle of Wight) (Con): I welcome much of the telecoms review, and I thank my right hon. Friend for the manner in which he is speaking now, but I still think that Members in all parts of the House will have significant problems with high-risk vendors, partly because of years of under-communication about this issue on the part of Governments. Just for now, however, can my right hon. Friend confirm that Parliament will be able to debate an agreed definition of high-risk and non-high-risk vendors, that Parliament will be able to agree which high-risk vendors we want in the system and what the percentage should be—35% seems an awful lot—and that we will be able to work out how to encourage trusted vendors to compete with high-risk vendors in non-core-periphery elements, so that we can build non-trusted vendors out of the system, not into it?

**Dominic Raab:** We have a definition of “high-risk vendor”, but my hon. Friend is absolutely right to suggest that there will be ample parliamentary opportunity to debate and define when we introduce the legislation, which will be done as soon as possible.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I have some sympathy for the Secretary of State, because this is a highly complex area, and I shall certainly want to go away and study his statement in some depth—as will many of our partners and many of the nations with which we trade regularly—but will he answer one question? Much of the emphasis in his remarks has been on national security, and I understand that, but has he talked to people in universities? Has he talked to entrepreneurs, inventors and designers, all of whom know that intellectual property is stolen by the Chinese every time they put it on the internet? They know that the Chinese cannot be trusted, but we would give the Chinese greater access to university research and the businesses that entrepreneurs are setting up. All those people believe that they will lose their intellectual property. Has the Secretary of State thought of that?

**Dominic Raab:** The telecoms supply chain review took extensive soundings and advice from all the sectors that the hon. Gentleman has mentioned. Let me also say that a robust approach to intellectual property enforcement is in no way inconsistent or in conflict with the crucial decision that we have had to take, and have rightly taken today.

**Tom Tugendhat** (Tonbridge and Malling) (Con): My right hon. Friend will have heard the views of the whole House yesterday following an urgent question on this very subject, and it is very hard for me to welcome his statement, but I recognise the position at which he has arrived, given the position with which he began.

Perhaps I can just ask for a little clarity. My right hon. Friend talks about 35%. Is that 35% of the new 5G market, in which case it is an increase, or it 35% of the existing market, in which case it is a huge decrease from where Huawei is now? What we really want to see is a ban, a cap and a cut.

**Dominic Raab:** I thank the Chair of the Select Committee—[*Interruption.*] I am sorry; that may have been premature. I appreciate that there are one or two other candidates who spoke earlier, and I hope that they will forgive me.

The 35% is set out very clearly in the papers. I understand that, effectively, it would be roughly equivalent to the existing market share, but of course it could be changed over time. It is linked with the broader, medium-term challenge that we face, which is to diversify the supply of home-grown and other highly trusted companies—if I can put it that way—from other countries and other jurisdictions. That will ensure that we have a far more diverse supply for telecoms and technology which will contribute to vital national infrastructure in the future.

**Sir Mark Hendrick** (Preston) (Lab/Co-op): I congratulate the Government on a decision that I believe will greatly enhance the digital infrastructure of the UK without compromising the security of our communications

networks. I believe that 5G networks will be greatly beneficial to businesses and individuals and that this will prevent this country from being dragged into a Donald Trump-inspired trade war with China.

**Dominic Raab:** I am not quite sure what the hon. Gentleman’s question was, but we are taking the right decision based on a whole range of technical, commercial and security considerations for this country. Of course we will need to go out and explain our position to all our different partners, but I think that, particularly as we are leaving the EU, it is right that the United Kingdom does the right thing for the people of this country, that we do it in the right way and that we have enough self-belief and the courage of our convictions to stand up and take those decisions. That is what this Government are doing today.

**Crispin Blunt** (Reigate) (Con): May I commend the serious and sober tone in which the Foreign Secretary has approached this issue? I also commend the enormous amount of work that must have been done by the intelligence agencies to re-examine what I understood was the preliminary position arrived at under the Government of my right hon. Friend the Member for Maidenhead (Mrs May). It ought to give us comfort that this decision has been properly examined, but the only body in this House that can properly look at this on the basis of all the evidence is the Intelligence and Security Committee. If that Committee, when it is formed, seeks to examine this decision, may I request my right hon. Friend and the Government to allow it to look at it, within all the restrictions that apply? Finally, in relation to the markets of China, will my right hon. Friend make it clear to the Chinese that we expect reciprocity?

**Dominic Raab:** I am not quite sure which Select Committee my hon. Friend is going for now, but in any event, I can reassure the House that full scrutiny among all Select Committees will be duly provided. He makes some important points about the nature of our relationship with China and the importance of it engaging in good faith when it has access to our market, even though we are rightly taking the measures that I have described to protect any vulnerabilities. He makes an important point about the bilateral relationship with China.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Industry experts indicate that the distinction between the periphery and the core will gradually become redundant. If that is correct, how will the 35% rule that the Secretary of State has announced today work over time?

**Dominic Raab:** The hon. Gentleman is right. I mentioned the approach that the Government will take in relation to the regulatory approach, but the figure of 35%, which will be set down in law, will be able to be amended and revised, so the Government will always have the tools to allow us flexibility to address the risks to 5G and to our infrastructure more generally.

**Mr Speaker:** I call Imran Ahmad Khan.

**Imran Ahmad Khan** (Wakefield) (Con): I was going to ask a question that has now been asked by another hon. Member.

**Mr Speaker:** I call David Morris.

**David Morris** (Morecambe and Lunesdale) (Con): When we go to China, we are told by the Foreign Office that if we take a phone with us, it should be a burner phone that we can get rid of afterwards, because it will be hacked. We are also told to do that by the embassy in China. Can my right hon. Friend confirm that we are utilising Huawei's technology but not its services, whether clandestine or otherwise?

**Dominic Raab:** I am not quite sure what clandestine services my hon. Friend is referring to, but I can reassure him that there is nothing further than the investment that would be accepted, as laid out in the statement I have made.

**Ronnie Cowan** (Inverclyde) (SNP): After 35 years of working in IT and writing and reading many tenders for telecommunications systems, I would never in my life consider a vendor that I judged to be high risk. Why are the Government doing this? Does the Secretary of State really think that the resilience and integrity of UK telecoms is safe? He has said in his statement that "risk cannot be eliminated in telecoms", but we could at least try to mitigate it.

**Dominic Raab:** That is precisely what I set out in my statement.

**Jeremy Wright** (Kenilworth and Southam) (Con): The disadvantage that the House faces this afternoon is that the most important evidence in helping the Government to make these decisions comes from the intelligence agencies, yet almost all Members of the House will not see that evidence. As it happens, I have seen it—or at least a version of it—and I happen to think that the Government are making the right judgment on a difficult subject. Is it not right, however, that we should not allow ourselves, either in this place or in Government, to be distracted by one single supplier? We should not forget that there is American IP in Chinese components, and Chinese components in products sold by vendors who are not Chinese. The most important thing is to protect our supply network from vendors, whoever they may be, in order to enhance our security.

**Dominic Raab:** My right hon. and learned Friend makes an important point about interoperability that was lost in some of the earlier remarks, and he is right in his assessment. On transparency—I appreciate that these are difficult issues for the House to grapple with—we have put as much into the public domain as possible. The telecoms supply chain review's final report was published in July 2019, and the National Cyber Security Centre's analysis is available on its website.

**Justin Madders** (Ellesmere Port and Neston) (Lab): The Foreign Secretary said that measures will be put in place to protect sensitive intelligence data, and in due course his judgment will be found to be correct or not. Given that he has described Huawei as high-risk, my constituents will rightly be asking what protections are in place for their sensitive data.

**Dominic Raab:** The crucial reassurance that I can give to the hon. Gentleman and his constituents is that their data will not be at risk at all because of the geared, leveraged and calibrated set of restrictions, including

the exclusion of high-risk vendors from the core functions—the sensitive network operations—and the various other restrictions, including the 35% cap, on operations at the network level. If the hon. Gentleman looks at the package in the round, he will see that it is the right approach to protect not just the network's resilience, but the integrity of individual data, while also ensuring that we are open for vital investment.

**Damian Collins** (Folkestone and Hythe) (Con): The Foreign Secretary referenced the oversight board's work in his statement. He will know that the board said that there are "serious and systematic" cyber-security issues with Huawei's network in the UK now with "no credible plan" of remedy. Does he agree with the oversight board? Has he seen evidence to suggest there is a plan to put that situation right, or does he believe that it can be managed?

**Dominic Raab:** My hon. Friend is right to reference the flaws and the criticisms that have been pointed out and made in relation to Huawei, but it is precisely because we have the Huawei cyber-security evaluation centre oversight board that we can get the right balance between acknowledging the risks, acting on them, and ensuring that we can proceed with investment decisions that are in the country's national interest.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): The Foreign Secretary talks about Huawei as though it is some kind of Chinese answer to John Lewis, but this is a Faustian pact with the Chinese Communist party, and he needs to be honest about that. On the regulatory aspect, it strikes me that the Government are getting things the wrong way around. They are going to introduce what he referred to as a robust regime for telecoms regulations, but surely that should come before giving a green light to allowing something as dangerous as Huawei into the 5G network. What if the new regime decides that what the Government have just greenlighted is too dangerous? Is there an opportunity to stop it?

**Dominic Raab:** With respect, I do not think that anyone has described John Lewis as a high-risk vendor. The reality is that the Government announced last July one of the world's toughest regimes for telecoms security, so that work is already in train. It will require operators to raise their security standards to combat the range of threats—whether cyber-criminals or state-sponsored attacks—and we will ensure the legislation contains the full panoply not just of powers, but of enforcement mechanisms.

**Sir Bernard Jenkin** (Harwich and North Essex) (Con): I cannot say I welcome this decision, but I understand it. However, what harsh and honest lessons will the UK Government take from finding themselves confronted with this dilemma? This Administration and, indeed, the previous Administration inherited the problem from a long way back. Does it not represent a massive strategic national failure and, indeed, a failure of western strategy that the Five Eyes have been left in this position? How will we learn those lessons? Will he set up a post-hoc review?

**Dominic Raab:** I entirely agree with my hon. Friend. I think I expressed in my statement that this was a failure of the market, but he is also right to say it is a failure of

[*Dominic Raab*]

Government and, indeed, a failure of western Governments. We have set out a whole range of things that we will do—fiscal measures, regulatory measures, international collaboration—to ensure that we never find ourselves in this situation again.

**Andrew Griffith** (Arundel and South Downs) (Con): I commend my right hon. Friend for his thoughtful and calibrated proposal. As someone with first-hand experience of building and operating broadband networks at scale, may I ask him to consider phasing the introduction of the share cap over a number of years to allow time for the industry to respond?

**Dominic Raab:** My hon. Friend has particular expertise in this area. We can consider the cap and the issue of phasing at the point of legislation, but it is important that we take these measures as swiftly as possible to show we have a decisive fork in the road that is able to meet the challenges of both investment and security.

**Steve Brine** (Winchester) (Con): The logic of what the Foreign Secretary says about the limited choices is that if he could make this decision on roll-out without Huawei, that is exactly what he would do. As he addresses the domestic telecoms market and the market failure—let us be honest, it is a domestic market failure—will it be possible for us to ease out this high-risk vendor, or will we be in too deep? Is it only for the future that he is addressing that failure?

**Dominic Raab:** My hon. Friend makes a very good point. No, it would not just be for the future. The reality is that with a 35% cap, which could be changed over time, and with the investment initiatives we need to take in order to diversify supply, we should start to grapple with the domestic challenge as soon as possible—I cannot give him a precise date—as well as considering what we do afterwards in regulatory terms. The reality is that the more trusted home-grown supply we have, the less we will need to rely on high-risk vendors.

**James Cartledge** (South Suffolk) (Con): In debate after debate in this Chamber on the economy, hon. Member after hon. Member rightly laments this country's long-standing failure to raise its productivity. There are serious security concerns, which my right hon. Friend has addressed pragmatically, but does he agree it is hard to think of a single measure more likely to raise our productivity than the early and comprehensive adoption of 5G?

**Dominic Raab:** My hon. Friend is right. Those who advocate an outright ban need to come out and defend what that would mean, first, for security—because it would not be a targeted response to the security challenges we face—and, secondly, for investment due to the delayed roll-out of 5G.

**Damian Green** (Ashford) (Con): The National Cyber Security Centre has today published a document online saying that the reasons behind the 35% limit on Huawei's involvement in parts of the network are subtle. That is one adjective; another one might be “arbitrary.” Will my right hon. Friend explain the reason for 35%? Over what timescale does he want to drive down that number?

**Dominic Raab:** My right hon. Friend is right to say it is a balanced consideration, and the two key factors that have informed the 35% figure are the need for diversity of supply in the market and the need to ensure the security of the network. The quicker we can bring more trusted homegrown alternatives into play, the swifter we can review the 35% cap and reach the point at which we reduce our reliance on high-risk vendors. That is the equation we are addressing.

**Simon Jupp** (East Devon) (Con): Can the Secretary of State confirm that any decision to ban Huawei outright would result in possible trade retaliation by China?

**Dominic Raab:** There would be that risk, but it is not the basis on which the decision has been made. We have looked at the evidence and consulted partners across the board, and we have come to the right decision for the United Kingdom both on the issue of investment in 5G and, critically, on the right focused approach to protect our infrastructure.

**Richard Drax** (South Dorset) (Con): Bearing in mind that we are under constant cyber-attack by China, I am baffled by this decision. As I understand from all the commentators, it is very hard, or impossible, for 5G to distinguish between core and periphery. If the Government give access to the periphery, China will get to the core. That is what we are hearing. Surely this is a major threat to our security.

**Dominic Raab:** With respect, I disagree. The core, and certainly at present it is tangible enough to identify, is the nerve centre of the telecommunications network. It is the most sensitive set of functions, such as protecting sensitive data and making sure the network as a whole keeps running. The periphery—the edge, so to speak—includes things like transport and the transmission network, which are important but do not have the same level of critical sensitivity. That is the basis of our decision and our approach today.

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): Digital connectivity is vital for my constituency, and for other rural and semi-rural constituencies such as mine. The Foreign Secretary mentioned mitigations. What further reassurances can he give my constituents and our international allies that our digital infrastructure will remain secure and safe?

**Dominic Raab:** I thank my hon. Friend for that. I can give him and his constituents the reassurance that we have taken the right decision to make sure we can roll out 5G and have our ambitions for levelling up right across the country, at the same time as protecting our infrastructure from the high-level risks where they particularly are targeted and focused.

**Mr Jonathan Djanogly** (Huntingdon) (Con): Given what I have heard today, I accept the sense of the Government's position. However, on drafting a contract with Huawei, would it not make sense, as far as the British public are concerned, that if there were to be a breach of national security, Huawei should pay for the replacement, not the British public?



**Dominic Raab:** I agree with the spirit with which my hon. Friend spoke. Of course, if there were that kind of breach, it would almost certainly be a criminal offence, not just a contractual issue. What I can reassure him is that the legislation will set out all the recourse that would be had against the operators.

**Alun Cairns** (Vale of Glamorgan) (Con): For me, there are two key issues: the technology and security challenges, on which my right hon. Friend will have received advice from the UK's and even the world's leading authorities; and the political fallout. What assessment have he and the Government made about the impact of this decision on the politics with some of our international partners?

**Dominic Raab:** I thank my right hon. Friend for that. We have taken a sensible, sober decision based on rigorous analysis, and we will rightly defend it as such with whoever is interested to know the basis for the decision. Equally, there is an important piece of work to do, as hon. Members have expressed, in relation to making sure that we and other Five Eyes partners do not find ourselves in this position again.

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): I welcome my right hon. Friend's statement, but he must recognise that there are considerable fears about this decision. In order to allay those, will he run a Government information campaign to deal with the technical issues—the oversight by the cyber-security centre, and the difference between the core and the periphery—and to detail the stringent worldwide regulatory powers he is going to put in place?

**Dominic Raab:** I thank my hon. Friend, and we will certainly look at both those points.

**Rob Butler** (Aylesbury) (Con): Having heard the considerable concerns both inside and outside this House today, will my right hon. Friend assure me and my constituents of one simple thing: the Government will always prioritise national security and heed the advice of the security services on our critical national infrastructure?

**Dominic Raab:** I assure my hon. Friend that that is precisely what the Government have done in this decision.

## Criminal Law

**Mr Deputy Speaker (Mr Nigel Evans):** With the permission of the House, we will debate motions 2 and 3 together.

4.2 pm

**The Parliamentary Under-Secretary of State for Justice (Chris Philp):** I beg to move,

That the draft Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2019, which was laid before this House on 14 October 2019, in the last Session of Parliament, be approved.

**Mr Deputy Speaker:** With this we shall consider the following motion:

That the draft Criminal Justice and Courts Act 2015 (Consequential Amendment) Regulations 2019, which were laid before this House on 14 October 2019, in the last Session of Parliament, be approved.

**Chris Philp:** It has been 47 days since the general election, and these measures deliver on a crucial manifesto commitment. Taken together, they will ensure that the most serious violent and sexual offenders spend two thirds of their sentence in jail, rather than half their sentence, as is currently the case. By making this change, we both protect the public and ensure that justice is better done. We protect the public because while someone is in prison they cannot commit any further offences, and we will be increasing the length of time they spend in prison. Secondly, this change will build public confidence in the justice system in general and the sentencing regime in particular.

**Sir Desmond Swayne** (New Forest West) (Con): Would the public's confidence not be served if prisoners served the sentence that was delivered in court, rather than this fabrication whereby the sentence is announced and everybody works out on the back of a fag packet what it actually means for the sentence that will be served? Why go for two thirds, up from a half—why not have the sentence that was delivered in court by a judge served?

**Chris Philp:** There are provisions, which I shall explain in a moment, to make sure that many of the most dangerous offenders serve all of their sentence in jail, but for many offenders the sentence has two parts: the part served in jail and the part supervised on licence following their release from jail. Together, those two parts make up the sentence. Moving the release point to two thirds for the category of offences we are talking about will make sure that more of an offender's sentence is served in jail and less of it is supervised under licence. For certain categories of serious offender, as my right hon. Friend mentions, there is a legitimate public expectation that more than half the sentence will be served in prison, rather than automatic release happening at the halfway point. As the Minister responsible for sentencing, I get quite a lot of correspondence from the public and from victims of crime asking why some very serious violent and sexual offenders are released at the halfway point, which is what currently happens.

Let me be clear what this debate will not cover. The regulations do not cover serious terrorist offenders, who will be dealt with separately in a piece of primary legislation that we intend to bring forward shortly to

[Chris Philp]

honour a manifesto commitment. Nor will we cover the wider issues to do with sentencing, which we will consider via a sentencing White Paper and sentencing Bill later this year.

**Tom Tugendhat** (Tonbridge and Malling) (Con): I am grateful to the Minister for setting out the timetable that he sees going forward. He knows that I have been campaigning hard for Tony's law and longer sentences, in honour of Tony Hudgell, a child who was brutally attacked by both of his birth parents and left with severe injuries. When does the Minister think his legislative programme might get to that?

**Chris Philp:** Victims who feel that a sentence is unduly lenient currently have a 28-day period following sentencing to apply under the unduly lenient sentencing scheme to the Attorney General, who can then make a reference to the Court of Appeal. On a review of sentencing more generally, which may well include the tragic case to which my hon. Friend referred, the sentencing White Paper that will come forward a little later this year, followed by a sentencing Bill, will provide my hon. Friend and other colleagues with an opportunity to raise issues that go beyond the matters we are considering today. I will of course listen carefully to this debate, in which colleagues from all parties may raise issues that can feed into the sentencing White Paper.

One topic that the sentencing White Paper will certainly deal with, although we are not dealing with it today, is short custodial sentences, which are not particularly effective at stopping reoffending. The White Paper will address that, and in particular it will make proposals to do more to treat the causes of offending behaviour, particularly drug and alcohol addiction and mental health problems, which are often the cause of high-volume repeat offending. Short custodial sentences do not deal effectively with that cohort of offenders, but that is not the topic of the regulations; it is a matter we will come to in the forthcoming White Paper and sentencing Bill.

**Dr Julian Lewis** (New Forest East) (Con): I am grateful to the Minister for giving way again. May I offer a refinement on the suggestion made by my constituency neighbour, my right hon. Friend the Member for New Forest West (Sir Desmond Swayne)? We understand why one wants to give prisoners who are serving a sentence an incentive to behave well in jail, but that could be achieved without this upset of the public perception that someone is getting a longer sentence than they are really getting. Prisoners could be given the sentence that they are going to serve, with the expectation that if they misbehave, it can be extended by a certain amount, rather than their being given a sentence that they can reduce by a certain amount if they behave themselves in prison. That would avoid the perception among the public that the Government are trying to con them into believing that the sentences being imposed are more severe than we all know them to be in reality.

**Chris Philp:** I thank my right hon. Friend for his intervention. I should make it clear—I will explain this in a bit more detail in a moment—that the standard determinate sentences under discussion today have an automatic release point. The current release point, at

50% of the sentence, is not contingent on good behaviour; it is automatic. We are proposing to move that automatic release point to two thirds as a first step, but, of course, there are other things that we could do in the area that he has just mentioned. Examining and investigating the clarity of sentencing decisions and how the public understand them are certainly matters that the sentencing White Paper and sentencing Bill can properly look at, and I am very grateful to my right hon. Friend for raising that.

What today's regulations do is to take a very specific area where we can act quickly and immediately, rather than waiting for the larger and wider piece of work to be done later in the year. Of course, as part of that piece of work, we might well choose to go further than is the case today, but here is an area where we can act quickly and decisively and deliver on a critical manifesto commitment just 47 days after the general election.

**Huw Merriman** (Bexhill and Battle) (Con): During the election period, when I was delivering leaflets, a young lady caught up with me and talked to me about her experience at the hands of somebody who had treated her absolutely heinously. She was with her friend, who was a constituent of my hon. Friend the Member for Hastings and Rye (Sally-Ann Hart), and it was her father who was the perpetrator. He was given a sentence of 18 years for those heinous crimes. The two felt that justice had been done until they found out that he would serve only half of that sentence. They told me that that had contributed to them feeling that justice had not been done. The Minister wrote to me very sympathetically when I took up the case. I absolutely support these changes, but can we have some solidarity in this place for people who do not feel that justice has been served because they have watched their perpetrator serve only half of their sentence?

**Chris Philp:** I thank my hon. Friend for raising that case once again. I completely agree with the sentiment that he expresses. When a perpetrator of a serious offence automatically gets released only halfway through their sentence, victims very often feel that justice has not been done. Today's regulations are a small first step in addressing the wider problem to which he refers. We can and we will return to the wider question and see whether we can go further via the White Paper and sentencing Bill later this year. This is very much a first step in the direction that my hon. Friend and other hon. Members have mentioned.

**Alex Chalk** (Cheltenham) (Con): I understand entirely the logic behind these proposals, but what analysis has been made of the impact on the prison population and how many further places, if any, will be required?

**Chris Philp:** I would expect nothing less from my hon. Friend than a forensic and detailed question. In fact, I do have those figures. Perhaps it would be worth going through the details of how this scheme will operate and the consequential impact on the prison population and other matters. In answering his question, let me start by defining exactly what offences are in the scope of today's regulations. We are talking about the offences appearing in parts 1 and 2 of schedule 15 to the Criminal Justice Act 2003, which could attract a life sentence. They include offences such as rape and grievous bodily harm

with intent. Currently, there are three types of sentence that might be handed down for those offences. The first, which is for the most serious offences, is a life sentence with a tariff—the tariff is the minimum amount the offender will serve, after which they are eligible for release by the Parole Board at its discretion. The second type of sentence—the next most serious—is for offenders deemed by the judge to be dangerous. That is called an extended determinate sentence. For those offences, the prisoner is eligible for release after two thirds of their sentence, subject to Parole Board discretion. After release and after their prison sentence, they are subject to an extended period on licence.

The third type of sentence—the type that we are going to talk about today—is a standard determinate sentence, for which somebody is eligible for automatic release at the halfway point, with no involvement from the Parole Board. Those are the sentences that most concern the Government, and on which we are acting today.

Let me turn to the numbers. In 2018, just under 6,000—5,862 to be precise—sentences were handed down that met the criteria I have just laid out. Some people online have suggested that, mostly, these are extended determinate sentences and that today's regulations will therefore make very little difference. That is categorically untrue. Of those 5,862 sentences, only 90 were life sentences and 243 were extended determinate sentences, but 4,735—81% of those sentences—were standard determinate sentences with automatic release at the halfway point. The vast majority of those sentences for very serious crimes had automatic release after only half the sentence. Some 84% of rape convictions had a standard determinate sentence. That means that 84% of incarcerated rapists were eligible for automatic release at the halfway point. We take the view that that is simply not right.

**Daisy Cooper** (St Albans) (LD): The Minister has outlined that this applies to rapists, and to those accused and found guilty of grievous bodily harm.

**Chris Philp:** GBH with intent.

**Daisy Cooper:** Yes, GBH with intent—so we are talking about incredibly violent criminals. But the Government's own assessment of these proposed laws says that they could increase prison overcrowding, introduce significant costs and lead to increased prisoner violence. The gravest risk, however, is that prisoners spend more of their sentence in prison and less time on release with a licence, which could actually lead to an increased risk of reoffending. Although we are all sympathetic to the victims of crime, who may feel like justice has not been done, we absolutely must not introduce an increased risk of violence and reoffending after offenders finish their term. Instead of talking tough on crime, will the Government follow the evidence and do what is necessary to prevent crime and reduce reoffending?

**Chris Philp:** Ensuring that this cohort of prisoners stays in prison for a bit longer does serve the public interest and public safety, because they cannot commit further offences while they are in prison. Under these measures, they will still spend a third of their sentence on licence. Of course, there is an opportunity for people to take part in rehabilitative activity while they are in prison. There will be an impact on the prison population, which I will outline in a moment, as my hon. Friend the

Member for Cheltenham (Alex Chalk) asked the same question. We are making provisions to ensure that places are available so that meaningful rehabilitative work can take place, but this is about preventing crime by ensuring that serious offenders are in prison for a bit longer, and ensuring that victims' rights are respected by making sure that the time served in prison better reflects the sentence handed down by the judge.

**Gareth Johnson** (Dartford) (Con): The Minister is being generous in giving way. I welcome today's announcement because it injects an element of honesty into our sentencing system, and reduces confusion and frustration among victims. Will he be absolutely categorical that this is part of a process and not an event in itself—that is, will we see further occasions where such measures will be rolled out so that there can be more justice for the victims of crime?

**Chris Philp:** My hon. Friend has been a tireless campaigner for victims' rights and ensuring that justice is done. I can give him the assurance he is asking for. This is just a first step. The sentencing White Paper and Bill later this year will have the scope to go further and take wider action across the sentencing field. I look forward to working with him and other colleagues in this area.

**Wera Hobhouse** (Bath) (LD): Will the Minister give way?

**Chris Philp:** How can I resist an intervention from the hon. Lady?

**Wera Hobhouse:** I am grateful to the Minister.

It is important that victims get justice, and that it is seen that justice has been done, but the Liberal Democrats worry about the language that is being used, because there is not enough emphasis on rehabilitation. Will the Minister come forward to point out how effective rehabilitation is actually going to work—in addition to tougher sentences, if that has to be the case?

**Chris Philp:** The hon. Lady makes a fair point. Sentencing and more time in prison for serious offenders is very important, for the reasons that other Members have outlined, but rehabilitation is important as well. She will be aware that private community rehabilitation companies did some of that work, and that it is now being brought back in-house to be provided by the National Probation Service. She will be heartened to hear that the probation service and the Prison Service will be receiving significantly extra money in the next financial year, much of which will specifically address the matter of rehabilitation.

Let me outline in more detail exactly what this first step entails. I have defined a cohort of offenders and a cohort of offences. For standard determinate sentence offenders, we intend to apply the later release measure, in order to increase the amount of the sentence served from half to two thirds, where the sentence passed down is seven years or more. That applies to about one third of the 4,735 standard determinate sentences that I referred to earlier, so this measure will apply to 1,450 offenders per year, based on the 2018 figures. To be clear, of the 1,450 offenders affected directly by this measure, 30% were convicted of rape, and a further 30% were convicted of causing grievous bodily harm

[Chris Philp]

with intent—very serious assault. We will make sure that those rapists and serious violent offenders spend two thirds, not half, of their sentence in prison.

My hon. Friend the Member for Cheltenham asked about the prison population. These measures will start to bite in about three and a half years' time, because any sentence in the categories that I have described handed down from 1 April this year onwards will have the later released provision applied, so it will take 50% of three and a half years, minus time on remand—just under three and a half years—for these measures to start affecting the prison population. The impact assessment, which I see that the hon. Member for St Albans (Daisy Cooper) has in her hand, shows that as a result of this measure, by March 2024, there will be an uplift in the prison population of 50, but by 2030, there will be 2,000 extra prisoners in the prison estate.

The Government are already taking action to increase the prison estate—action that will include accommodating the extra 2,000 prisoners that this measure will create. We are building 3,500 additional prison places at Glen Parva, Wellingborough and Stocken, and in the 2019 spending review, just a few months ago, the Government committed to building a further 10,000 new prison places. The Minister of State, Ministry of Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), is working hard on planning for those extra 10,000 places. In fact—this is very timely—she is at this very moment arriving in the Chamber. She has clearly been busily working on those extra 10,000 places as we have been speaking.

**Victoria Prentis** (Banbury) (Con): Of course, what really matters to victims is that there is not reoffending, and that we are able to rehabilitate prisoners while they are in prison. The Minister was talking about rapists. Can he assure me that Horizon and Kaizen, the new sex offender training programmes—although they are no longer called that—are actually effective, and that we will have sufficient numbers of staff to deliver them to the new prisoners who will be spending longer inside?

**Chris Philp:** As always, my hon. Friend raises an extremely pertinent point. I can confirm that these programmes will be a focus both for Her Majesty's Prison and Probation Service and, of course, for Ministers at the Ministry of Justice. As I said, the Prison Service and the probation service will see significant increases in funding next year as a consequence of the 2019 spending review settlement, and material amounts of that funding will be applied to the programmes that we are providing.

In addition to the extra 10,000 prison places that my hon. Friend the Minister has been working on, we are spending an extra £100 million on prison security, and in the next financial year alone—the one due to start in a few months—we will spend an extra £156 million on prison maintenance. That is on top of the extra 4,581 prison officers who were recruited between October 2016 and September 2019. The Government are acutely conscious that the increase of 2,000 in the prison population needs to be catered for. Plans are in hand to do that, as well as to ensure that appropriate levels of resource are dedicated to rehabilitating those extra prisoners.

**Kate Green** (Stretford and Urmston) (Lab): I apologise for coming in late, Mr Deputy Speaker; I was at another meeting. What assessment has been made of the likely rates of reoffending among the prisoners who will be released after longer custodial sentences? There is a quite widespread view among penal campaigners that longer custodial sentences will not be as effective at rehabilitation as rehabilitation in the community. In looking at the long-term need for prison places, what assessment have the Government made of reoffending rates among these particular individuals?

**Chris Philp:** Of course, the longer that is spent in prison, the more opportunity there is to deliver rehabilitative services. If we look at reoffending rates in general, they are worse for people serving short prison sentences, which is why I mentioned the importance of focusing on treatment of mental health and addiction problems as an alternative to short custodial sentences. We do not have precise reoffending figures for the cohort we are discussing today, but for broadly these kinds of offenders serving sentences of four to 10 years, that is the closest proxy I have been able to find. The one-year reoffending rate is about 20% at present, but of course we would like to do more work to reduce that.

The second statutory instrument before the House is a technical one, designed to ensure that consecutive sentences are dealt with in the same way as the non-consecutive sentences that I have described. These measures deliver a manifesto commitment in just 47 days and show that this is a Government who will act, not delay, and who will build public confidence in the justice system and protect the public. I commend these measures to the House.

4.25 pm

**Imran Hussain** (Bradford East) (Lab): I want to deal first with the second measure to which the Minister referred, the Criminal Justice and Courts Act 2015 (Consequential Amendment) Regulations 2019, which is a technical instrument to ensure that the measures in the Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2019 will extend to those serving consecutive sentences. It amends what would effectively be an inconsistency in sentencing, and we will not oppose it.

I turn to the Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2019, which will probably be the main subject of our debate. The Government's stated objectives for the order—to increase public safety and public confidence in the sentencing regime—are ones that the Opposition fully share. I am sure that there is absolute agreement across the House with the principle that serious and dangerous offenders who pose a risk to the public must serve sentences that reflect the severity of their crimes and keep the public safe. On that basis, we will not oppose the order, but we have some issues.

The Government have not demonstrated why this change is the best way to protect the public. On the evidence that we have been presented with so far, we feel that the case for supporting this order has not been made. This Government have been in power for almost 10 years, and over those 10 years, if they had possessed the desire or drive to increase the public's confidence in the sentencing regime, and, most importantly, to protect the public, they could have taken action to do that.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): The hon. Gentleman is talking about reoffending rates. May I remind him that the reoffending rate for young males under the last Labour Government was 70%?

**Imran Hussain:** I am grateful to the hon. Lady for her intervention, but the fact of the matter is that in the last 10 years, this Government have enacted policies that at best ignore the impact on public safety, and at worst actively undermine it. Cuts to the police service have led to frontline police officer numbers being slashed and to forces being under-resourced elsewhere. My police force in West Yorkshire has had its budget cut by £140 million since 2010. We have seen cuts to the Prison Service; prison officer numbers have fallen by a quarter between 2010 and 2015, which has left many of our prisons—including high-security prisons—being staffed by inexperienced officers. We have seen an ill-advised decision to break up the probation service, with catastrophic consequences—something that the whole House now accepts—and just days ago, we were found to be leaving the public less safe as a result of under-staffing and overloading with casework.

Prosecution and conviction rates for serious offences have stalled. That has been driven by these cuts to important services that work to keep reoffending down and the public safe. Most alarmingly, prosecution and conviction rates for the offence of rape have fallen by 32% and 26% respectively in a year, creating a situation that women's groups say effectively amounts to the decriminalisation of rape. Reoffending rates across the whole range of offences remain stubbornly high, with proven reoffending rates for sexual offences fluctuating at about 14% between 2006-07 and 2016-17. The figures for violence against the person offences have increased from 20% to 26%.

Under this Government, the public are less safe. Faced with such a record, we and the public should rightly be sceptical when the Government talk about cutting crime and keeping the public safe. To try to correct their abysmal record and create an impression that they are tough on crime, the Government have brought forward this order, but even they know that it will not be enough to overturn the problems that they have created. Taken on its own, it will increase neither public confidence nor public safety, and it is far from the silver bullet that the Prime Minister would like to praise it as being.

Throughout this process, the Government have consistently failed to make the case for the order and its implementation. As their own impact assessment and explanatory note point out, judges already have powers akin to the ones set out in this order for dangerous offenders. They have the ability to hand down extended determinate sentences, which not only require an offender to serve longer in custody, but are subject to the double lock of the requirement that the parole board be satisfied the offender is no longer a danger to the public before they are released. Conveniently for the Government, however, Ministers seem to have been remiss in telling the public about that when talking about the action they are taking.

Instead of the Government bringing in such measures without properly making the case for them, and without showing evidence that supports their proposal, they should get serious and tell us how they will reduce the

rampant overcrowding and violence in our prisons; how they will increase the quality and availability of real, purposeful activity both in prisons and in the community; how they will deliver an effective probation service that is not hampered by the Government's failed privatisation agenda, which has proven so disastrous; and for non-violent and non-sexual offenders, how they will deal with the number of ineffective super-short sentences that their own evidence, in the report the Ministry of Justice published last year, shows lead to more people becoming victims of crime than if effective alternatives were used. The Minister accepted that earlier.

**James Daly** (Bury North) (Con): Does the hon. Member agree that letting violent and sexual offenders back on the streets after they have served just half their sentence is clearly letting victims down?

**Imran Hussain:** Let me remind the hon. Gentleman that I made it absolutely clear at the beginning that we are in full agreement that serious and dangerous offenders who pose a risk to the public must serve sentences that reflect the severity of their crimes and keep the public safe. The point we are making—I will go on to make it, if the hon. Gentleman will allow me—is that this is a missed opportunity. Quite frankly, there are so many underlying issues that are not being addressed, and as I have said, the order will not single-handedly achieve the objectives mentioned.

We are concerned about the additional pressures that the order will place on an already overstretched Prison and Probation Service. That point was made by the hon. Member for Cheltenham (Alex Chalk), who does not appear to be in his place now, but is a learned Member and comes with some experience. The probation service, without sufficient places or staff, will be forced to do the same level of rehabilitative work with offenders after their release, but in the shorter time before the end of their licence period.

The Government have not made the case for this order. To do so, they could have brought forward a comprehensive plan to deal with the additional burden the order will place on our already overstretched Prison and Probation Service—evidence shows that is the most effective way to protect the public—but they did not. We urge the Government to look into and address these issues, and to ensure that prisons have the investment and support they need to meet the needs of their existing population.

The Government must also ensure that the forthcoming changes to the probation service see it better funded and better supported, so it can return to being the award-winning service, protecting the public, that it was before the Conservative party made the disastrous decision to break up and part-privatise probation. The Government must ensure that the Parole Board is sufficiently respected and resourced to deal with release decisions for the most serious offenders and keep the public safe.

This order is ultimately a missed opportunity for the Government. It is a missed opportunity to bring forward a comprehensive and evidence-led sentencing reform package that would make the changes necessary to reduce the number of victims of crime, and to begin to allow the public to regain confidence in our crumbling justice system.

**Brendan Clarke-Smith** (Bassetlaw) (Con): Will the hon. Gentleman give way?

**Imran Hussain:** I am just concluding now; the hon. Gentleman has missed his chance to intervene.

This order is also a missed opportunity to set out measures that will increase public safety, such as boosting the resources available to the probation service, retaining experienced prison officers and returning our prisons to safe staffing levels, and increasing the availability of real, purposeful activity and rehabilitation programmes in prison and in the community. Instead, we see this piecemeal, headline-seeking approach from the Government, which does not address the crisis in our justice system.

Fundamentally, the Government have failed properly to make the case for this order, by failing to demonstrate that it is the most effective way to keep the public safe and protect victims of crime. We will therefore not support the order this afternoon.

**Several hon. Members** *rose*—

**Mr Deputy Speaker (Mr Nigel Evans):** Order. As we can see, a lot of Members want to speak in what is a very short, time-limited debate, so we will have to introduce a time limit right from the very outset of four minutes to ensure that as many get in as possible.

4.37 pm

**Lucy Allan (Telford) (Con):** It is a pleasure to see you in the Chair, Mr Deputy Speaker, and I congratulate the Front-Bench team on bringing forward this measure today. It is a real delight to be standing in this place, welcoming and supporting it with open arms, and there is a very good reason for that.

This issue has affected my constituents very deeply. They have had to live with the consequences of the early release of a serious sexual offender just five years after he received a 22-year sentence for his role as a ringleader in a Telford child grooming case. He was convicted of controlling child sexual exploitation and trafficking for the purposes of child sexual exploitation, and the victims were as young as 13. This was organised child rape with a profit motive.

The impact on the victims and their families and our wider community was such that I began to campaign assiduously for the very measure before us today. I approached many Ministers in the course of this campaign and I do not have time to pay tribute and give thanks to all of them today, but I would like to say that my right hon. and learned Friend the Lord Chancellor and Secretary of State for Justice and of course the Prime Minister have done a fantastic job in leading the way on this issue; as the Minister rightly said, they have done so very early in this Parliament, having promised that they would. It is a proud moment to be standing here to welcome this legislation.

In December 2012, an eight-week trial led to a grooming gang-leader being handed down a sentence of 22 years, of which 14 were to be served in custody and eight on licence. The victims had been put through the ordeal of an adversarial court case and had been rigorously cross-examined on their testimony and character, and they felt that it was a price worth paying to know that justice had been done. The community was able to breathe a sigh of relief, and victims and survivors and their families set about the process of rebuilding their lives. In this case, however, without it even being considered by the Parole Board, the offender was eligible for automatic early release just five years after the case had been

sentenced. It was because the 14 years in custody was cut in half to seven years and he had already been two years on remand pre-trial. The reaction locally was one of shock and disbelief. There was a sense that the system had once again failed those who needed it most. The victims felt that their experience had been trivialised and demeaned, and the community felt afraid that the offender would return to Telford and still be a risk to the public.

No one in Telford could understand how this had happened and I had no answer to give them. How could victims of serial child rape begin to rebuild their lives if the system failed to recognise the seriousness of the offences committed against them? Yes, there was anger, but the overriding sentiment was: “The people in charge don’t care about us. We’re nothing. If the system doesn’t work for people like us, what is the point of having a system at all?” It made a mockery of justice. There was absolutely no confidence in a system that could trivialise such serious crimes.

What was particularly troubling in this case was the concept that the offender who had committed such crimes was going to be released on licence, and that we should simply expect that he would adhere to his licence conditions and therefore custody was not necessary. He did not adhere to his licence conditions and, fortunately for my community, he is now back in prison for a serious breach of those conditions—indeed, so serious that he is now serving all 22 years of the original sentence.

It is absolutely right that the Government have taken such prompt action on this issue. I thank all those involved in prioritising it. It was in the manifesto and it was in the Queen’s Speech. My constituents are deeply grateful, as I am. It restores trust and confidence in our justice system, and sends the right message to victims of sexual violence.

4.41 pm

**Sarah Champion (Rotherham) (Lab):** May I also say that it is wonderful to have you back in your rightful place, Mr Deputy Speaker? I would also like to express a huge debt of gratitude to the hon. Member for Telford (Lucy Allan), who has done so much work to champion this cause.

It must be a core purpose of the criminal justice system to provide victims and survivors with a sense that justice has been delivered. For that to be achieved, survivors and their families need to feel that the punishment is commensurate with the crime. The all-party group on adult survivors of childhood sexual abuse, which I chair, last year conducted an inquiry into survivors’ experiences of the criminal justice system. We worked with nearly 400 survivors, many of whom found the pursuit of justice to be confusing, arduous, and, at times, traumatising. Despite the lifelong impact of abuse, many survivors did not feel as if the sentence given to their abuser in any way reflected the severity of the crime that they had committed. Discussing her abuser’s sentence, one survivor said:

“What’s two years? My sentence has been 46 years and counting.”

Commenting on what they felt was a lenient sentence, another survivor said:

“It is a slap in the face for the victim. What message does that send to people thinking of reporting a crime? Why put the victims through years of mental anguish when a lenient sentence is the outcome?”

It is undoubtedly important to victims and survivors of serious sexual offences that sentences are meaningful and proportionate to the impact of the crime, and that they are served.

I am pleased that today's statutory instrument in part addresses this issue, but more work needs to be done. Looking specifically at the law on double jeopardy, there appears to be a contradiction in the Government's approach to defining serious sexual offences. For this statutory instrument, a broad list of serious violent and sexual crimes is provided under schedule 15 of the Criminal Justice Act 2003. However, the Government have a far more restrictive list of serious offences that can be retried in the event of new evidence, otherwise known as double jeopardy. They are listed under schedule 5 of the 2003 Act and do not include the offences of sexual assault of a child under 13, sexual activity with a child, or causing or inciting a child to engage in sexual activity. These are certainly very serious crimes and there can be no doubt that children who experience non-penetrative sexual abuse experience significant trauma as a result. Does the Minister agree with me that all forms of child abuse should be recognised as a very serious offence? Will he commit to review the law on double jeopardy, with a view to including all sexual offences committed against a child?

I would like to touch briefly on support for survivors of sexual violence and abuse. Time after time, survivors told our inquiry that they felt discarded at the end of the justice process. Few were referred to appropriate support services, and those that were described long waiting lists and limits to the therapeutic sessions available. The Government have a rare opportunity to address this crisis in their spending review by creating a cross-departmental strategy and fund for responding to child abuse.

Finally, longer sentences will not make the changes we want unless they are underpinned with safeguarding when the offender is released. Too often, survivors tell me that they have no knowledge of their offender being released until they find out on social media. It is a serious concern that little to no effective rehabilitation is carried out in prisons, but on release good work is done by charities such as the Circles projects and the probation service, but those are both under resourced. The Government also need to invest in early intervention when perpetrators first show inappropriate behaviour so that it does not escalate. All that takes funding and will, and I urge the Government to prioritise those for all our sakes.

4.45 pm

**Sir Robert Neill** (Bromley and Chislehurst) (Con): It is a pleasure to follow the hon. Member for Rotherham (Sarah Champion) and my hon. Friend the Member for Telford (Lucy Allan), who both made important points about the need to safeguard the interests of victims. In relation to the measure itself, I think most of us recognise that the objective is an entirely laudable and proper one. It is right that there is confidence in the sentencing process for the general public, and it is right that those who commit the most serious offences should receive condign and appropriate punishment, so I do not have a problem with supporting this measure.

There is no great magic in two thirds, as opposed to a half. What this measure does is to take the situation back to where it was when I started in practice at the

Bar before 2003, and that was certainly the feeling among professionals at the time, when it was changed from two thirds to a half. That was largely done as a matter of presentation, because it enabled the then Labour Government to suggest that they were reducing the number of prisoners. What we have failed to do for many decades is to actually invest in prisons, so I hope that, at the same time as we make sure that we have proper levels of sentencing for those who commit serious offences, we will invest in our prison estate, which—as the Justice Committee has pointed out in several reports—suffers from grave overcrowding and, in many cases, from a serious degradation in the physical fabric of the buildings, and for that reason is often not able to deliver the rehabilitative work that we all wish to see. As Lord Garnier said in the other House when this was debated, it is not the magic of two thirds as opposed to a half that is important; it is what we do with people when they are in prison.

The other thing that we need to tackle—and I know the Government are determined to do this—is to ensure we get down our stubbornly high rates of reoffending. Our rates of reoffending are markedly worse than many of our near neighbours' rates. I do not think that is because the British population are inherently more inclined to commit crime than those of the Netherlands or Scandinavia; it is because we have not historically made enough, perhaps nuanced, use of imprisonment to turn lives around.

I recognise that the Chancellor of the Duchy of Lancaster, my right hon. Friend the Member for Surrey Heath (Michael Gove), when he was Lord Chancellor, started an ambitious scheme to make sure that purposeful activity, rehabilitation, re-education and changing lives around were key parts of our prison strategy. I know that the current Lord Chancellor shares that view, and I hope that we will see the rest of the package of justice measures advance that side of the equation too, so that we get that balance right, which includes tough sentences where they are warranted and which the public has confidence in; good, positive, constructive work with prisoners while they are inside to make them less likely to offend when they are released; and robust alternatives to custody for those who do not perhaps present a physical threat, but have often got into criminality because of drug addiction, mental health issues and a raft of other matters that are better tackled much earlier, by early intervention.

I hope that we will not lose the opportunity to have greater transparency and simplicity in sentencing, which has become complicated even for judges, as I know from experience. Of course there is a Law Commission enabling measure in the other place, under the special Law Commission procedure, to lay the ground for a codification of sentencing. That will be a welcome step and something that the Justice Committee has urged the Government to do. I hope the Minister will be able to take that on board too.

4.49 pm

**Dehenna Davison** (Bishop Auckland) (Con): I am grateful for the opportunity to speak in this most important of debates. Out there, there are countless victims of some of the most serious crimes—rape victims, GBH victims, the families and loved ones of manslaughter victims. My family and I fall into that last category, as I

[Dehenna Davison]

have previously mentioned in this place. In my case, a line from Lois McMaster Bujold's 2002 novel sticks with me:

"The dead cannot cry out for justice. It is a duty of the living to do so for them."

It is our duty to ensure that justice is done for the victims of the most heinous crimes. For those victims and their families, it can be difficult to feel that justice can ever be served in an appropriate and proportionate way. That is why sentencing is so crucially important. I can remember sitting in court at age 14, listening intently to proceedings—if I thought I had nervous butterflies on election day, they were absolutely nothing compared with that.

On the road to recovery from a severe criminal court case, the delivery of the verdict is the first hurdle. For victims and families who do hear a guilty verdict, the second hurdle is the delivery of a sentence. When a sentence feels too lenient, it can leave a victim or family feeling lost and drifting, with justice not having been done and no real way to move on. We must always support victims by ensuring that the sentences that are delivered are proportionate and sufficiently serious.

The third hurdle to recovery is what this debate is focused on: the point at which the sentenced perpetrator is released from prison. I still remember the day that my nan saw my dad's killer for the very first time after he was released after just 18 months, and the anger, frustration, confusion and sheer grief that flashed across her face, especially when he raised a glass to her as we drove by, which was a real clincher. This experience is shared by far too many, with victims feeling severely let down by the current automatic halfway release point.

What is the purpose of a prison sentence? There are several. The first is to protect the public from the offender. The second is to ensure that victims feel that justice has been done. A serious offender serving just half a sentence does not provide victims and victims' families with that sense of justice. The third is to act as a deterrent for future offences, but the existing automatic halfway release gives a sense of leniency, which means that it does not necessarily act as a deterrent in the way that it should. The fourth and final purpose of a prison sentence is to provide an environment in which offenders can be rehabilitated. For serious offences, it is not perverse to assume that such rehabilitation could be a lengthy and complex process. By ending the automatic halfway release from prison, these changes will also ensure that the most serious offenders have more time with specialist support in prison to rehabilitate them and prepare them for release into the community. Of course, it is right that they will still be subject to strict conditions on their release.

In the manifesto that we were elected on with a substantial mandate, we vowed that we would introduce tougher sentencing for the worst offenders. Like other colleagues have said today, I had some reservations about moving the goalposts from an automatic halfway point to two thirds, because for some victims this may seem like it is not enough. However, I was really encouraged to hear the Minister talk about this as the first step that our Government can achieve quickly to begin to deliver on that election promise at the earliest possible opportunity. I will certainly follow the sentencing White Paper with close interest to ensure that victims are represented fully

in the legislative process. I support this statutory instrument as a step towards proving to victims that we are on their side.

4.53 pm

**Dean Russell** (Watford) (Con): I applaud my hon. Friend the Member for Bishop Auckland (Dehenna Davison) for making such a powerful speech.

In Watford, I have had many emails and conversations over the past few months where people feel that there has been a creeping, pervasive shift away from the victim towards the perpetrator—that the victim is no longer put first, but the perpetrator is. That feeling causes not only great frustration, but an awful lot of fear for many people. They feel that people have decided—often it is a decision, whether that is in a moment of passion, pre-planned or an ongoing situation—to do the wrong thing and yet the victim, who had no choice, is the one who is not looked after and cared for. Sentencing is a really clear part of the law of the land, which needs to be upheld. When we look at the length of the sentences that we give to criminals who have decided to do the wrong thing, we should be saying to them, "There is a very clear consequence of your actions and that consequence will be delivered upon." Giving people half a sentence is not the right way to go, so I applaud the Government for saying in the SI that we need to fulfil more of that sentence—ideally, I would say the whole of it, but that is just me going a bit further.

In looking at the criminal justice system, of course we have to look at rehabilitation. We also need to look at pre-offending provision, such as education to stop people getting into this situation, and particularly for things such as knife crime, we need the right facilities, from community centres to education, to support that, so that we do not have children and young people getting into a life of crime, especially violent crime.

On this specific SI, we have to carefully consider the victim's voice, listen to them and include them in the ongoing conversation, because as we heard from my hon. Friend the Member for Bishop Auckland, these crimes are not one-off moments, but affect victims and their families over the ripples of time, forever, but too often that gets forgotten.

We must also remember the police in this process. I have been out with them and talked to them. They put so much work into catching criminals and do so much paperwork. They are out there trying to catch these people. What message does it send to them when they have caught them if we say, "Hey, you've caught them, but in a few months or years, we're going to cut their sentence". It is an injustice in itself. It must also be incredibly demotivating for our hard-working police forces and the families and victims when the offenders are told, "You've done okay, so we'll release you early".

In conclusion, I applaud the Government for introducing this SI. It is the right thing to do. Rehabilitation and pre-offending education are key, but please let us put victims first and show the nation that we are the party and Government to keep this country safe.

4.56 pm

**Laura Trott** (Sevenoaks) (Con): It has been a long journey to get sexual assaults, in particular, treated as among the most serious offences in the justice system, so I welcome the changes in the statutory instrument.



Standard determinate sentences are given out for minor offences but also for the most serious. Having no distinction in the automatic release trigger point between the two is clearly an injustice that needs to be rectified. When implementing this change, we must ensure two things. First, some prisoners who carry out the most serious crimes should not be automatically released at all; rather, their release should be reviewed by the Parole Board and covered by rules applying to extended determinate sentences or sentences for offenders of particular concern. The statistic, which the Minister highlighted, of 84% of rapists being given standard determinate sentences is one of concern, but one I know he will look at in the sentencing review.

The proportion of sex offenders who reoffend within a year is 14%. As part of the sentencing review, we should look at how a judge assesses whether someone represents an ongoing danger to the public and whether a standard determinate sentence is appropriate at all. Regardless, it is important when we introduce this change that we do not inadvertently reduce the use by judges of the ability to categorise offenders as dangerous and therefore necessitate Parole Board involvement. Undoubtedly some prisoners will still pose a danger to the public after two thirds of their sentence is complete and therefore will not be suitable for standard determinate sentences, regardless of these now being more robust. That is obviously not the intention, but we should monitor the change to make sure that it does not have this effect on sentencing decisions. Over time, we should also reduce the use of standard determinate sentences for sex offenders in general.

Secondly, the driving force behind these changes is to help victims have greater confidence in the criminal justice system and to keep offenders off our streets. The fear of meeting attackers again continually comes up among victims in my constituency and in victims surveys. These changes will help immensely with that and give victims time to deal with their horrendous ordeals. We will have the chance later, however, to go further, particularly on licensing conditions. At the moment, victims have to request that no-contact conditions be included as part of their licence. We should consider making that automatic over time. It would help to relieve the burden on individuals.

To conclude, it is important that we keep these changes under review—we must make sure that the most serious offenders go before the Parole Board and are not let out automatically—but this SI is right. It is a necessary and welcome step forward for victims of the most serious crimes.

4.59 pm

**Bim Afolami** (Hitchin and Harpenden) (Con): I support the statutory instrument, and in doing so I support not just the Minister, but the strength of the voices in favour of it on the Conservative Benches.

This statutory instrument is really about three things. It is about delivering on our promises, it is about public safety, and it is about community cohesion. I want to focus on the third.

We talk about crime in two ways, I was very moved by what my hon. Friend the Member for Bishop Auckland (Dehenna Davison) said about the impact on individuals of serious violent crime in particular. However, although we tend to talk only about the impact on those individuals,

there is also an impact on families and communities. Safe streets and safe communities are not the sufficient, but the necessary conditions for a productive, thriving, worthwhile life. Unless you, your family and your community are safe, you cannot bring up your family; unless you, your family and your community are safe, you cannot go to school, go to work and get on in life. That safety is fundamental to everything. I echo the words of my hon. Friend the Member for Watford (Dean Russell): this Government, and indeed any British Government, must ensure that the British people feel and are safe, because that is the foundation of everything else that we talk about in this Chamber.

It is a shame that the hon. Member for St Albans (Daisy Cooper) is no longer in the Chamber, because I want to take on the argument—I admit that it came not from the Labour Front Bench, but from the Liberal Democrats—that spending less time in prison is somehow safer, over either the short or the long term. I believe that that argument is a poor one, and is not borne out by any evidence.

Of course the rehabilitation of prisoners needs to be improved. I think that the Minister, indeed everybody, understands that, and the Government are working hard on it: for them it is a major priority. As was pointed out by my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), investment in our prison estate also needs to be improved. However, if prisoners spend more time on release when they are dangerous, and there is evidence that they are dangerous because of the offences that they have committed, that poses a danger to the safety of the public.

This statutory instrument is going in the right direction. I should like it to go further, but I take in good part the Minister's statement that it is a first step and part of a wider range of measures. It is right, and it is right not just for individuals, but for individuals, families and communities. Safer streets and safer communities are the foundation of everything that we talk about in the Chamber. This is what I, as a Member of Parliament, want to represent and will stand for, this is what Conservative Members should always do, and this is what the Government are proving that they are doing by introducing the statutory instrument.

5.3 pm

**Lee Anderson** (Ashfield) (Con): No one should feel unsafe walking the streets, but unfortunately some people do. For far too long decent people in this country have been victims of violent crime, and time and again we see those violent criminals given paltry sentences and released early, so that they are back on the streets to wreak havoc and create misery. Unfortunately, some people cannot live by the rules of our society. They must therefore be taken to a place that has different rules, and that place is prison.

In Ashfield, people are fed up with violent crime. They are fed up with seeing violent criminals get short sentences, and then leave prison halfway through their sentences. I will tell you who else is fed up. Our police are fed up. They have a difficult enough job as it is, apprehending the most violent criminals in our society. As my hon. Friend the Member for Watford (Dean Russell) said earlier, they must be really angry to see violent criminals released early and back out on the

[Lee Anderson]

streets—and guess what? Our police are then having to waste time and resources catching those criminals and putting them back through the system.

It is not rocket science. If you lock up a serious offender for 10 years instead of five, that is five more years when they are no longer a threat or a risk to society. It gives them five more years to reflect on their crimes, and it gives us five more years to rehabilitate the most serious and violent offenders in this country. I welcome this statutory instrument. I also welcome the fact that we are recruiting 20,000 extra police officers and creating 10,000 more prison places, as well as locking up our most serious offenders for longer. That will not only make our streets safer but restore confidence in our justice system.

5.5 pm

**Imran Ahmad Khan** (Wakefield) (Con): It is a pleasure to be called to speak, Madam Deputy Speaker, especially now that I have something to say. Wakefield is a peace-loving and loyal city that does its duty and securely houses the many men and women who reside in the constituency at Her Majesty's pleasure. I believe fundamentally in redemption and the power of rehabilitation. I have experience gained from assisting the Pakistan army and the United Nations in designing the curriculum and facility in the shadow of Churchill's picket on the summit of Malakand pass in the provincially administered tribal areas of what was until recently known as the North-West Frontier province. That facility has become known as Sabayoon, a Pashto word that refers to the first rays of the morning light that herald the dawn. The facility, like Wakefield's high-security jail, houses many deeply troubled criminal young minds.

Sabayoon, however, was designed to de-radicalise and rehabilitate young people who were being groomed to become suicide bombers under the brutal direction of Mullah Fazle Rehman, then leader of the vicious brutes that controlled Swat and shot Malala Yousafzai. The process to rehabilitate those who have been trained to do harm to their neighbours and themselves is a long process. The length of that process is in fact a kindness, as it permits a thorough assessment of each subject and the time required to provide valuable life skills, so that when they are finally deemed fit to be readmitted to society, they are equipped with the wherewithal to forge a meaningful new life away from malign influences. Sadly, despite the best efforts of all, some subjects are simply incapable of reformation and are likely to remain a threat to themselves and others for as long as they live. For such people who are beyond reform, if not redemption, a full whole-life sentence is necessary.

This experience has informed my views at home, and I believe that sentences should be long, to allow for reform. Reformation, rather than just punishment, should therefore be the primary objective, and long sentences, coupled with effective programmes, can help to achieve this objective. Her Majesty's Government's plans to provide 20,000 more police officers with enhanced powers, along with £35 million extra to tackle violent crime, 10,000 more prison places, and tougher and longer sentences, when taken together, constitute a real and credible plan to make our streets and homes safer, and I thoroughly support this statutory instrument.

5.8 pm

**Claire Coutinho** (East Surrey) (Con): This is only my third contribution in this House, and I am glad to be making it on these statutory instruments. Indeed, I welcome the wider package of measures that we are introducing to toughen up the criminal justice system overall. I have been humbled by the contributions from my hon. Friend the Member for Telford (Lucy Allan), who I know has campaigned for a long time on this issue, and from my hon. Friend the Member for Bishop Auckland (Dehenna Davison), who gave the House a deeply moving and personal account. Members of the public sometimes worry that politicians are out of touch, but those two contributions alone show how in touch we on these green Benches are on this issue.

We must remember that these measures deal with the very worst of offenders. We have heard about rape, grievous bodily harm with intent and child sexual exploitation. I have heard directly from my constituents about the devastation they have felt at being victims of such crimes, which is then amplified when the offenders are released at the halfway point. It is a second betrayal, and it puts a serious strain on victims and communities.

I agree with the concern that automatic release at the halfway point does not provide an incentive to change behaviour sufficiently, and that is not just a wrong committed against the victims who feel that justice has not been served, but a wrong against future potential victims, against communities and their ability to feel safe, and against perpetrators who have not been rehabilitated. I understand and wholeheartedly agree with the worries about increasing sentences to the full-term point, but there is an issue of capacity and ensuring that we can deliver on our promises, so I welcome this measure and its expedience. I also welcome the spending of billions on the prison system and downstream costs within the criminal justice system so that we can deliver for victims.

One of the greatest duties that I have in this place is to ensure the safety of my communities and to ensure that victims feel that justice has been served. I support this SI and welcome the measures brought forward today.

5.10 pm

**Aaron Bell** (Newcastle-under-Lyme) (Con): It is a pleasure to serve under your chairmanship, Madam Deputy Speaker, and to follow my hon. Friend the Member for East Surrey (Claire Coutinho). This debate is about public confidence not just in our judicial system, but in our political system, which will come to in a little bit.

The principal purposes of sentencing are quite well understood by most of the House—my hon. Friend the Member for Bishop Auckland (Dehenna Davison) touched on them—and I believe that the public support them. On protection, increased sentences for the worst offenders will increase public protection. On deterrence, it remains to be seen, but one would have thought that if someone knows that they will go to prison for longer, they will be appropriately further deterred. On rehabilitation, on which my hon. Friend the Member for Banbury (Victoria Prentis) made an important intervention earlier, this measure provides more time for rehabilitation. It is important that we do a better job than perhaps we have been doing, but it can only be a good thing to allow

more time for support and rehabilitation for people who are not only some of the worst offenders, but perhaps have some of the worst reasons for being so. These measures also offer more of a chance for people to pay reparations, although I appreciate that can happen in the community, too. Last but not least, punishment is another important part of sentencing, and there is nothing unworthy in that, because it is fundamental to justice.

However, my experience on the doorstep in Newcastle-under-Lyme is that most people do not support automatic early release for the worst offenders—certainly not at half-time, as at present, or at even less than half-time, as my hon. Friend the Member for Telford (Lucy Allan) mentioned. People are cynical about it. They look at the length of a sentence and say, “Well, it won’t be anywhere near that. They will probably be out in 18 months”, or whatever. Our manifesto commitment was therefore actually very popular and will restore some balance to the different purposes of sentencing and, dare I say, some good old-fashioned common sense.

The wheels of justice can often turn slowly. Likewise, this place rightly takes its time when it has complex Bills to consider—well, at least most of the time—but my constituents will welcome the fact that, with these statutory instruments, we have been able to act quickly to deliver on a clear promise that we made a couple of months ago. That swift action will in turn strengthen public confidence not just in our judicial system, which is what we are talking about today, but in our political system. People will know that we can pull our finger out when there is clear and pressing demand from public belief that the present system is unsatisfactory. In addition to the public in general, the change will strengthen victims’ confidence. The Victims’ Commissioner said:

“I welcome any move to make sentencing more transparent”. Victims’ rights campaigner Harry Fletcher has said that the previous system “removed the incentive to comply and reform. Increasing time served but encouraging good behaviour restores the balance for victims.” Balance is very important.

We still have more to do. The sentencing Bill, the foreign national offenders Bill and many other Bills in the Queen’s Speech will form a welcome and more comprehensive package than what we are discussing today, but this is a swift and impressive first step, so I commend these statutory instruments to the House.

5.13 pm

**James Daly** (Bury North) (Con): Prior to coming to the House I was a criminal legal aid defence solicitor for 16 years. As my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) mentioned, this statutory instrument simply takes us back to a position that I recognise from the courts prior to 2003. It is no more than that. Sentencing is a multifaceted matter that covers many issues, but I have yet to hear one positive, coherent argument as to why we should keep automatic release at the halfway stage in sentences for the most dangerous offenders. There is no argument for doing that. I have yet to have a constituent in Bury North knock on my door to say that we must keep that for the public good—there clearly is no public good in it.

We are here to defend the public interest. Why is this statutory instrument in the public interest? It will protect the public, for the reasons articulated by all speakers in

this debate. Importantly, it will increase the deterrent impact of long-term sentences. What I take from my experience in the courts is that severe, deterrent sentences have an impact on behaviour, which this debate sometimes seems to ignore.

As other colleagues have said, this measure allows an extra period of rehabilitation for offenders. Valid points have been raised about the nature of the rehabilitation programmes that are available, especially in prisons, because sentencing is worth little if it is not effective. Sadly, despite our having fantastic probation officers and fantastic prison officers, my experience of working in the criminal justice system is that rehabilitative sentences have simply not achieved the expected outcomes, whether in reducing reoffending rates or putting people on to a more positive way of life. I urge my hon. Friend the Minister to look at those sentences, because they are not working. Much work has to be done to address the underlying reasons for offending. Most importantly, victims and their families must be at the centre of our thoughts in any sentencing guidelines and sentencing measures that come through this place. I am sorry for repeating myself, but it is inconceivable that we could say dangerous offenders should automatically be released at the 50% stage—it is as simple as that.

We are dancing on the head of a pin. We can debate other important things, but I would welcome it if any hon. Member could point to a constituent who thinks such automatic release is a good idea.

**Tom Hunt** (Ipswich) (Con): We recently had a tragic case in Ipswich in which a young man was murdered. The murderers were sentenced to life in prison, and another was sentenced to 14 years for manslaughter. He bragged on Facebook about how easy it is in prison and how he will be let out halfway. As a direct result of that action, would it not be reasonable to eliminate any chance he has of being let out halfway?

**James Daly:** Absolutely. My hon. Friend’s words speak for themselves.

I congratulate the Front-Bench team and my other colleagues. We are acting on a manifesto commitment that is in the public interest and that will have an impact on offending behaviour. We have all talked about other related issues, but this is a good measure that is supported by the public, and I warmly welcome it.

5.17 pm

**Rachel Maclean** (Redditch) (Con): It is a pleasure to speak in this debate and to follow the incredible contributions of my hon. Friends, particularly my hon. Friend the Member for Bishop Auckland (Dehenna Davison)—she is so new to this place, yet she speaks with such passion—and my more experienced hon. Friend the Member for Telford (Lucy Allan), who has championed this issue. We are all in awe of them.

This is a manifesto commitment, as the Minister said, and we politicians must take seriously our efforts to keep our promises to the public. The Government must be on the side of law-abiding people who do the right thing, and we must have a care for the victims of heinous crimes.

Many colleagues have spoken about getting sentencing right. This is not about just locking people up and throwing away the key. The scales of justice are there for

[Rachel Maclean]

a reason. We must be tough on people who commit crimes, but we must also be tough in providing opportunities to help those who want to reform. In a compassionate and civilised society, we must never lose sight of that, as it is the ultimate mark of a Government who are truly compassionate and who care about social justice.

To that end, I wish to use my time to touch on an organisation of which I have personal experience and which will be familiar to Members of this House—Learning Together. One of my sons was a volunteer for that charity while at Cambridge University. He started his volunteering when he first studied there, and he has told me that it was the most profound and meaningful experience he had while at Cambridge. He saw at first hand the impact he had when he was working with prisoners, some of whom could not read or write. Some of the work he was doing there with his fellow students at Cambridge was truly transformational, so I want to speak up for charities such as that, which are doing difficult work; we are all familiar with the Fishmongers' Hall tragedy. We as a Government must continue to support those charities and allow them to work with criminals, and even terrorists, to reform them if possible.

I also want to speak about an organisation called RoadPeace, which is involved in my constituency. My friend Lucy Harrison has brought this charity to my attention. What RoadPeace is doing is relevant for the Minister when he comes to look at the wider powers in the sentencing Bill. It is calling for driving crime to be looked at as “real crime”. My friend Lucy lost her brother, and it had a profound impact on her life. We definitely need to look at sentencing for driving crimes, as it is currently not adequate. I am sure that many of our constituents all across the country who have experience of that would like to see the system changed.

The Government are looking at justice across the board, doing our best and introducing real change to the system, in order to keep the public safe. We are introducing 20,000 new police officers and 10,000 new prison places. This Government are on the side of people doing the right thing, so I welcome these measures and thank the Front-Bench team for what they have done to bring it forward.

5.21 pm

**Chris Philp:** This has been a full and, at times, moving debate. I have been particularly grateful for the contributions by the many Members from the new 2019 intake. Their contributions have been impressive, well-informed and moving, and I look forward to hearing many more such contributions in the weeks, months and indeed years ahead.

I wish to touch briefly on some of the points that have been raised. The hon. Member for Bradford East (Imran Hussain) and my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) both drew attention to making sure that the resources are available so that the extra people in prison can be properly accommodated and rehabilitated. Let me repeat the assurance I gave that the extra investment, a total of £2.75 billion, is designed to do exactly that. We are talking about 10,000 extra prison places, over and above the 3,500 currently under construction, as well as extra money for prison refurbishment and prison security.

My hon. Friend the Member for Telford (Lucy Allan) made an extremely powerful point, as did the hon. Member for Rotherham (Sarah Champion), who is not in her place, about the importance of victims in this entire debate. We are doing this as much for victims as for anything else. They have suffered terribly at the hands of offenders and expect the perpetrator to spend more of their sentence in prison. My hon. Friend the Member for Bishop Auckland (Dehenna Davison) spoke movingly about her own tragic experience of a family member who was a victim of a very serious crime, and the terrible circumstance she described is exactly why we are bringing forward this statutory instrument. My hon. Friend the Member for Watford (Dean Russell) made a similar point about the importance of victims in this whole debate. Opposition Members asked, “Why are you bringing this forward? What is the rationale?” The speeches we have heard this afternoon about the impact that early release has on the victims of these terrible crimes—often crimes of rape and, in some cases, even manslaughter—powerfully make the case for this statutory instrument. However, as I said and as many Members have mentioned, it is only the first step. The White Paper we will be publishing, followed by a sentencing Bill, provides an opportunity to go further and broader.

My hon. Friend the Member for Bury North (James Daly), who clearly has a lot of experience in this area, touched on tackling the causes of some kinds of offending. I very much want to see us do more to treat issues such as drug addiction, alcohol addiction and mental health problems, which are often the causes of some kinds of low-level repeat offending. As an alternative to short prison sentences, treatment is essential.

My hon. Friend the Member for Sevenoaks (Laura Trott) made an interesting and important point about whether extended determinate sentences should be more widely applied. The figures I gave earlier showed that few serious offences currently attract EDSs—for example, 84% of rapes get a standard determinate sentence with an automatic release point—so that is exactly the kind of question we should consider as part of the sentencing White Paper and the debate that will follow. I strongly urge my hon. Friend to take that point forward. I have listened to it, but I urge her to make it again and to make representations during the White Paper process.

My hon. Friends the Members for Hitchin and Harpenden (Bim Afolami) and for Ashfield (Lee Anderson) made some important points about prevention. My hon. Friend the Member for East Surrey (Claire Coutinho) made some equally important points about the importance of preventing criminal offences by incarcerating serious criminals for a little longer.

My hon. Friend the Member for Redditch (Rachel Maclean) made a critical overarching point: that by fulfilling this manifesto commitment so quickly, after just 47 days, we are demonstrating that we are on the side of law-abiding citizens and believe in keeping our promises.

Finally, my hon. Friend the Member for Ipswich (Tom Hunt) made an intervention about a manslaughter case in which a 14-year sentence was handed down. If I have understood the case history correctly, the case that he described—a 14-year sentence for manslaughter with an automatic release at halfway—is exactly within the scope of this statutory instrument. By passing this SI,

we can ensure that the terrible circumstances that he so eloquently and powerfully described will not happen again.

We have heard some extremely compelling speeches this afternoon. Members have spoken on behalf of victims, whose voice it is so important that we hear in the House. The measures that we are about to pass are simply the first step in part of a wider process to make sure that we not only protect the public but respect the rights and concerns of victims. I strongly commend the order and regulations to the House.

*Question put and agreed to.*

*Resolved,*

That the draft Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2019, which was laid before this House on 14 October 2019, in the last Session of Parliament, be approved.

*Resolved,*

That the draft Criminal Justice and Courts Act 2015 (Consequential Amendment) Regulations 2019, which were laid before this House on 14 October 2019, in the last Session of Parliament, be approved.—  
(*Tom Pursglove.*)

## PETITION

### Over 75s free TV licences

5.27 pm

**David Linden** (Glasgow East) (SNP): Britain has one of the worst state pensions in Europe, with pensioners being paid a pittance compared with their peers elsewhere on the continent. Of course, due to the injustice perpetrated against the WASPI women, many female pensioners have been denied their state pension until much later. To add insult to injury, the Tories' Centre for Social Justice think-tank has suggested that the retirement age should be increased to 75, which is just outrageous.

The latest Westminster assault on pensioners is the proposal to axe the free TV licence for our constituents who are over the age of 75. The Scottish National party will fight that every step of the way, so I rise to present a petition from many of my constituents in Mount Vernon, Sandyhills and Carntyne, to name just a few areas.

The petition states:

The petition of the residents of Glasgow East,

Declares that free TV licences to households with someone aged over 75 should remain for the foreseeable future; notes that this scheme should remain in governmental hands rather than being privatised by the BBC; further that the removal of the free TV licences will have a negative impact on some of the poorest pensioners in the constituency and across the country; further notes that one of BBC's proposals in the consultation is means-testing the concession by linking the free licences to Pension Credit; further that the Department for Work and Pensions own estimates show that nationally 40% (two in five) of those entitled to receive Pension Credit are not in receipt of the benefit and would be excluded; further that access to media, especially if frail or housebound, can reduce loneliness in old age and improve well-being.

The petitioners therefore request that the House of Commons urges the Government to reverse the planned decision to end the funding of the free TV licence to households with someone aged over 75 and privatisation of this to the BBC.

And the petitioners remain, etc.

[P002552]

## Mental Health Act: Section 136

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

5.29 pm

**Sir Paul Beresford** (Mole Valley) (Con): The subject of this debate is section 136 of the Mental Health Act 1983, but I am discussing only a tiny aspect of it. As a Minister from the Home Office, my hon. Friend the Member for North West Hampshire (Kit Malthouse), is responding, I am dodging all leaflets, letters and things that I have received from Mind and all the rest of it, and just narrowly looking at one little thing.

This evening, there is a dinner for the parliamentary police graduates; those of us who have been on the course with the police are going. The great advantage of the course, as with similar courses, is that people on it learn what it is like to be a police officer, both on and behind the frontline. Many of us come back from it wishing to make legal changes, because we have seen what it is like to face the problems that police officers face day in, day out. I have often used this route to address issues to do with child protection cases—I think I have 12 or 13 of them. There is one that I have nagged on for some considerable time. It comes from an experience that I had when out in a patrol car with a couple of uniformed cops in Wandsworth. I have raised this matter several times, but some of the answers that I have received—I hesitate to say this to Minister—were not very clever.

Section 136 gives the police the power to remove a person from a public place to a place of safety when that person appears to be suffering from mental disorder. The person will need to be deemed by the police to be in immediate need of care and control as their behaviour is of concern. They are detained, not arrested. From 2018 to 2019, some 50,000 people were detained under the Mental Health Act; about 18,000 or 19,000 people were detained under section 136. It is a little piece of a big Act that has a big effect, and most of it is positive—including, ultimately, for the people detained.

As I say, a person will be deemed by the police to be in immediate need of care and control because their behaviour is of concern. Frequently, this is when the police are trying to stop the individual committing suicide. There have been tragic misinterpretations, and because of a civil quirk I will touch on, the police have had to release the person detained without taking them into a place of care. Ultimately, that person has gone home, or to a relative, and committed suicide. I want this tiny change so that that cannot happen.

As I have said, it is important to point out that the person is not under arrest. When a decision is made to remove them, they are being removed for their own care to a place of safety. The police power is to facilitate the assessment of their health and wellbeing, as well as to provide safety for the people around them. That is excellent, as far as it goes. My primary focus is on the fact that this applies fully only if the individual is in what is deemed to be a public place.

My interest comes from my personal involvement in one case, as I have said, plus from considerable discussions with frontline police officers over the years—predominantly from the Metropolitan police and the Surrey police—and with Professor Rix, who has just retired as a psychiatric

[Sir Paul Beresford]

consultant, and who was so upset about what was happening that he has been campaigning with the police. There are also a few senior police officers up and down the country who are so concerned that they are campaigning on this as well.

A few years ago, I joined two young uniformed police officers in their response car in Wandsworth. We attended a call with the blues and twos on. It was quite spectacular for me, sitting in the back seat. The officers were excellent drivers; how we missed hitting people on the way there was quite remarkable. We dashed to a residential council tower block, of which Wandsworth has quite a number, and went up to the 14th floor, where a very nervous lady—the mother of the household—let us in.

When we walked in, we saw the woman's 22-year-old daughter standing on the windowsill of the open window, about to jump. The moment she saw us, she moved further towards the edge, so we moved back out and tried as best we could to persuade her to come down from that precarious position. We quickly established that she had a history of genuine suicide attempts, so this was for real. We pulled back to some degree because she clearly did not like the sight of uniformed police, but fortunately we were joined by two plain clothes officers. One was a very quick and clever lady officer, who entered the flat and managed to persuade the girl to come down from the windowsill and sit on the bed. She saw the pills that the girl planned to take for the suicide if she was not able to jump out of the window, pushed them to one side, gradually removed them and calmed the girl down. The girl clearly needed to go to a place of safety for psychiatric and medical help, but she vehemently refused and became very agitated the moment that was mentioned. She made a number of attempts to go back to the window, and had to be caught and brought back to the bed.

In the meantime, we made contact with the nearby St George's Hospital psychiatric unit, seeking urgent assistance and someone of professional standing, as required under section 136, effectively to commit her so that she could be taken away to safety. The unit was busy, and it was some considerable time before a healthcare official finally turned up, with an ambulance and a crew. Many healthcare professionals say that it is better to have an ambulance than a police car in such circumstances, but it had completely the opposite effect for that young lady. When she saw the ambulance coming, she was off for the window again, and we had to get her back. The healthcare professional asked her to come quietly into care. That made matters even worse, and we had a tremendous struggle, but in due course the sad young lady was transported to the unit at St George's, which is designed to be a place of safety. A life was saved—eventually.

The whole pantomime in that 14th-floor flat had occupied five officers and three NHS staff for about four hours. I am not counting myself, as a bystander. I warn any Members who go on such trips that it is par for the course that the police do not like us to get involved. I was trying to help in another case when there was a bit of a fight, and a very large police sergeant told me to keep out of the way, because "We don't want a" dot-dot-dot "by-election"; that was really caring of him.

It was obvious from the beginning that the police themselves could quite simply have taken care of the young lady quickly and gently. They were very competent, and could have sorted it out and taken her to care. Admittedly, they would have taken her in a police car, but it could have been a plain police car—not an ambulance. Immediate action would have meant that she was transferred to safe care and would have met the required time limit for assessment, which I think is 24 hours. It would have been very quick, and would have reduced the continuing risk over the period in which we saw her attempts to leap out of the window. It was a huge waste of time, except for the end result, for the police and the national health service professional; that is aside from the up-and-down agitation for the young lady.

Under section 136 of the Mental Health Act, if this pantomime had taken place in a public place—if we had managed to persuade the young lady to go outside the flat's front door and place herself on the landing—the police would have been able to take her into detention and take her to the hospital. We would not have had to wait for a mental health professional, and she would have gone into the care of St George's.

When I raised this in a debate in 2017, the then Under-Secretary of State for the Home Department assured me that there was a triage system under a new, innovative policy, so that

"most police officers will be deployed alongside mental health professionals, so if a call comes into the centre that somebody is experiencing a problem of the type we have heard about, mental health professionals will be sent along with the police officers as they respond."—[*Official Report*, 11 July 2017; Vol. 627, c. 269.]

I liked the Minister. She was very earnest, and she clearly believed everything she was saying to me. I was polite, and I did not look for pigs flying around the Chamber, as I could have done. On hearing her remarks, Professor Rix and police officers who were campaigning on the issue—Professor Rix was here this evening—were absolutely astonished. The politer comments were, "Get real", and, "Yeah, right."

There are throughout the United Kingdom large numbers of frontline police officers who respond to all sorts of emergencies, including events like this one. There are not the same number of mental health professionals waiting around, driving around, going out with the police or waiting for a call, so that they can meet the police when they are on patrol to deal with a situation like this.

**Jeff Smith** (Manchester, Withington) (Lab): The hon. Gentleman raises a really important point. When I speak to the police service in Greater Manchester, they tell me what an enormous proportion of their time is spent dealing with people in mental health crisis. There are a number of aspects to this; I will not comment on his individual case. This surely points to the need for much greater investment in mental health crisis care and mental health community services. I hope that he will go on to mention that, and that the Minister will respond. While I am on my feet, perhaps I can ask the Minister when the Government plan to bring forward the White Paper in response to the Wessely review.

**Sir Paul Beresford**: I suspected that I might get that question. That is why, as I very carefully explained, I asked for a Home Office Minister, not a Department of

Health Minister. I suspect it would be better if the hon. Gentleman asked a written question, rather than asking my poor hon. Friend on the Front Bench something that he cannot possibly answer because he is not expecting it.

I found the reality of going out with the police to be completely different from what my very lovely Under-Secretary of State lady told me. The system just does not work. I am therefore suggesting a change that has been requested by the police. When I have put this to the police, the enthusiasm has been emphatic. They have been quite clear about it. One of them, who has had to deal with a lot of these cases, again in central London, commented, “Whoever puts this through will be a hero as far as we’re concerned.” But also, unwittingly, they will be a hero for those mentally ill people who are in distress, who need help and who may well commit suicide.

I am requesting a simple change, effectively removing the restrictive reference to a public place. It is quite simple to do. I have a small ten-minute rule Bill that would have fitted the purpose, but I pulled it because the Department of Health said that it had a review, as the hon. Member for Manchester, Withington (Jeff Smith) suggested. It does have a review, and there is a lot to be reviewed. This is a simple change to make life just that little bit easier for our battered policemen when they are dealing sympathetically—I have always found them sympathetic in these cases—with people who are mentally ill, and who are threatening to damage other people or themselves.

As I said, it has been enthusiastically supported by police officers and by Professor Rix, who has almost made it his psychiatric gift to the nation to undertake this campaign for a number of years.

Experience tells me that the Minister will, in the nicest possible way, probably say, “Thank you, but no thank you,” or, “We’re reviewing this”; I can see by his smile that the temptation is there. Having been a Minister in similar debates, I can assure him that it is possible—I have done it myself—to see the words that you have been given to read out and deviate from them. If the answer that I got before is the answer that he is going to give me, can he stall it? Instead, will he genuinely look at this and meet me, Professor Rix and one or two of the police officers who are deeply into this, to see whether we can do something positive to make it much easier for police officers in these circumstances to deal with individuals, particularly those who are either going to hurt somebody else or hurt themselves? I have a string of cases from the police and Professor Rix that I could go through with him.

As I said, something like 19,000 people were detained under section 136 in 2018-19. That is not known by most people, but it is certainly known by the police officers who are helping people in desperate circumstances to keep themselves alive or not hurt other people. This is a plea to the Minister to be positive this time.

5.46 pm

**The Minister for Crime, Policing and the Fire Service (Kit Malthouse):** I congratulate my hon. Friend the Member for Mole Valley (Sir Paul Beresford) on securing the debate. His long-standing interest in these matters is well known. I am grateful to him for raising this important issue, and I congratulate him on his persistence in repeatedly raising it. I have learned in my relatively

short time in this place that persistence often pays. I am not sure whether it necessarily will on this particular occasion, but perhaps we could meet in the future to discuss where things may go.

I also congratulate my hon. Friend on spending time with his local police officers. I am encouraging as many Members as possible to do so, because a lot can be learned on the frontline, as the hon. Member for Manchester, Withington (Jeff Smith) said. I have met quite a few police officers over the last few months, and one thing that the response teams in particular have persistently raised with me is the amount of time they spend dealing with people who have mental health issues. It is a tribute to them that for many people they are the automatic first port of call for help in a wide range of situations.

Notwithstanding that, it is not acceptable that the police should be asked to cover the roles of other agencies out of normal hours simply because they are a 24/7 service, or because of staff or facilities shortages elsewhere. The police are not trained social workers, paramedics or mental health professionals, and assisting people who need these services also prevents the police from carrying out their own core tasks. Sometimes police involvement will be necessary in mental health cases, because either criminality or a threat to safety is involved. In such cases, it is vital that people in police custody have access to the support and medical care they need. However, it is clear that the best place for people suffering a mental health crisis is a healthcare setting, because the police cannot provide the specialist care they need.

There has been good progress through a number of initiatives to improve the way that the police and their partners respond to vulnerable people experiencing mental health crisis, but we acknowledge that there is still more to do. Provisions contained in the Policing and Crime Act 2017 designed to improve outcomes for people in mental health crisis came into effect on 11 December 2017. Those include removing the use of police cells as places of safety for under-18s detained under sections 135 or 136, cutting the use of police cells for adults and reducing the maximum period of detention to 24 hours. We have seen a continued decrease in the use of police cells as a place of safety since 2012-13. There were only 136 instances last year, compared with some 9,000 cases in 2011-12. The Department of Health and Social Care has already made £30 million available for health-based places of safety since 2015, and I will mention some of the other investments that it is making in a moment.

I know that my hon. Friend, as he has this evening, has previously raised concerns—sometimes echoed within the police service—that police officers do not have sufficient powers to act quickly in relation to people in private homes who are mentally distressed. In the NHS, home treatment teams serve to support people in acute mental crisis in their homes, so that they do not need to be admitted to hospital. But, of course, when a person does not allow services to help them, the burden often falls on police officers. They can often find themselves among the first to be called to assist a person in their home, as my hon. Friend has experienced, only to find that they have limited legal options to resolve the situation on their own.

Police officers do have the powers to act to prevent crime and to protect people and property from serious harm, but at the moment the Government do not

*[Kit Malthouse]*

believe they should be given the responsibility for removing people from their homes without due process. The police are not mental health practitioners, and it is essential that a professional assessment is made so that people get the support they need. At present, officers can support mental health professionals who have obtained a section 135 warrant to remove a person from a private address, and we believe that is the right and proportionate approach to those in their own homes.

Health and Home Office Ministers considered legislating for additional powers following their 2014 review of sections 135 and 136, but decided on balance that such new powers were not appropriate, a position that this Government continue to hold. Rather than circumvent the need for a warrant, I am clear that a more satisfactory response is to ensure that the necessary mental health crisis care services are in place throughout the country to provide the responses that people need. We wish, where possible, to reduce the frequency of detentions under the Act and to prevent people from reaching a crisis state. We will keep this issue under review and continue to work with the police, in conjunction with

other partners, to better understand the precise scope and nature of mental health demand, and distinguish where the police may need to continue to engage and ensure that other services need to play a bigger role.

As my hon. Friend will know, there has been a huge rise in the demand for mental health services both within and outside the health service. Given what I have said about the amount of police time spent in engaging with mental health crises, missing persons or whatever it might be, this is definitely something on which we need to work. If he believes this—and he has allies, such as his friend Professor Rix, who may be able to sway minds—I would be more than willing to meet him in the Home Office to discuss what more we can do. It is certainly the case that, on top of the enormous investment in mental health provision through the national health service that we will be seeing over the next few months and years, we all need to look at and think about the legislation in this area, and I would be more than happy to do so in the future.

*Question put and agreed to.*

5.52 pm

*House adjourned.*



# Westminster Hall

Tuesday 28 January 2020

[JAMES GRAY *in the Chair*]

## Flats and Shared Housing: Fire Risk

9.30 am

**Matt Rodda** (Reading East) (Lab): I beg to move,

That this House has considered the fire risk in flats and shared housing.

It is a pleasure to serve under your chairmanship, Mr Gray. I start by paying tribute to the Grenfell families. As I said in the House last week, it is difficult to imagine the suffering that they have been through. They deserve our respect and our support. I also pay tribute to those in the fire service, who protected local residents as best they could and with such dedication during the night of the tragedy, and to all those in the local community and beyond who have supported local people as the aftermath of the tragedy has unfolded across London and, indeed, across the country.

Today's debate is an opportunity to discuss some of the many important issues that have arisen in the aftermath of the Grenfell disaster. I will focus my remarks on the following: cladding, of both aluminium composite material and other materials; fire doors and other fire safety matters; problems in flats under 11 metres tall, of which we have many in Reading and Woodley, in my constituency; and, above all, the need for a completely new approach to fire safety from central Government, the fire service, local government and, indeed, the construction industry, all of which have important parts to play. I urge the Minister, who is listening attentively and has offered her support, to urge her colleagues in Government to take determined action on the matter, which has been going on for too long.

**Kate Green** (Stretford and Urmston) (Lab): I congratulate my hon. Friend on securing the debate. He has not specifically said that he will do so, but I hope that he touches on the concerns of leaseholders in such blocks, and how they are to meet the often very high costs of remediation. They cannot always access the block insurance that the developer has taken out in their name, or in the name of their managing agent. I hope that the Minister will address that point, and I am sure that my hon. Friend will touch on it.

**Matt Rodda**: I am grateful to my hon. Friend, who makes an excellent point. I will address that very issue, which is of great concern to many of the residents I represent and to many people across the country. I heard a very moving report on BBC radio over the weekend discussing the concerns of a young couple in Leeds who were living in a block with ACM cladding and who were deeply traumatised not only by the fire safety issues, but by the lack of amelioration of these serious problems. That links to insurance, and to the situation that leaseholders in such blocks face.

I find it simply staggering that two and a half years after the Grenfell disaster, the Government are still only beginning to address this terribly important issue. Little ACM cladding has been removed in that period. In my

borough of Reading, four blocks were identified by Royal Berkshire Fire and Rescue Service as having ACM cladding on the exterior. I believe that only one of them is in the process of having that cladding removed, and that represents a very serious continuing fire risk.

I have been advised that that risk may be getting worse because of the continued possibility of human error. Although additional fire safety measures have been instituted—such as waking watches, where fire wardens are on site during the night—as time goes by, there is a greater possibility that a resident or another person will accidentally do something that induces a fire risk, or that some other problem will cause an accident or a terrible tragedy. I have been advised by fire service personnel that with the passage of time, the risk of human error increases, so the fact that nothing has happened to address the issue in the past two and a half years is significant. The problem is ongoing, and it may be getting worse because of the lack of response from central Government.

As my hon. Friend the Member for Stretford and Urmston (Kate Green) rightly pointed out, local residents who live in blocks with ACM cladding face significant stress and concern. The issue affects many of us around the country, because many towns and cities have blocks containing that dreadful material and very few buildings have had it removed. Many of the people affected are private tenants or leaseholders, who have little recourse to take any substantial action on their own. They are often locked into a situation where the freeholder has the power to remove the material but is struggling to do so. Alternatively, they may need to come together with other leaseholders, and it may be difficult in practical terms to agree a way forward. I urge the Government to address that issue in particular. I hope and believe that the Minister is very much in listening mode and will consider how best to push that forward immediately.

I will also pick up on some related concerns. ACM cladding has been mentioned in the Grenfell inquiry, the second part of which opened only yesterday. Without going into significant details, it is worth pointing out that from the opening day of the second phase of the inquiry, it appears that some businesses involved may have known about the potential fire safety risk of ACM cladding some time before the Grenfell disaster. That relates to the problem of current ACM cladding. Cross-party support for much tougher action appears to be emerging. I listened with interest to the comments of Lord Porter, the Conservative chairman of the Local Government Association and a Member of the other place, who rightly picked up on the Government's lack of action on this important matter.

There are many other forms of cladding, and I will mention some concerns that have been raised with me about the wide range of other materials. In Reading, two buildings have other types of cladding that have caused fire safety concerns. One is the Chatham Place development—it is a series of large multi-storey blocks near the town centre—which has wooden cladding. Wooden cladding is a serious issue, which we need to address as well as ACM; indeed, it played a part in the recent fire in Barking, which was very nearly a complete tragedy. Luckily, residents managed to escape.

Serious concerns have been raised regarding other forms of composite material. Crossway Point, another large block in my constituency that contains a lot of

[*Matt Rodda*]

social housing, has other forms of cladding that also need to be addressed urgently. Indeed, there was another fire in Bolton, in the north of England, from which students had a very lucky escape; the Minister is nodding wisely. I appreciate that colleagues in central Government are aware of the problems, but I ask them to act as fast as they can to deal with the wide range of cladding issues.

**Mr Clive Betts** (Sheffield South East) (Lab): My hon. Friend raises an important point. I know that the Government are doing a review of those other materials. Are we not slightly uncomfortable about the fact that material that has now been banned from use on new buildings under Government regulations is still allowed on existing buildings? Materials that are not of limited combustibility cannot be put on new buildings, but such materials are still on existing buildings, and they pose a risk to residents.

**Matt Rodda:** My hon. Friend makes an excellent point. The issue is that the use of such materials has been allowed for many years, and we now face a national crisis—I do not use that word lightly—in building safety and standards, with a legacy of dangerous materials across the whole United Kingdom. We need to take urgent and determined action to address that. My hon. Friend makes an excellent point. I understand that the Select Committee on Housing, Communities and Local Government, which he chairs, has carried out some excellent work on that issue, and he is working on a cross-party basis to try to move the matter forward as fast as possible.

I am aware of the need to press on. I will address some specific issues beyond the exterior of buildings, because a number of important points have been made about internal fire safety, an area in which serious dangers could also be lurking for many existing buildings. I draw colleagues' attention to the issue of fire safety doors, and I will give two examples from Reading residents I have spoken to who have serious concerns about this matter. Obviously, because of the number of buildings that are either tall or are flatted developments, fire safety doors should play a crucial part in stopping the spread of fire—rather like compartmentalisation, which I will come to later.

**Eddie Hughes** (Walsall North) (Con): Perhaps I should apologise for interrupting the hon. Gentleman as he is getting to the bit I am particularly concerned with. One problem is that although we have lots of legislation regarding the assembly of fire doors—such as BS 8214, which I think was revised in 2016—on a hot day we may walk through buildings where doors are, ironically, held open with fire extinguishers, as often happens on this Estate. Additionally, during the life of a building, a lack of routine maintenance may mean that its fire doors become less effective than they were previously. Certainly, one of the things that was identified in Grenfell was that some fire door closers were not functioning correctly.

**Matt Rodda:** The hon. Gentleman makes excellent points about the need for proper maintenance, for sensible information to be shared with residents, and for greater awareness of the importance of fire safety doors.

I will give two examples of potentially substandard fire safety doors in two types of development in my constituency. One was a piece of casework that came to me only last week, when an elderly gentleman in his 70s was asked—quite understandably—by the landlord of a shared retirement block to replace his front door, because it was a fire safety door. Although this resident has real concerns about fire, he is an elderly man with a limited income.

Rather like the problems with insurance, one aspect of the issue is the cost of fitting new doors. It is not just about fear and risk, but about the cost to some residents, and the resident I have mentioned told me what happened in his case. The hon. Member for Walsall North (Eddie Hughes) made a good point about the need for maintenance; in this case, the freeholder, which is the business that runs that block of private retirement flats, had asked residents to fit new doors. This gentleman spent £1,500 fitting a new door, only to be told that a different standard applied, and he has now been asked to fit another door, which will cost £2,000. This is an issue of information, of regulation, and of providing clear advice to vulnerable people.

My other point relates to the pure unease and deep concern felt by many residents. I spoke to another gentleman who lives in a block in Reading town centre. He is in his 20s—completely at the other end of the age range—and he described the poor maintenance of some fire doors, which the hon. Member for Walsall North also mentioned. In the block in which this resident lives, which I believe dates from the 1990s, the doors already seem flimsy. They may not have been up to the relevant standard when they were built, and they certainly seem poorly placed to withstand a prolonged fire. There is little information and little support for residents facing this deep concern, so I emphasise that residents are very concerned about fire doors; that there is poor information; and that many residents face significant extra costs when fitting such doors in private rented or leasehold accommodation.

**Eddie Hughes:** The hon. Gentleman and I have common cause here. My understanding is that some of those fire doors are regarded as 30-minute compliant, or whatever, but they have subsequently been retested and found to not have that level of resistance. Even when somebody thinks they have bought a product that complies, subsequent testing can prove it does not.

**Matt Rodda:** The hon. Gentleman makes an excellent point, and I appreciate his intervention. In many ways, the issues are similar to those with cladding: residents have been left with poor-quality building materials in their homes. The advice and the testing of those materials is not up to modern standards. As a result, residents face a great deal of anxiety, and potentially the huge extra cost of retrofitting adequate doors.

A further related issue, which has been discussed quite widely in the media, is compartmentalisation. I have serious concerns about this issue as well, both in tall buildings and in lower ones. Again, I refer colleagues to some of the advice I received as a councillor when the Royal Berkshire Fire and Rescue Service investigated blocks in our county. It shared some of the

horror stories it had heard about conversions of buildings where compartmentalisation had been clearly breached, leading to a serious increase in fire risk.

For example, I was told that in a block in Slough—obviously not in my constituency, but a similar town not very far away—builders had inadvertently drilled large holes in walls that were meant to compartmentalise fire, to allow service pipes to gain access through the walls, and had not adequately sealed the holes. In a large block of flats, that type of work can breach compartmentalisation. Just as I have raised serious concerns about the exterior of buildings and about fire safety doors, I am equally concerned about the need to maintain compartmentalisation, as are many other Members. This all comes back to the issue of legacy buildings with significant problems, as well as the need for far greater resources for the fire service, local government and private sector contractors, along with regulation and training for staff working on these matters.

There is a growing awareness of the series of problems in tall buildings, and I understand that the Ministry of Housing, Communities and Local Government is particularly aware of the issues related to ACM. However, I want to highlight how many other blocks also contain the same potential fire risks. This is an issue not just with the very tallest of tall buildings, but with the far greater number of lower-rise buildings that are still flats and contain a large number of residents. To give an idea of the scale of the issue, I want to discuss how it affects Reading and, indeed, the county of Berkshire. I am using Berkshire as an example because our fire service is still operated on a county basis, although the county is made up of small unitary authorities.

Between 2,000 and 2,500 buildings in Berkshire are flatted or multi-occupancy purpose-built buildings under 11 metres tall. I understand that Ministers are currently looking at buildings above an 11-metre threshold, but I urge them to look at those below 11 metres, because of the large number of them across much of this country. I hope that my local examples will give Ministers a flavour of the sorts of problems they may come across when they discuss this issue with local authorities and the building industry. Across Berkshire, there are a large number of buildings—student accommodation at universities and colleges, old people’s residential blocks, a wide range of other residential buildings, and possibly some other buildings—where there may be issues such as faulty fire safety doors and problems with cladding and compartmentalisation, as well as other matters that we have not yet discussed. The scale of the issue is simply enormous.

I appreciate that many Members may have visited Reading only on the train, perhaps while on their way home to their constituencies in the midlands, the west country or other parts of the UK. To give them a simple illustration, if Members were travelling through my constituency on the train, they might notice four or five tall blocks, but below those individual high points on the horizon they would see a townscape of many, many flats. In my constituency office, we carried out an exercise of trying to establish how many addresses had the term “flat” attached to them. It is difficult to fully establish that fact, because some buildings are described as “court”, “residence”, or with some other prefix or suffix, but the number is huge. Several thousand people in Reading itself live in flats. Imagine the number of flats across the

whole county of Berkshire, with neighbouring towns such as Slough or Bracknell, which are heavily built up and developed. Indeed, some of the market towns such as Wokingham, Windsor or Newbury may also contain a large number of new flats or retirement homes for older residents, all of which are potentially affected by these same serious issues.

The scale of the problem is simply enormous, and it exists across the whole of the UK. I imagine that every Member here today has dozens and dozens of similar low-rise flats in their constituency, all with the same potential problems as the high-rise flats, yet those buildings are not on the Government’s target list at the moment. I appreciate that looking at buildings below 11 metres may require a significant injection of resource, but given the scale of the concerns and what we have already seen with Grenfell and those other fires, which were in lower-rise buildings at or around the 11-metre threshold, this is a very serious and substantial issue. I also appreciate that the Minister took time to talk to me before this morning’s debate, but I urge her once again to find the necessary resources to address this extremely serious problem, which affects so many residents.

There are two or three other issues that act in combination with those relating to lower-rise buildings below 11 metres. There are not only structural issues, which we have discussed, but important related issues to do with tenure and the nature of conversions, which are also germane to the debate. I will use Reading and Woodley as examples, because I know them well, but I am sure that every hon. Member present could describe the same thing.

Simply, there has been an explosion in the number of houses of multiple occupation in the United Kingdom in the last 20 to 30 years. Many hon. Members may have rented properties in their youth. It is now common to rent properties by room, rather than a couple renting a flat together or a single person renting a small flat by themselves. It is common for terraced houses, including taller three-storey houses, to be divided between multiple occupiers who often do not know one another and who may be cooking and using the building at different times. That building may be old and not have fire safety doors or other measures fitted, which is potentially a massive problem that is linked to the issues with lower-rise buildings. It is an additional and to some extent overlapping problem. I urge the Minister to look at the regulation of that part of the housing sector.

Some local authorities have been quite robust in registering landlords, which is my preference. In my borough, there are serious problems with resourcing, but the local authority has cracked down on the worst offenders. That is typical of many local authorities, which are doing their best with limited resources. One or two local authorities have led the way with full registration schemes, such as Newham Council and Liverpool City Council. I urge the Minister to consider finding the resources for local authorities across the country to run registration schemes, because of the fire safety risks and other related health and amenity risks.

My local fire services told me that, although it has not been widely discussed in the media, there are a large number of unregistered HMOs, which are particularly dangerous, because vulnerable people may be living

[*Matt Rodda*]

there and being exploited by unscrupulous landlords. That is beyond the sector where landlords register with the local authority.

Office-to-flat conversions are another pressing issue because building standards are much more lax than in other forms of development. A significant part of the new housing in the borough of Reading, which makes up a large part of my constituency, comes from that type of conversion. If someone were to drive from Reading town centre to the M4, they would see a series of buildings built in the 1980s, which were then the most attractive office buildings. Because of changes to building design and the use of IT in buildings, however, they have been converted to flatted accommodation. A wide range of other risks could lurk inside those buildings. I urge the Minister to address that point, as I am sure she is willing to, when she considers the other issues that I have mentioned. Local authorities lack sufficient powers to investigate the full nature of those conversions, so many fire safety risks may exist in such buildings.

I appreciate that I have spent some time on these matters, so I will address the new fire safety Bill and the need for significant resources. I welcome the Government's Bill, which I hope will contain the type of regulation that I have suggested that we will need to address those serious concerns, but I ask the Minister to address the full scale of the matter and to make sure that fire services, local authorities and the construction sector have the necessary resources to address the crisis as new legislation is introduced.

I have discussed the measure with colleagues in local government and the fire services in Berkshire. It is estimated that Royal Berkshire Fire and Rescue Service would need 30 extra staff, which is 5% of their total headcount. It is a significant extra resource, which would be needed to inspect the buildings that I have described, which are not currently being inspected. After Grenfell, the service rapidly inspected tall buildings in Berkshire, but did not have the necessary resource to address the 2,500 additional buildings of 11 metres and below, the large number of HMOs or the other buildings that I have mentioned, which may need to be inspected.

The 5% increase in the establishment number for Royal Berkshire Fire and Rescue Service is just one example of a county fire service needing further resources. It is estimated that it would take between two and a half and four years to train some of the key staff. The figure of 30 includes support staff, admin and legal support, all of which are important parts of the fire service team. It will take time to train the fire inspectors, some of whom have significant academic qualifications at degree level, and in some cases at masters level, in fire safety and building matters. I am sure that our fire services are willing to undertake that important work, but they will need extra financial resources.

Our fire services face specific pressures, as the Minister is aware. Many services in areas near major conurbations—in our case, London—face additional financial pressures due to problems in recruiting and retaining public sector staff because of the high cost of housing. In Berkshire and many other places, there is a lack of flexibility in the current fire service precept. In our case, the precept went up to around £65 per household

per year across the county, which was only a £1.20-per-household increase. The fire service would dearly like a £5-per-household increase to allow it to carry out further work. That would not cover the extra 30 staff, but would enable other recruitment and retention measures.

In addition to the fire service, there is a clear need to invest far more in local government and to revise the model of accreditation of fire inspection and building control inspections to make it a more professionalised service. The Chair of the Select Committee, my hon. Friend the Member for Sheffield South East (Mr Betts), has carried out more detailed work on this important issue, about which I have spoken to him. Again, it relates to the need for personnel in the fire service. I urge the Minister, who I am sure is aware of the issue, to look at it as a matter of urgency because of its importance and because of the lead time for training staff, many of whom have degree-level qualifications, which are necessary given the complicated world of construction. The staff we need are highly trained and skilled. As a country, we need time to invest in those people, to pay them and to retain them in the public sector.

I urge the Minister to consider the work of other, related Departments, such as the Department for Environment, Food and Rural Affairs and the Department of Health and Social Care, and other forms of regulation in local authorities that overlap with fire safety responsibilities. It is also worth considering the pressure on private sector firms that operate in the construction industry. Yesterday, I had an interesting conversation with a small business in my constituency about that pressure and the fact that there needs to be greater awareness in the industry of different types of cladding and materials, so that it can move away from ACM cladding. As hon. Members may know, part of the problem is that the inner core of ACM cladding is petrochemical-based, which is highly flammable. Many members of the construction industry would like to know more about alternative materials, but they have training needs. They would be grateful if they could work in greater partnership with central Government and local authorities to address those needs.

I have had similar conversations with local councillor Ayo Sokale, who is a civil engineer and has a lot to offer on the subject in Reading. She pointed out the desire of civil engineers to learn more as specialists in their field, which again relates to the issue of building construction safety. There are needs within professions and within the wider construction industry that must be urgently addressed. I encourage the Minister to work closely with the sector through industry bodies, as I am sure she wishes to, to provide it with the support that it needs.

In Reading, we are lucky to have a great academic tradition in the University College of Estate Management, which is now more than 100 years old, and the University of Reading, which provide academic training and support, architecture degrees and other estate management and surveying courses. That type of investment is greatly needed to support the training of people within the industry, working with the sector and related professional bodies, to help them to provide the level of service that they wish to, and to move away from a low-cost, low-quality model, so that we encourage buildings that are safe, that will last for generations and that will provide the kind of homes that people want to live in.

I thank you, Mr Gray, and the House for allowing me this debate. I thank colleagues for their helpful and thoughtful interventions. I look forward to hearing more from the Minister and from other colleagues. I urge the Minister to take those points on board and to act with the greatest urgency to address these very important matters.

10 am

**Jim Shannon** (Strangford) (DUP): I thank the hon. Member for Reading East (Matt Rodda) for setting the scene so well. He has given the perspective from his constituency and I wish to do the same for Northern Ireland.

I have been considering this issue and liaising with our Housing Executive and others since the terrible Grenfell disaster highlighted massive concerns. I am pleased to see the Minister in her place and I look forward to her response to the debate.

The blocks in Northern Ireland were built in the 1950s and '60s. Of the 33 blocks in Northern Ireland, 25 are in Belfast, and the 1,931 flats in them primarily have two bedrooms. Of those flats, 1,650 belong to the Northern Ireland Housing Executive and 281 have been sold. That complicates the problem—I have heard the issues discussed on the media here on the mainland—as some people who have bought their properties find themselves in a Catch-22 situation.

Although our buildings differ in scale from those on the mainland, the issue must still be taken seriously. I am deeply concerned about this matter. I chair the all-party parliamentary group for healthy homes and buildings. Safety and healthy living are important qualities, and this debate on risk in flats and shared houses is important to the APPG.

One of my constituents has a massive interest in this issue due to his extensive knowledge of it. He has provided me with notes, which I have brought to the attention of the Northern Ireland Housing Executive back home. Those notes should be taken seriously, and I thank my constituent for the information.

Although we use a different type of cladding from that used on the mainland, my constituent says that there are still issues to be addressed. The PVC cladding on tower blocks owned by the Northern Ireland Housing Executive was tested under the BRE 135 and BS 8414 standards. The tests were carried out in 2013, long before the Grenfell fire, but they raised an issue about which I believe we should have been more aware. BRE concluded that the PVC cladding was safe, even though it fully combusted within five minutes of being exposed to temperatures exceeding 600°C. That is a very surprising conclusion, to say the least.

The PVC cladding company claims that the material is Euroclass B, which is of limited combustibility. Other documents, however, suggest that it is Euroclass E, which is fully combustible. The Government must reconsider the continued use on blocks higher than 18 metres of any material below Euroclass A. Under that standard, many blocks would be non-compliant. I hope the Minister can give an idea of how that proposal would impact on existing proposals across the United Kingdom.

According to BRE, smoke toxicity is a major concern. Burning PVC emits significant quantities of hydrogen chloride gas, which can kill people in minutes, long before they have a chance to escape the building. How

many of the people in the awful tragedy of Grenfell were dead before the fire got to them, because of the emissions? If people can be killed by the emissions, those emissions have to be addressed. Proposed smoke toxicity regulations from Brussels have not been adopted. We must address the issue, regardless of pre-existing regulations. I hope the Minister can tell us where we stand on the implementation of those regulations.

Nothing can bring back those who died in the Grenfell fire on that dreadful day—it is important to remember those who were lost—but we must use the tragedy to spur us on to make sure that another preventable tragedy does not happen. We must think about the action that could have been taken and the lives that could have been saved.

I look forward to hearing the Minister's response, including on how we will filter information to the devolved Assemblies to ensure that we are all on the same page. It is vital that there are UK-wide regulations and guidelines—that all of the United Kingdom of Great Britain and Northern Ireland has the same policy, law, guidelines and rules, that all people will be safe and that what happened at Grenfell will never happen again.

10.5 am

**Mr Clive Betts** (Sheffield South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Reading East (Matt Rodda) on an excellent opening contribution. It was serious, thoughtful and comprehensive. I am sure the Minister will respond accordingly, as my hon. Friend made some valid points.

I begin by thanking hon. Members for re-electing me as Chair of the Select Committee on Housing, Communities and Local Government. I say that because I want to refer to the Committee's work on these matters in the previous Parliament. It looked many times at post-Grenfell issues. Dame Judith Hackitt and Ministers appeared before the Committee, to discuss her excellent report and the Government's response.

I could not be in the House last Monday, but I read what the Secretary of State had to say on further Government proposals. Most are welcome and I think there is cross-party agreement about the direction of travel. The cross-party concern on the Select Committee has been that while the Government's response has ultimately moved in the right direction, they have not moved as quickly as they should have done. Many of the proposals that the Government are now considering implementing were recommended by the Select Committee some time ago.

The cladding and aluminium composite material were a major factor in the Grenfell disaster. The Government moved very quickly to ban that material, and they were right to do so. The problem is that it has taken time to remove it from buildings. There are still far too many buildings with ACM material on them, partly because, even though the Government brought in the ban, it took an awful long time to persuade the Treasury to come up with the funding to remove the material from social housing, and then to offer a financial assistance scheme to the private sector.

There is a real issue that will affect any other Government action on leasehold properties. It is absolutely right that leaseholders are in no position to pay for cladding

[*Mr Clive Betts*]

removal. In cases involving fairly recent developments, the property developer may still be the freeholder, so the ownership will not have changed and they might be in a financial position to pay for the cladding to be removed. If the freehold has been sold to a company whose only source of income is ground rent, that company is unlikely to be able to fund the removal. That is a Catch-22 situation. If neither leaseholder nor the freeholder can pay for it, we are back with Government responsibility.

That leads us to other forms of cladding. The Government have quite rightly banned the use of non-limited combustibility materials on new developments. However, certain cladding that cannot be put on new buildings is allowed to remain on existing buildings. There is something fundamentally wrong with that situation. I hope it does not take another disaster before the Government recognise that some of that other material has to come off as well. I know that the review is taking place. Experts tell me that zinc composite material is just as dangerous and combustible as aluminium composite material. High-pressure laminate material has been reviewed and tested. It is not allowed on new buildings but it can stay on existing buildings. As my hon. Friend said, there is also wood cladding material. If, eventually, the Treasury were asked to fund a scheme for those materials that is similar to that used for ACM, the bill would potentially run up to £3 billion. I suspect that is why Ministers cannot move faster at present. There is a real challenge there.

My hon. Friend the Member for Reading East rightly mentioned that this is not just about height. The focus has been on buildings that are more than six or 10 storeys, but buildings do not necessarily have to be high in order to be at potential major risk. Such buildings include student accommodation, residential accommodation for the elderly, hotels, hospitals or nursing homes. The risk posed to each is different, and there must be specific regulations to deal with it. Any material of limited combustibility on those buildings, irrespective of their height, creates a greater risk. That is something else that the Government now have to address.

The Select Committee also focused on an issue that came out of Dame Judith's report—namely conflicts of interest, which often mean that the wrong things are done. I will highlight just two examples. The first involves building inspectors appointed by the developer who then sign off the work of the company that appointed them. Dame Judith was caustic about this practice, and she made it very clear that this has to end. That does not mean that every building should be inspected by a local authority-employed inspector, but the local authority should do the appointing so that there are no conflicts of interest, and that has to be resolved quickly.

The Royal Riverside development in the constituency of my hon. Friend the Member for Sheffield Central (Paul Blomfield) is a horrible case. The resident students had to be moved out by the council and the university. The building had been signed off as fit to live in, but there were fire doors missing and it had not had a fire risk assessment. A whole catalogue of problems meant that the building was a real fire risk, but it had been signed off by the building inspector, who could not have

been to the site to check those things. It was proved later that he had not been to the site. This is simply not acceptable.

Fire authorities also have conflicts of interest. They often set up their own trading arms and then mark their own homework. That has to stop as well, and the Committee was very clear on that.

**Kate Green:** May I draw my hon. Friend's attention, and that of the Minister, to a third conflict of interest, in relation to warranties? Warranty providers appoint their own approved inspectors, which, again, leaves the resident with no independent redress.

**Mr Betts:** My hon. Friend is absolutely right to draw attention to that further conflict of interest. The National House Building Council refused to honour a warranty because the development had not been signed off by its own building inspector. That is in the small print of the warranty agreement. These fundamental problems need to be addressed.

As my hon. Friend the Member for Reading East has said, people in private sector accommodation face fire risks. Houses in multiple occupation have real challenges and difficulties. My hon. Friend drew attention to licensing schemes, which are really valid. It is not the licence itself that matters, but managing the licence and ensuring that proper inspections are done. Local authority resources are key, but local authorities often do not have the resources to do it properly. I am disappointed that the Government did not accept the Select Committee's recommendation that it should be down to the local authority to decide which areas should have licensing schemes. Why do the Government have to second-guess this? We said this should be a local authority decision. In the age of devolution and local democracy, let local authorities do it. As long as people can appeal to the Secretary of State if local authorities do not follow the proper process, the decision should be for the local authority and local community, and not something for Ministers to second-guess.

The Minister kindly wrote to me about the Government's right decision to bring in inspections every five years of electrical installations in private rented accommodation. The Select Committee recommended that in 2015, which was five years ago—we got there in the end. She can probably give a very simple answer on this point. She said that the work will be signed off by a "competent inspector", but what does that mean? One of the problems with part P of the building regulations is that, although there is a competent person scheme, that does not mean, ironically, that a competent person has to do the work. It simply means that the company has to be part of a competent person scheme and that it has someone with the necessary qualification, but that someone does not necessarily have to be the person who does the work. Will the inspectors have a certificate to say they are competent, or will they simply be employed by a company that is part of the competent persons scheme? That is a really fundamental point.

My hon. Friend has covered many points, and I will not go into all of them. He raised an important issue about not just how well buildings are built when it comes to fire safety, but about how they are managed and maintained afterwards. One of the strengths of Dame Judith's report was that it looked at the whole life

of buildings, including residents' involvement in ensuring that they are properly informed about their buildings, and at how buildings are maintained and managed. It also looked at ensuring that a properly accountable person is in place to do that, so that the organisation has rules and procedures on whether doors should be changed to improve their fire resistance, whether they are being kept open, and whether they are being properly maintained. All of those issues are absolutely crucial to the safety of buildings.

There are an awful lot of issues to examine; the Minister is probably grappling with some of them in her new post. There are major challenges. I look forward to the Minister, along with Dame Judith, attending the Select Committee before long, to see what progress has been made. Our job is to challenge and scrutinise the Government, and hopefully to push them to move a little quicker than they have moved in the past.

10.16 am

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure to follow my hon. Friend the Member for Sheffield South East (Mr Betts), the Chair of the Select Committee. I am pleased to see him back in his position and to speak in this crucial debate, and I congratulate my hon. Friend the Member for Reading East (Matt Rodda) on securing it. He, the Chair of the Select Committee and the hon. Member for Strangford (Jim Shannon) have covered many of the important issues at stake. It is a great pleasure to serve under your chairmanship, Mr Gray, and I wish you all the best in the elections this week.

Housing is a devolved matter, and I pay tribute to the Welsh Government for their work on fire safety and building issues—particularly the groundbreaking law on sprinklers in buildings that was introduced in 2016; the ban on combustible cladding that was announced just last week by the Minister for Housing, Julie James; and the plans to bring forward a crucial White Paper on the wider life cycle of apartment buildings and buildings in general. There are many things here on which we can work UK-wide, as the hon. Member for Strangford said.

Many of the construction companies involved in building these blocks are based across the UK, and many issues relating to insurance and legacy regulation are at a UK level. Co-operation between the UK Administrations, and with the UK Government, is therefore crucial to ensure that we keep our residents safe and expose companies—I will come on to some very specific concerns—that, quite frankly, should be ashamed about their buildings and their failure to live up to construction standards.

I will talk about a specific example in my constituency that has been heavily in the media in recent months: the Celestia block in Cardiff bay, which is a short distance from the National Assembly and other developments. It is one of the many developments that have brought people into the former docklands areas of Cardiff bay over the past 15 to 20 years. In my constituency we now have something over 16,000 individual apartment units in a range of different styles. Some of them are extremely pleasant, with beautiful views across the water, and they have brought in people from all over to contribute to Cardiff's economy.

However, I am sorry to say that some very serious issues have been raised with me about defects in the buildings, and a significant number of them relate to fire safety. I do not want to name all the other blocks; as Members will be aware, one challenge that we face as elected representatives is that if we expose such things in the media, we can cause serious damage to the financial standing of owners and leaseholders, and we can create panic and fear. In the aftermath of the horrific events at Grenfell, many constituents have come to me with serious fears and concerns that have led to mental health worries and other difficulties, especially for people who live in taller blocks.

With the city's public high-rise housing, which is run by Cardiff Council and other providers, I am pleased to say that the council has taken significant steps to address fire safety concerns and reassure residents. I pay tribute to my colleague Councillor Lynda Thorne for the work she has done on these issues for Cardiff Council; to the councillor for Butetown, Saeed Ebrahim; and to my Assembly colleague Vaughan Gething, with whom I have worked closely.

Unfortunately, we have not seen the same in the private sector. Celestia, the development, was built by Redrow and Laing O'Rourke. I am sorry to say that their response to me, other elected representatives and, most importantly, the residents of the Celestia block has been, quite frankly, shameful. The failure of the chief executive, John Tutte, and others even to respond to the concerns that I and others have raised with him shames the company. They have some very serious questions to answer.

Celestia is a huge development built in 2006, comprising 457 leasehold residential development dwellings, ranging from one-bedroom flats to multi-bedroom apartments. It is spread across seven apartment blocks in Cardiff bay that are joined together. We have been advised by residents and, more recently, in inspections that the building has several serious dangerous defects ranging across, but not limited to, fire safety. They include defective render, defective roof anchors and defective balconies, which are not safe to go out on. Sewage has spilled into people's apartments. I was told of a sewage pipe that had been propped up on a Starbucks cup behind a wall, resulting in one of the flats being flooded with sewage. The issues go well beyond fire safety.

On fire safety, the inspections found very poor or non-existent compartmentation measures, which my hon. Friend the Member for Reading East spoke about, missing or defective external fire cavity barriers, and the use of timber cladding insulation that is not of the required standards. In response, Redrow and Laing O'Rourke have washed their hands of the issues. I have been dealing with two organisations at the block: the Celestia Action Group and the leasehold association, Celestia Management Company Ltd. Both have separately raised concerns with me.

Redrow and Laing O'Rourke responded to me. Redrow said:

"Redrow procured the services of Laing O'Rourke as main contractor...Redrow are no longer the freeholder...and any works required to be carried out would require the consent of the freeholder...Redrow acknowledge the potential issues relating to fire safety and will continue to work closely with the management company, freeholder and main contractor;"

[*Stephen Doughty*]

and so on and so on, but it gives no commitment. To add insult to injury, its suggested remedy for work that will potentially cost millions of pounds on such a large block is to offer the residents a loan to pay to rectify defects that it is responsible for. That is, quite frankly, shocking and an insult to the residents in the block.

Laing O'Rourke similarly washed its hands of the issue, saying:

"We are aware of the background to the issues raised in your letter. The present situation is that the current building management company has engaged third party technical advisers"—

blah, blah, blah.

"We have fully co-operated... We are however unable to comment further on the issues raised in your letter whilst the technical review is in progress."

From a pride point of view, I think of what I would do if I were involved in a company responsible for a building with so many defects, particularly relating to fire safety, which put residents' lives at risk to the point that South Wales Fire and Rescue Service had to intervene and issue orders that could have resulted in the immediate evacuation of the building. Thankfully, it was possible to undertake some immediate remedial work, so that was not required, but the fact that work had to take place within the next 12 months shows the scale of the problems.

I have met Councillor Lynda Thorne and Cardiff Council to discuss building control and environmental safety, and they are working closely with South Wales Fire and Rescue Service to try to address some of the immediate concerns. There are also issues relating to access for fire appliances around the building. Such access involves a path on the edge of the docks that often floods, and the fire service is understandably worried about being able to get appliances round to the side of the high-rise building.

One of the residents wrote to me to say:

"Although the most shocking fire safety issues were only discovered in the last year or so, the majority of the defects from a cost point of view have been known about for many years, yet you"—

Redrow—

"have refused to put them right. These aren't defects caused by wear and tear, or poor maintenance, they are fundamental construction defects. Indeed, I haven't once heard an argument put forward by either company"—

Redrow or Laing O'Rourke—

"that the defects are a fault of leaseholders, and my understanding is that the reason you aren't paying to put them right is because you are hiding behind legal loopholes. Morally, I find your attitude absolutely disgusting. I like many others, am currently stuck in an apartment that is"

potentially worthless.

"I would like you to explain to me why, after buying this apartment in good faith, I am essentially out by"

a very large sum of money. They asked why they should have to pay the sum,

"instead of you—the builders and developers of the complex."

Celestia Action Group told me and other elected representatives in December that, despite its attempts to secure a standstill agreement with Redrow—there is a belief that Redrow has been dragging out this process

to go over a 12-year period to try to avoid its responsibilities further—Redrow rejected that. Celestia Action Group believes that there is a deliberate attempt to try to frustrate the interests of the building's leaseholders and residents.

Celestia Action Group is equally shocked by the proposal of a soft loan, not least because Redrow did pay out for and rectify the issues at the Ropeworks building in Barking. My right hon. Friend the Member for Barking (Dame Margaret Hodge) raised that issue at the time. The block was built at around the same time as Celestia and there are very similar issues, and yet Redrow paid out there. Why is it one rule for a block that the company built in Barking and a different rule for a block that it built at about the same time in Cardiff? I believe that the company was building similar blocks to similar standards in other cities around the UK at the time. Clearly, it was attempting to get away with avoiding its responsibilities in a couple of places to save itself money, and in other places it was paying up.

The company is predicted to make £406 million in pre-tax profits this year, so I understand residents' outrage at its failure to deal with this problem. John Tutte himself received something like £2 million annual compensation, so the loan that the company is offering the residents in Celestia is about 50% of what he gets, let alone what the company makes. Understandably, people are absolutely shocked. I was delighted to join residents protesting when, to our shock, Redrow was being recommended for an award in Cardiff bay just before Christmas. I stood outside another building where the awards ceremony was taking place, protesting with residents. Many of them had not had the courtesy of a response from Redrow and Laing O'Rourke. Many residents attending the awards ceremony live in the block of flats and were unaware not only of the scale of the building's problems, but of Redrow's and Laing O'Rourke's failure to deal with them.

There are some very serious issues here, and we have heard about the wider context that they sit within. It is clear that such issues occur across the United Kingdom. They relate to serious defects in fire safety and other building construction standards. They go back many years, and companies simply wash their hands of them, often by self-certifying, not having adequate inspections and offering worthless guarantees. Then, when problems are identified, instead of doing the right, moral thing—rectifying the issues and coming to agreements with leaseholder associations and others—they simply try to wash their hands of them and bat them off to somebody else. It is not good enough. The senior management of Redrow should sit down with me and the residents of Celestia in Cardiff bay. There needs to be much wider investigation and regulation of the industry, particularly because in cities such as mine—my hon. Friend the Member for Reading East said the same—new apartments blocks are going up all the time. This is about not just the high-rises, but the lower-rise blocks, too. I am sorry to say that I am frequently told about serious concerns and problems.

I will continue to work with my Assembly colleagues and others, and I am pleased by the work that they and Cardiff Council are doing. The UK Government must look at the matter too, and companies such as Redrow and Laing O'Rourke should take responsibility for their shocking and shameful behaviour.



10.28 am

**David Linden** (Glasgow East) (SNP): As ever, it is an enormous honour to serve under your chairmanship, Mr Gray. Like others, I thank the hon. Member for Reading East (Matt Rodda) for securing this debate on a hugely important and topical issue. We of course await sight of the fire safety Bill, but I know from last week's debate on the phase 1 report of the Grenfell inquiry that there is rightly significant cross-party support in the House on this issue, as evidenced by the four Back-Bench speeches this morning. I am glad to be summing up for the Scottish National party.

In his very comprehensive speech, the hon. Gentleman spoke about concerns about cladding. We are moving into phase 2 of the Grenfell inquiry, and we all agree that we should wait and see what happens over the course of phase 2, so that our actions can take that in. Certainly, there is a wider point about the Treasury and leaseholders.

The hon. Gentleman spoke about issues relating to internal safety in buildings—particularly high-rise blocks—after the Grenfell inquiry. I have 10 tower blocks in my constituency of Glasgow East. I was very grateful to Glasgow Housing Association for taking me on a tour of those blocks, where we looked at internal issues, some of which related to fire doors. The hon. Member for Walsall North (Eddie Hughes), who is no longer in his place, was right to make the point that we can have all the legislation in the world, but cultural issues sometimes mean that people might use fire extinguishers to hold doors open, for example, which is not necessarily ideal.

The hon. Members for Strangford (Jim Shannon) and for Cardiff South and Penarth (Stephen Doughty) spoke about some of the devolved issues in Wales and Northern Ireland. The hon. Member for Cardiff South and Penarth was right to take to task some local organisations that are definitely not stepping up to the plate. As ever, the hon. Member for Sheffield South East (Mr Betts), who chairs the Housing, Communities and Local Government Committee, spoke very powerfully and with great authority. He was right to make the point about the impact on leaseholders.

We covered so much ground in last week's debate in the main Chamber, so I will not repeat much of what I said then. I will focus instead on a number of ancillary issues that I did not manage to touch on last week. In the context of the debate, let us not forget that people are still living in dangerous homes, so it is imperative that we reassure our constituents, as the hon. Member for Cardiff South and Penarth tried to do. He made the point that we cannot have just words; we must have actions from Westminster.

Last year, we saw the chilling sight of a block of flats in Barking go up in flames. The psychological impact on survivors of Grenfell, as well as on those who were bereaved, can scarcely be imagined. The fact remains that tens of thousands of people live in privately owned tower blocks in which remedial work on fire safety has yet to be completed, while the British Government pass the buck to freeholders. My message to the Government remains very much the same as last week: we must make better progress in reassuring people who live in high-rise blocks and shared accommodation.

According to the charity Electrical Safety First, in 2017-18, 150,000 fires were caused by an electrical ignition source, which accounted for 60% of all accidental domestic

fires across the UK. The Government's strategy to tackle that problem has been poor. The concentration of consumer messages has centred on the "Fire Kills" campaign, but despite the British Government's advertisements last March—including some messaging on the dangers of overloading sockets—more definitely needs to be done to focus on electricity in future campaigns.

In Scotland, Electrical Safety First has been running the successful "Inequality Street" campaign, the aim of which is for everyone to be protected by the same electrical safety laws regardless of tenure or dwelling type. The campaign's focus this year will be electrical safety in mixed-tenure blocks, which I welcome. Put quite simply, flat owners should be expected to meet higher standards when there is a potential impact on their neighbour's safety.

North of the border, the Scottish Government have shown their commitment to high safety standards in Scottish homes by introducing new legislation last February that requires all domestic properties in Scotland, regardless of tenure, to have the same levels of smoke and fire detection. Private landlords have also been required to carry out five-yearly electrical checks since 2015—the Select Committee Chair, the hon. Member for Sheffield South East, made that point—and will soon be required to fit residual-current devices, which cut off the power if a fault is detected, in all their rented properties.

When it comes to tumble dryers and washing machines, there have been two major recalls recently, so electrical appliance and fire safety need to be a priority, especially for people living in flats. How is the Minister working with colleagues in the Department to communicate messages to the public about appliances causing fires? Will we soon see, for example, TV advertisements from the Fire Kills campaign about appliance fires? Will she also think about how fires are recorded by fire and rescue services?

Consumers are charging their devices more than ever before, so will the Minister commit to ensuring that British Government records include fires caused by, for example, mobile phone chargers rather than trouser presses, which must surely be falling out of use? A wider point is that more and more consumers use websites such as Wish.com, and we essentially import products from China that do not meet British standards. That is a concern.

**Jim Shannon:** The hon. Member has outlined what the Government need to do. Does he agree that companies also have great responsibilities? The Government perhaps need to introduce legislation or make changes to the law to ensure that companies are accountable to the people to whom they sell their electrical products, because currently, if the products catch fire, the companies seem to walk away.

**David Linden:** The hon. Gentleman makes a good point; the Government absolutely have a role in ensuring that we hold those companies to account. Equally, we have a role as consumers on a personal level. We have to consider the standard of an Apple charger that is sold for only £2 or £3, for example. We know that consumer behaviour is evolving and it is important, as he has said, that the Government keep pace.

As I said at the outset of my remarks, there is much cross-party consensus on ensuring that we have the highest possible fire safety standards, on which Scotland

[David Linden]

is already leading the way. The SNP would certainly support some kind of team approach—of the sort mentioned by the hon. Member for Cardiff South and Penarth and the hon. Member for Strangford—to ensure that we are on the same page across the UK. My fundamental message is that action needs to come at a much greater pace.

10.35 am

**Sarah Jones** (Croydon Central) (Lab): It is a great pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Reading East (Matt Rodda) on—as the Select Committee Chair, my hon. Friend the Member for Sheffield South East (Mr Betts), said—his incredibly thoughtful, considered and detailed speech. We will all be listening to the Minister's response.

Nearly a thousand days since the Grenfell tower fire, it is hard to know where to begin on the chaos of building controls and safety systems in this country. Before this debate, the Royal Institute of British Architects, which is a well-respected body, sent a briefing in which it said that it remains deeply concerned that, apart from the ban on combustible cladding in certain buildings, regulations remain exactly the same as they were when the fire occurred over two years ago.

I will run through events since the fire. Following the fire, the first phase of the public inquiry was 18 months overdue, and the response to the Grenfell survivors was woeful, as the Government admit. On the removal of ACM cladding, nine in 10 private blocks are still covered in it, and three-quarters of all residential blocks with that cladding are still wrapped. A thousand days on since the fire, developers and freeholders are not taking responsibility at all, as my Friend the hon. Member for Cardiff South and Penarth (Stephen Doughty) said, but the Government also need to step up to the plate. I congratulate my hon. Friend on the number of times that he mentioned Redrow and Laing O'Rourke. I hope that their public affairs firms, to which I am sure they direct significant resources, will pick up on this debate and take some action.

The Government are more than a year overdue in publishing the results of testing of suspect non-cladding materials other than ACM cladding. They told us that publication would be set for summer, then autumn, then before Christmas, and now spring. How much longer will we have to wait? The delays and contradictory advice in government guidance mean that up to 600,000 people are now trapped in unsafe or unsellable buildings—their lives are on hold and they do not know whether their flats are worthless. In my constituency, there are several cases of people who cannot sell and are trapped. Last week at my surgery, I saw some people who work in the NHS and who are moving to Southampton in two years to start a new job. They cannot sell their flat because they have not got the paperwork that says whether it is safe.

On sprinklers, which have been mentioned, Labour research from last year revealed that just 5% of tall council blocks are fitted with sprinklers. The two-tier system that the Chair of the Select Committee talked about is growing ever wider; there are some rules for

new buildings but not for people in existing blocks. That is completely unfair and the Government have offered no funding to help with the retrofitting of sprinklers.

No legislation has been promised. Ministers have made 21 announcements on building safety since Grenfell and have made repeated promises to legislate, but nothing has reached statute, not even a draft Bill. Will the Minister give us a date for the introduction of the fire safety Bill? That would be very helpful.

We still do not know how deep the scandal goes. That is perhaps the most worrying aspect of all, because the Government have still not audited tower blocks, which they should have done straight after Grenfell. Despite saying that HPL cladding is lethal and must be removed, Ministers cannot tell us how many blocks have HPL—or other types, such as timber cladding, as mentioned—or where they are.

Last week's Government announcement was welcome, but it is a half-hearted response, long overdue and too weak. We have been calling for naming and shaming developers and freeholders since last June, but the Government have set December in the timetable. Why wait? Seventy-five block owners still have no plan, although they have had two and a half years of warnings. Why not name them today?

Reducing the height threshold for sprinklers and combustible cladding, as my hon. Friend the Member for Sheffield South East said, serves only to increase the gulf in our two-tier system. The Government apply a safety standard for those in new blocks but not for those in existing blocks. That disproportionately affects social housing tenants because, fundamentally, they are the ones in the existing blocks. Thousands of blocks over 30 metres do not have sprinklers—let alone those over 11 metres—because they were built before Labour introduced the 30-metre threshold for sprinklers.

Why do we need more consultations when last year we had months and months of consultations on Approved Document B, which covers sprinklers, combustible cladding, fire doors and more? The responses were clearly in favour of greater safety, so why wait? Why not legislate now? Why ignore the recommendations that for specialised housing, such as care homes and hospitals, the ban on combustible cladding should apply to all heights of buildings? Talk to anyone in the fire service and they will say, "We need to have sprinklers in care homes." The London fire service advises that every new school built should have sprinklers. The cost is about the same as putting in carpets, but only 3% of new schools built have sprinklers. We need to address all such issues.

There are also some big questions about the announcement that ACM cladding should be removed from all buildings, regardless of height. If that is what the Government are suggesting, the implications for Government, local authorities, housing associations and leaseholders are profound. If the Government had always been clear that ACM buildings below 18 metres must be remediated, as the Secretary of State implied last week, why are they not collecting information on how many buildings there are and where they are? Why are they not publishing the information in the monthly building safety updates? Why are those buildings not entitled to help from the ACM remediation fund, or will they be going forward? Have the residents been informed? What guidance was sent to local authorities to indicate that that was the Government's view? Most of all, why did

the Government guidance, post Grenfell, in amendments to building regulations last year, explicitly refer to buildings over 18 metres?

Finally—I want to give the Minister plenty of time to respond—the scandal at the heart of all this is that hundreds of thousands of leaseholders and people in blocks do not know what is happening to them. They do not know what they will have to pay. They do not know whether they will be able to move out of their blocks. They are suffering deep anxiety and stress. We all have people in our constituencies in that situation, although rather highlighting those in my constituency, I will highlight some who have been trying to get in touch with the Secretary of State for a long time. For months, the residents of the Skyline Central block in Manchester have been asking him to intervene after they were charged up to £25,000 each. The deadline for when they were supposed to pay has now passed, but they have still not heard from the Secretary of State.

Nearly 1,000 days after the fire, everything comes down, fundamentally, to trust. There are so many problems that the Government have yet even to begin to solve. They have a responsibility to do so. The Government won a large majority in Parliament, on which I congratulate them, but now they have a responsibility to fix the problems, which will not go away and are only getting bigger as we uncover more and more issues at play. Please, no more excuses and no more delays.

10.43 am

**The Minister for Housing (Esther McVey):** It is a pleasure to serve under your chairmanship, Mr Gray.

I thank the hon. Member for Reading East (Matt Rodda) for securing this debate and for speaking so thoughtfully on fire safety last week in the Grenfell Tower public inquiry debate. I am also grateful to all Members who brought key issues before us today and made pertinent points. I thank the hon. Member for Sheffield South East (Mr Betts), the Chair of the Select Committee. His job is to scrutinise, and he has been present to do exactly that. There is much—if not all—that we agree on, but the question is how we deliver safety to everyone so that when they go to bed of a night time, they know that they are in a safe home and can feel safe and secure.

I hope to get through the points that everyone has made as best I can, but I will also recap briefly some of the key things that we have already done, because people have asked what has been done. The Government have committed to bringing about the biggest changes in building safety regulation in almost 40 years. After the Grenfell Tower tragedy, we took decisive action on the safety risks exposed by that fire. We banned the use of combustible materials in cladding systems on high-rise tower blocks and committed to £600 million of funding to replace aluminium composite materials of the Grenfell style. In the autumn, we committed to adopting in full the recommendations of the Grenfell Tower inquiry phase 1 report and, on 21 January, we published our Government response to that report. However, as more issues arise, the Secretary of State says that we will widen up to address concerns as they are brought forward.

We have established the new regulator, and we are doing that at pace. We are ensuring that the regulator has the information it needs. We are reviewing fire

safety guidance and the sprinkler and fire safety measures, going further on combustible materials, which the hon. Member for Sheffield South East spoke about. We are providing clear advice to building owners, setting clear expectations for all residential buildings, for remediation of fire doors—that was raised—ensuring that there is a more comprehensive assessment of building risk, speeding up the remediation of unsafe ACM cladding, reviewing all remediation timescales and ensuring sufficient action. Inaction will not be allowed. We will bring forward the fire safety Bill and the building safety Bill to ensure that the necessary remediation happens. We will also support those who were affected. I agree wholeheartedly that that must be done at pace. The hon. Member for Reading East talked about the enormous scale of the task. What we do has to be thorough and rigorous, but it has to go at pace.

The Government have also accepted the independent Dame Judith Hackitt review of building safety, and we will introduce that legislation. We expect all housing developers not only to deliver good-quality housing, but to deliver it on time and to treat house buyers fairly. We intend to legislate to introduce a requirement for developers of new home buildings to belong to a new homes ombudsman, to protect the interests of home buyers and to hold developers to account when things go wrong. The hon. Member for Cardiff South and Penarth (Stephen Doughty) raised that point. What are those developers doing, how are we bringing them to account and are they delivering the building—the homes—that people expect?

**Mr Betts:** The new homes ombudsman is an interesting idea, and we look forward to hearing from the Government about the timetable for that legislation. Will the ombudsman have teeth? If it finds one of those scandalous situations in which developers have built shoddy homes, will individuals be able to get compensation? Will the ombudsman be able to ensure that the compensation is paid?

**Esther McVey:** The hon. Gentleman is correct. The ombudsman must have teeth so that it can support homeowners and ensure that they get full recompense. It must have teeth so that they will not be needed, and so that people follow the rules, the guidelines and the regulations.

Members have talked about sprinkler system safety. Our consultation on sprinklers and other measures for new build flats is now closed, and we have carefully considered the responses. The Secretary of State has said that he is minded to lower the height threshold from 18 metres to 11 metres. We will set out detailed proposals on that and the plans for other aspects in the full technical review of the fire guidance in February.

In December 2018, the Government banned the use of combustible materials on the external walls of high-rise buildings, and my Department has concluded the review into the effectiveness of the ban. Last week, the Department launched a consultation on the ban, including on lowering the height threshold from 18 to 11 metres. As I said, when things come forward, we have to look afresh, and that is why there has been a wider consultation.

**David Linden:** I share the frustrations of the hon. Member for Croydon Central (Sarah Jones). The Government seem often to conduct reviews and consultations on

[David Linden]

issues where action has already been taken in Scotland. Why on earth are we doing more consultations when action has already been taken north of the border? What is the need to consult when we can see what is happening there?

**Esther McVey:** We are doing further consultation because although we have put in place bans and measures, we are now seeing whether they need to be strengthened, and whether the height threshold needs to be reduced. We are going further than we said in the first instance, because further matters have come to light. We are always led by an expert panel, and we always seek the latest advice. As points come forward, we scrutinise the various composite materials and look at what is best.

It has never been the case that simply because a building is below 18 metres, owners are exempt from ensuring the safety of residents. There is a requirement on building owners to ensure that buildings of any height are safe, and we expect all owners to act responsibly. The consolidated advice note also clarifies the actions that building owners should take in relation to fire doors. The Government have welcomed the commitment from members of the Association of Composite Door Manufacturers to work closely with building owners to remediate doors that have failed tests. We will continue to monitor the situation closely.

My hon. Friend the Member for Walsall North (Eddie Hughes) and the hon. Member for Reading East talked about security and safety in buildings, and how other safety measures were being carried out. My hon. Friend talked about people blocking doors to keep them open. For the full safety of the building, we must adhere to the safety rules. It is not just about the safety of the materials used in buildings, but about whether the due safety process is followed.

Last week we published a call for evidence to seek views on the assessment and prioritisation of risks associated with external walls, such as cladding, in existing buildings. For many years, we have relied on crude height limits with binary consequences, yet it is clear that when approaching a building's risk, height alone does not reflect the complexity of the challenges at hand. As the Secretary of State has made clear, we need a better, more sophisticated system to underpin our approach. Height will remain a significant and material factor, but it will sit alongside a broader range of risk factors. We have therefore commissioned leading experts in the field to develop, as quickly as possible, a sophisticated matrix of risks that will replace the historical system and underpin our approach to future regulatory regimes.

Hon. Members asked what was happening and how quickly it was happening: across all sectors, remediation is complete in 135 buildings; remediation has started in 123 buildings; and there are plans and commitments in place to remediate a further 182 buildings. At the end of December 2019, remediation had started or been completed on 145—91%—of the 159 social sector buildings with unsafe ACM cladding systems, and there are plans in place to remediate the remaining 14 buildings. At the end of December 2019, of the 197 private residential buildings, remediation had finished or started in 54, or 27%. Plans and commitments are in place for 143—

73%—of the other buildings. There are no buildings where plans for remediation remain unclear. We are following closely the speed with which that remediation is taking place and what is happening. Although mitigation safety measures are in place for unsafe ACM cladding where required, we do not underestimate the concerns of residents who live in buildings where remediation has not started. We are therefore appointing a construction expert to review remediation timescales and identify what can be done to increase the pace in the private sector.

We are aware of leaseholders' concerns about meeting the cost of remediation. The hon. Member for Stretford and Urmston (Kate Green) and others mentioned that. We do not want cost to be a barrier to remediation, so we are considering, with Her Majesty's Treasury, options to support leaseholders. The Chancellor and the Secretary of State for Housing, Communities and Local Government will set out further details in due course.

**Kate Green:** Will the Minister consider looking at what might be done in the area of insurance to broaden access to the insurance cover currently taken out by developers or freeholders, so that leaseholders or their managing agents might be able to make a direct claim under such policies?

**Esther McVey:** The hon. Member makes a very good point. Those are exactly some of the measures that we are looking at, to make sure that the remediation is done in the best way, while being mindful of leaseholders.

**Stephen Doughty:** Does the Minister agree that it is inappropriate for companies such as Redrow to offer soft loans to people to deal with things that were not wear and tear but fundamental building defects, in relation not just to cladding but to many other aspects of fire safety? Those people should be allowed to access insurance and opportunities to remediate that do not bear down on them financially. It was not their fault, and they should not have to pay.

**Esther McVey:** The hon. Member makes a good point. I wonder whether we could have a meeting to talk about some of the things we think should be put in place, so that I can make representations to the Secretary of State and the Chancellor.

I would like to leave some time for the hon. Member for Reading East to make his closing remarks, but first I want to talk about the stringent rules that private landlords must follow. By law, privately rented properties must already be free from the most serious health and safety hazards, which include fire. Landlords must put up smoke detectors on every floor, and they must have gas boilers and installations checked every year. Earlier this month, we laid before the House regulations requiring landlords to carry out safety inspections at least every five years, and to prove that the electrics in their property meet the legal standard. If they do not, the landlord must get the work done to make them safe.

The hon. Member for Glasgow East (David Linden) mentioned electrical safety inspections and the safety of electrical goods that people buy and plug in at home. He asked whether we could work with the Department for Business, Energy and Industrial Strategy and other Departments to ensure that such goods are safe. That is

a fair point. We do work across Departments, but we need to do that as well as we possibly can. Landlords must ensure that all fire escapes are clear—

**Mr Betts:** Will the Minister give way?

**Esther McVey:** I will, but I was just about to talk about households in multiple occupation—a point that the hon. Gentleman raised.

**Mr Betts:** Going back briefly to inspections, what is a competent inspector? The question of who will do the inspections is important.

**Esther McVey:** As time is running out, I will write to the hon. Gentleman to explain what is meant by a competent inspector.

Enforcement is key. We will hold landlords to account to ensure enforcement. At the end of the day, we must ensure that homes are safe and people can sleep safely at night, knowing that we are mindful of those points.

10.58 am

**Matt Rodda:** I am grateful to the Minister for her detailed response, particularly her final point about the importance of enforcement and her response to the intervention from my hon. Friend the Member for Sheffield South East (Mr Betts). I thank hon. Members for attending the debate, particularly as they represent such a wide spread of places in the United Kingdom. We have had a wide discussion of issues ranging from particular developers to a whole number of other matters. I ask the Minister, once again, to act with the utmost urgency, and to arrange a meeting with me and members of our local fire authority and local councillors in Berkshire.

*Question put and agreed to.*

*Resolved,*

That this House has considered the fire risk in flats and shared housing.

## UKAEA Public Service Pension Scheme

11 am

**Cat Smith** (Lancaster and Fleetwood) (Lab): I beg to move,

That this House has considered the UKAEA Public Service Pension Scheme survivor's pension.

It is a pleasure to see you in the Chair, Mr Gray, for this short but important debate. I requested the debate to highlight the inconsistent and discriminatory application of rules across public sector pension schemes in respect of awarding survivor benefits to unmarried partners upon the death of members. I want specifically to address the refusal of the United Kingdom Atomic Energy Authority pension scheme to award a survivor's pension to my constituent, Ms Eve Shields, on the basis that she was not married to her partner, Mr Anthony Sysum, at the time of his death in 2017.

Mr Sysum, an employee of British Nuclear Fuels Ltd, was a member of the UKAEA pension scheme for 37 years, retiring in 2005. In a committed relationship for 23 years, Anthony and Eve shared a home and were financially interdependent, and Anthony's UKAEA pension was their primary source of income. Despite being in poor health herself, Eve dedicated herself to being Anthony's primary carer following his first stroke in 2006. A subsequent stroke in 2013 left Anthony in a semi-comatose state, unable to communicate effectively and requiring significant nursing care. Sadly, Anthony died in 2017. UKAEA responded to my inquiries regarding Ms Shields's entitlement to a widow's pension under the scheme, stating:

"Under the scheme rules, the member has to be legally married or in a civil partnership to be eligible for a dependent's pension to be paid out after their death. Therefore there is no pension due."

In July 2019, I wrote to the then Chief Secretary to the Treasury, the right hon. Member for South West Norfolk (Elizabeth Truss), questioning why the UKAEA pension scheme rules appeared to be out of line with more recent reforms to public sector pensions, under which survivor benefits are awarded to unmarried partners and should be paid for life, not removed upon subsequent marriage or cohabitation. In response, she confirmed that the UKAEA pension scheme is based on the civil service classic scheme. New pension arrangements for civil servants introduced in 2002, which are known as premium, were not incorporated into existing classic schemes. As the UKAEA scheme remained a classic scheme, it was not subject to those reforms.

Further examination of the current UKAEA scheme highlights a glaringly inconsistent approach to the rules regarding what constitutes an "eligible widow". Although a widow's pension will be awarded to a survivor who was married to or in a civil partnership with a scheme member at the time of their death, that benefit will end should the survivor remarry or live with another person as though they were married.

In 1998, the then Labour Government decided that public service schemes should be able to provide survivor benefits to unmarried partners if the membership was prepared to meet the cost. In October 2002, a new scheme, known as premium, was introduced for new civil service members. The existing classic scheme was closed, with members given the option to transfer to classic plus. The revised classic plus scheme provided, among other benefits, survivor pensions for unmarried

[Cat Smith]

partners. The UKAEA scheme is a statutory defined-benefit public service pension scheme, yet it seems that its members were excluded from the reforms made to the range of other civil service pension schemes on which it was modelled. Will the Minister say why?

We know that in 1996, following the privatisation of the commercial arm of UKAEA, members of the existing scheme were offered the right to transfer their benefits from the public service pension scheme to an alternative private scheme, the Atomic Energy Authority Technology scheme, with the promise of “no less favourable” benefits. We also know that that failed, with the AEAT pension scheme transferred to the Pension Protection Fund in 2012 and the Government “promise” in the Atomic Energy Authority Act 1995 subjected to review by the pensions ombudsman. It seems to me that UKAEA members who, like Anthony, chose to remain in the existing public service scheme fared little better, given their exclusion from the opportunity to transfer to a classic plus pension scheme in line with public service employees in other public sector workforces.

Turning to the existing rules, aside from the blatantly gender-based language they use, I am incredulous and, frankly, astonished at the position adopted by the current UKAEA scheme. Rule 6.05 of the scheme states:

“A widow’s pension under Rule 6.01 will be paid from the day after her husband’s death until the date of her death, unless she remarries or was (at the time of her husband’s death) living or begins to live with a man as if she were the person’s wife or, if the member died on or after 5 December 2005, the member’s widow forms a civil partnership or marries a woman or begins to live with a woman as though they were a married couple.”

The scheme rules employ a very narrow definition of what constitutes an “eligible widow” in making any widow’s pension award, but the scheme is considerably less narrow in its definition and interpretation of “partnership” when removing that pension at a later date.

It is my view that that position may be considered discriminatory on the grounds of marital status, in line with the 2017 Supreme Court judgment in the case of *Brewster*. The *Brewster* case concerned a similar public service pension scheme, the local government pension scheme, and its requirements that unmarried cohabiting partners must be nominated by their pension scheme member partner in order to be eligible for a survivor’s pension, and that the survivor must show they had been a cohabitant for two years prior to, and two years after, that nomination. Neither of those requirements was in place for married or civil partner survivors. The Supreme Court determined that, where a pension scheme provides a survivor’s pension for an unmarried partner, there is no requirement for the member to nominate their partner in order for that pension to be applied.

Denying bereaved cohabittees access to survivor pensions can cause huge distress as well as significant financial hardship. Lawyers acting for Ms *Brewster*, the surviving partner, responded to the judgment by calling for urgent further reforms and drawing attention to the decision by the Supreme Court that there had been unlawful discrimination on the grounds of marital status. They noted that the rule the Supreme Court had declared unlawful could be found in most of the UK’s public sector pension schemes, potentially affecting around 12 million members in the UK.

In September 2017, in response to a written question, the then Chief Secretary to the Treasury confirmed that Her Majesty’s Treasury had written to all public service pension schemes making clear that the Supreme Court ruling should be applied to all cases similar to that of Ms *Brewster*. However, in response to my inquiry about my constituent Eve’s opportunity to have the Supreme Court judgment applied in her circumstances, I was informed that that ruling was to be applied only to those public service schemes that provide pensions for unmarried partners. As that does not include the classic UKAEA scheme, Eve remains ineligible.

In summary, the various reforms to public service pension schemes intended to streamline and modernise them to reflect the changing lifestyles of scheme members appear not to have been applied to the UKAEA scheme. That scheme’s rules remain narrow—some may even say patriarchal—in their approach to what constitutes a widow when assessing claims of survivor benefits. However, they seem only too willing to be broader in their understanding of partnership when considering whether any such benefit entitlement should cease.

My constituent Eve, a survivor of a loving relationship with a UKAEA scheme member, is left not only bereaved but financially worse off as a result of the rules. She is now in a financially precarious position, relying on state welfare benefits. Anthony, as a member of a public service pension scheme, should have been afforded the same opportunity as others across public services to transfer to an appropriate scheme providing benefits to unmarried survivors. I would be grateful if the Minister could explain why the UKAEA scheme was excluded from pension reforms that allowed unmarried partners to receive benefits. Does he feel, as I do, that the UKAEA scheme is unfair and discriminatory, given how it is less narrow in defining how a widow can lose a pension than how a widow might be eligible for one?

My constituent Eve is following the debate closely, as no doubt many others will be, too. What advice does the Minister offer Eve and so many others like her who find themselves in this situation? There needs to be urgent action to address the anomalies across public service pension schemes such as that of the UKAEA, and, most importantly, to make right the injustice and discrimination experienced by survivors such as Eve.

11.11 am

**The Minister for Universities, Science, Research and Innovation (Chris Skidmore):** It is an honour to serve under your chairmanship, Mr Gray. I thank the hon. Member for Lancaster and Fleetwood (Cat Smith) for calling this debate. I understand that the subject is complex, sensitive and frustrating for a small number of individuals affected, including her constituent, Eve. I pay my greatest sympathies to her on the sad death of Anthony.

I hope it is worthwhile to offer clarification on some of the terms of the UKAEA pension scheme and on the Government’s position, although the hon. Member has already set out eloquently the history of some of the decisions taken. The scheme took on its current form in 1972, based broadly on the terms of the principal civil service pension scheme, which following changes was subsequently known as the classic scheme. These are unfunded public service pension schemes ultimately governed by and adhering to Treasury policy.

We know that the societal circumstances that shaped the scheme's rules when they were created are significantly different from today, particularly with regard to women in the workplace. Initially, adult survivor benefits were provided only to the spouses of male scheme members, funded by a 1.5% employee contribution. That benefit was extended in 1987 to include the spouses of female scheme members, at which point women began to pay the contribution. The pension for survivors of female members is paid only in respect of reckonable service from that particular date. If the benefit's scope had been wider—for example, to include unmarried partners—it would have required a higher contribution rate to fund it.

As the hon. Member mentioned, in 2002 the new civil service pension scheme, known as premium, was introduced, which offered a range of important improvements over the classic scheme, including a survivor's pension for unmarried partners. The classic scheme closed to new members in 2002. She asked about the transfer at that moment. Existing members were given the choice to stay in their current section, to join premium for future service or to join for future service and convert past service to the new terms at a conversion factor of approximately 8% to account for improvements in premium at the time. Those improvements were therefore paid for by an increase in member contributions, making the change cost-neutral to the taxpayer. At that point, members of the classic scheme were offered, as I said, the opportunity to retain their current scheme or join premium. All subsequent civil service pension schemes have included adult survivor pensions for unmarried partners.

The new arrangements were not introduced to the UKAEA pension scheme. Instead, the model analogous to the civil service classic scheme remained unchanged. I understand that the differences between the UKAEA pension scheme and the civil service classic scheme were judged at the time to be sufficient, so a decision was taken that reform was not required. Following the McCloud judgment and the requirements of the Public Service Pensions Act 2013, the UKAEA scheme will close. Timetables are to be determined, following the judgment and the Treasury response. In terms of survivors' pensions, these remain payable only to spouses and civil partners after 2005. Employees continue to benefit from the lower contribution rate.

It is clear that if an individual's circumstance changes and the survivor cohabits with a new partner, gets married or enters a civil partnership, the benefit is no longer payable. The employee contribution paid by members was based on those rules and would likely have been higher if they had been different. I know this will disappoint the hon. Member and her constituent,

but the Government's established position is to avoid making any retrospective changes to public sector pensions at taxpayer expense.

The hon. Member mentioned the Brewster Supreme Court case in relation to any possible discrimination. In 2017, the Supreme Court judgment determined that where a pension scheme provides for a pension for unmarried partners on the member's death, there should be no requirement for the member to nominate their partner for the pension to be paid. The Government believe that that decision has no bearing on cases where pension schemes do not provide pensions to unmarried partners.

As I have said, the Government's established position is to avoid making retrospective improvements to public service pension schemes at taxpayer expense, other than in very exceptional circumstances, and we do not envisage that policy changing in future. I realise that that does not give the hon. Member the answer that she and her constituent would wish for, but, to follow up her comments, if she would like a meeting with responsible officials in my Department and others, I happily make the offer to sit down with her and go through in greater detail some of the provisions she has mentioned, with the caveat that the Government's position on retrospective changes remains unchanged. I have liaised closely with the Department for Work and Pensions and the Treasury, and she is aware, having written to the Chief Secretary to the Treasury, that a number of the issues relating to public service pensions are ultimately Treasury decisions.

I thank the hon. Member for raising this case. As a constituency MP, I have dealt with a number of cases where changes have occurred over a number of decades to pension schemes—not the UKAEA scheme in particular—and individuals on previous schemes have sometimes been unable to qualify for particular benefits that came in at a later stage. I recognise the pain and dissatisfaction that her constituent feels with the current arrangements, and I pay tribute to her in coming to the hon. Member as the local MP on this particular issue. On changes enacted over a number of decades, unfortunately I am unable to give the response that the hon. Member would wish for. I am happy to arrange for subsequent meetings to continue the dialogue.

*Question put and agreed to.*

**James Gray (in the Chair):** I suspend the sitting until 2.30 pm. The afternoon will open with a particularly interesting debate on Antarctica science and diplomacy led by none other than the hon. Member for North Wiltshire (James Gray).

11.19 am

*Sitting suspended.*

## Antarctica: Science and Diplomacy

[MR LAURENCE ROBERTSON *in the Chair*]

2.30 pm

**James Gray** (North Wiltshire) (Con): I beg to move,  
That this House has considered Antarctica science and diplomacy.

The world today faces probably the greatest challenge it has faced for thousands of years. Unless we do something about it—something dramatic and urgent—we face environmental catastrophe not only in the Antarctic, but across the globe. That applies especially, but not only, to climate change.

Antarctica is living proof of what we are currently facing with regard to climate change. We must do something about Antarctica, and by doing something about it we can also help the rest of the globe. By focusing on every aspect of life on the great white continent and its governance, I hope that this debate will help environmental considerations elsewhere.

I start by welcoming you to the Chair, Mr Robertson, and by calling attention to my entry in the Register of Members' Financial Interests. I am chairman of the all-party parliamentary group for the polar regions, which is largely funded by the Mamont Foundation, and I personally have enjoyed a great deal of hospitality and indeed travel in the colder parts of the world courtesy of my friend, a great polar explorer and philanthropist, Dr Frederik Paulsen, who has done great work at both the north and south poles.

Dr Paulsen also inspired my interest in the poles, together with my great mate and drinking companion, probably the greatest polar explorer in Britain today, Sir David Hempleman-Adams, who has done enormous work. I pay tribute to them for inspiring my interest in the polar regions. That may be a minor interest in Parliament, and I may be the only person with it, but none the less in my view it is an extremely important one.

The APPG has been running for five years under the direction, first, of Dr Duncan Depledge, who set it up with me, and, more recently, of Sophie Montagne. I thank them both for the magnificent work they have done. The APPG has achieved great things in raising polar issues in Parliament. As well as our regular meetings and written briefings, the “Polar Notes”, which we do once a month, we have taken groups of colleagues on expeditions right up to the north end of Spitzbergen, to Greenland, and this year to Iceland. We hope this year to take an expedition to Canadian Nunavut to visit some of the most remote Inuit communities on Earth. Hon. Members will hear more about that.

Last year—admittedly, unfortunately, in the middle of a general election, but we cannot be blamed for that—we arranged the first ever Antarctic Parliamentarians Assembly, in which representatives from 18 nations around the world came together here in London on 2 and 3 December to celebrate the 60th anniversary of the signing of the Antarctic treaty. It was a magnificent diplomatic triumph that we were able to get a statement bringing together China, Russia, Brazil, Argentina, the UK and a whole variety of those other 18 nations from across the globe. The assembly agreed some very outspoken and robust conclusions, and I hope that the other Antarctic nations will have taken account of it.

In all that work I have been very much helped by the polar regions department of the Foreign Office, under the de facto ambassador to the poles, Jane Rumble, who has been doing the job for a few years now, ably assisted by Stuart Doubleday. They do a great job together. I have also been helped by that other great British institution, the British Antarctic Survey, so ably led by Dame Jane Francis, and the Natural Environment Research Council under Henry Burgess. Theirs might not be the most glamorous of public jobs, but they do fantastic work in those two regions of the world—regions that may well hold keys to other parts of the globe—so I salute them for all they do.

Antarctica is the last great wilderness of the world, about which just about everyone on the street knows something, and more or less nobody knows everything. Most people know that Antarctica is a continent of the size of the United States and Mexico put together. It is a huge continent, an enormous continent, covered in ice. Almost every single inch is covered by ice—not quite every inch, but nearly. It is a mile thick across the continent, and three miles thick at the deepest point. It is huge, vast ice and there is nothing else there. It is an interesting continent, because there are no trees, towns, villages, roads or people, apart from scientists—and brave people they are. It is an entire wilderness, consisting purely of ice. Most people know that that is where polar bears come from. But do they?

**The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mrs Heather Wheeler):**  
Penguins.

**James Gray:** Almost nobody picked me up on that. If we asked people out there, they would say, “Antarctica? Oh yes—polar bears.” But that is not the case. Polar bears are in the north, penguins in the south. It is important to remember that. The north is a sea, the Arctic ocean; the south is landmass, covered by ice. It is completely different.

Most people probably know about Scott and about Roald Amundsen. Most people might know a bit about Shackleton, although that is rather specialist knowledge. However, at least until the great Sir David Attenborough highlighted these issues for us all in “Blue Planet II” and more recently in “Seven Worlds, One Planet”—both superb TV productions—most people did not know much more about Antarctica. I hope that today's debate will help to spread the word about the great white continent and some of the challenges it faces.

I particularly wanted to hold the debate today because it is within a day of the 200th anniversary of the first occasion on which the continent was sighted. A Russian by the name of Bellingshausen claimed in retrospect—he did not claim it at the time—to have sighted the continent for the first time on 27 January 1820. In 1819, the previous year, I am glad to say that a Brit, William Smith, had sighted the islands to the north of the continent and subsequently made a landing there. He came back in 1820 with a Royal Naval officer, Edmund Bransfield, and they definitely sighted the continent on 30 January 1820, a couple of days later than Bellingshausen claimed to have done so. I think it was a great British first sighting.

Is it not astonishing that that happened after the battle of Waterloo? By that time, this country was entering into the industrial revolution, yet we had not



even sighted Antarctica, far less landed on it. We followed that up: Weddell sailed 74° south a couple of years later and discovered what would become the Weddell sea, and in 1841 James Clark Ross, on HMS Erebus and Terror—ships famous because they were subsequently lost on the Franklin expedition, seeking the north-west passage—got through the ice, into the Ross sea and right up to what is now known as the Ross ice shelf. Then, of course, came the great era of Antarctic exploration, just before the first world war, with Scott, Amundsen, Shackleton and all that. We know about all that.

Rather curiously, after the first world war not much happened in Antarctica until well after the second world war. The importance of the continent for the world's climate in particular, its potential for scientific discovery and the need to save it from either commercial exploitation or militarisation became known from about 1950 onwards. That led to the signing of a huge milestone in diplomatic activity, the Antarctic treaty, the 60th anniversary of which we celebrated during the Antarctic Parliamentarians Assembly just before Christmas.

In the 60 years since we signed the Antarctic treaty, it has ensured that there is neither commercial exploitation nor any kind of militarisation on the continent. It is kept for peace and for science, and it is entirely free of commerce. That in itself must be a significant diplomatic triumph. One can think of no other treaty in the world that has preserved an entire continent for 60 years so far and, I hope, for many years to come. I am glad that Britain took a leading part in arranging the Antarctic treaty 60 years ago.

Now, however, we must move forward from the relatively peaceful times we have had in Antarctica over the past couple of hundred years, because some astonishing and appalling things are occurring down there. Unless we do something about it now, significant changes will come in Antarctica. I remember attending the Earth Summit in Rio as long ago as 1992, when I was a special adviser to the then Secretary of State. It was a great summit, but we have not done the things we claimed we would do. We have allowed climate change to get worse and worse ever since, and Antarctica not only suffers the worst consequences of climate change, but creates and amplifies it.

It is interesting that at last year's conference of the parties in Paris, the Intergovernmental Panel on Climate Change targets did not include the Antarctic ice sheet at all. The Paris COP predictions of a 40 cm rise in the oceans did not take into account the Antarctic ice sheet. Including the Antarctic ice sheet would likely more than double that figure.

Amazingly, the Antarctic ice sheet contains 70% of the world's fresh water. Think of that: 70% of all the fresh water in the world is in the Antarctic ice sheet, which is definitely showing signs of melting and collapsing into the sea at a most alarming rate. A couple of years ago, an iceberg the size of Manhattan broke off from the Thwaites glacier, leading to a serious international study led by the British and Americans. If the ice sheet were to collapse, water levels could rise by up to 12 feet. The northern hemisphere could be particularly affected by that, because of the way in which oceans flow. If that were to occur, we would not be able to sit in this Chamber—unless we had our snorkelling equipment. We would be well under water.

My friends at the British Antarctic Survey have just come back from a season on the Thwaites glacier carrying out probably the largest and most complex scientific field campaign ever undertaken, to try to discover exactly what is happening to it. They drilled several holes through the ice, to try to provide insight into what happens when the warm water that is increasingly coming south—the Southern ocean is warming up—meets the ice. They think the answer is that the warm water undermines the ice to the extent that, sooner or later, the ice shelf breaks off. That seems to be what happened with that huge iceberg just a couple of years ago. They have deployed robots under the ice, to try to see what is happening down there, and installed a whole host of instruments to measure the effects on the glacier.

The west Antarctic ice sheet is one of the most dramatic pieces of evidence in the world of climate change and of the catastrophe that awaits us if we do not do something about it. This debate is not about climate change, but when looking at the great white continent, the Antarctic, it is terribly important that we think seriously about it. I hope the Minister will do that in a significant way when she responds.

We in the UK have led science in the Antarctic since the very earliest days. There are about 50 research stations there from virtually every nation in the world, including Mongolia, if I am not wrong. When I visited the south pole about three or four years ago—I flew out; I did not ski—I was disappointed by the American permanent research station down there. It is a great, huge black thing stuck on the pole itself, ruining what Scott and Amundsen saw all those years ago.

The flags around the south pole itself were alternately American, British, Norwegian, American, British and so on. For the sake of my photographs, I went around and took all the American flags down and replaced them with Norwegian and British flags, because it is the Amundsen-Scott base. As a result they were very good photographs, but the Americans came out of their base and stuck all the American flags back up again. I meant no disrespect to my great friends in America, but none the less I think Scott and Amundsen would have been surprised by the huge presence of Americans at the base itself.

The British Antarctic Survey does great work. It is refurbishing our base in Rothera, on the peninsula, and of course recently commissioned, and has nearly completed, the RRS Sir David Attenborough, which will make a huge and significant contribution to polar research in both the south and the north.

Last year's Antarctic circumnavigation navigation expedition—on a Russian ship, the Akademik Tryoshnikov—by Dr Paulsen, who funds us, was the first to take 80 scientists, many of them British. They circumnavigated the entire Antarctic continent, taking samples all the way round. That is one of the most significant contributions to Antarctic science for many years. We do a huge amount for science.

**Thangam Debonnaire** (Bristol West) (Lab): The hon. Gentleman is making an excellent and informative speech. I have several declarations of interest to make, including that my mother is in Antarctica at the moment—possibly with the Minister's relatives. We are blessed with the science that the hon. Gentleman mentions. My niece works on a research project on microbial life in glaciers and has mentioned to me work taking place in Antarctica, under the auspices of Aberystwyth University. Does he

[*Thangam Debbonaire*]

agree that we need to support and value that scientific research? That microbial life may offer the clues to address all sorts of problems, as well as having unintended consequences, which will also need researching.

**James Gray:** I am most grateful to the hon. Lady—my constituency neighbour, more or less—for her important contribution. She is absolutely right: the work we are doing now in the south is incredibly important science. However, it is becoming more and more expensive, and we need to increase the amount we spend, through BAS and in other ways, to improve our scientific research. Antarctica is the most brilliant place to research things, quite apart from the continent itself, but we need to significantly increase spending on it, which is well worth doing.

These and so many other challenges and opportunities have been managed so well under the Antarctic treaty. In 1959, 12 countries, the main claimants, came together to agree the treaty. It is a short document, with only 14 articles—often the best documents are the shortest—but has been one of the most effective and long-lasting of all diplomatic treaties. It has achieved its aim of preserving the continent for peace and science, and as a result the continent is unique in having had no military conflict in the 67 turbulent years since it was first signed, which is quite some going.

In the 1980s, the treaty was followed up by the convention on the conservation of Antarctic marine living resources—CCAMLR—which has done great work in regulating and conserving fish stocks and other mammals in the Antarctic and the Southern oceans. That was followed by the environment protection protocol in the early '90s, which effectively established Antarctica as a natural reserve. That protocol ensures the biosecurity of the continent and regulates tourism, which we think will become a significantly increased problem over the years to come. It plateaued slightly after the banking crisis in 2008, but we now predict its exponential growth, as the hon. Lady mentioned a moment ago, over the next three to five years.

We have to think carefully about how we handle the biosecurity consequences, and the consequences for the continent, of allowing people to visit it. Most people like to go ashore at least once, to one of the places with penguins and so on, but the consequences of that could be severe. I spent some time a couple of years back in South Georgia, which had become entirely covered by rats, which came ashore from whaling ships in 19th and 20th centuries, and also, incidentally, by reindeer. Only by eradicating the rats and the reindeer, which was an enormously expensive and complicated job, has South Georgia managed to more or less return to its pristine, original condition. We would not want that to happen on the Antarctic continent, which at the moment is more or less pristine. There are signs of some cross-contamination, but by and large the continent is the pure wilderness that it always was. We must make sure that the increase in tourism, and perhaps in fishing and other activities, does not in any shape, size or form contaminate that.

International agreements, such as that to be discussed in Glasgow later this year, could learn an awful lot from the way in which the Antarctic treaty system, CCAMLR

and the protocol have worked over the years. They have been a huge success in environmental terms, and we could learn some lessons from that with regard to the future of the global climate.

Britain has truly led the world in terms of science and diplomacy, and we should be proud of that, but there is an awful lot more to be done. We have championed marine protected areas around the world. In particular, in a miracle of international diplomacy, last year we had the Ross sea, just off the continent, designated as an MPA, which was superb. The Weddell sea is the biggest sea down there and an absolutely fantastic bit of ocean, but the ice is retreating on it. We are desperately trying to get it recognised as an MPA, but we are being thwarted by the Russians and Chinese, both of whom see the potential for commercially fishing it. We must overcome that. We must preserve the rich biodiversity and mammal life in the Southern ocean and, to some lesser degree, the Antarctic ocean as well.

With climate change and the growth in fishing and tourism, the treaty system needs to redouble its efforts on biosecurity in Antarctica and avoid the worst consequences that we have seen in South Georgia. The treaty parties must remain vigilant and ensure that the co-operation of the past 60 years continues and endures into the future.

It was for that reason that, as I mentioned, we took the opportunity last December of calling together Parliaments—parliamentarians—from all the Antarctic treaty countries. Eighteen countries came, and those were the leaders; we hope that when the event occurs again in two years' time, there will be more than that. We think that Parliaments have an extremely important role in preserving the Antarctic continent and doing all the things that we have talked about with regard to peace and diplomacy and science. Governments tend to suffer from inertia or perhaps even self-interest. That is reasonable enough: the Government's job is to look after their country. Parliamentarians are answerable to their electorate and have a very important role to play in holding their Government to account and making them do things that the Government would not necessarily otherwise want to do. It is popular pressure, after all, that has accelerated the drive towards combating climate change. There is so much more that we as parliamentarians can do here by talking about Antarctica and, incidentally, about the Arctic and encouraging the Government to do the right thing, which they might not otherwise do.

That is why we created the assembly last year. It was enormously successful. We had briefings from international scientists, tourism experts and policy makers about the work of the treaty and the challenges ahead. That was the first day. On the second day, we produced a statement, which I think will be looked back on as an important statement in the history of Antarctica. It was outspokenly robust. This was not a committee producing—what is that saying about a camel being a horse designed by a committee? It was not one of those. It was actually an extremely robust, clearly worded and sensible statement, and I hope that it will be an important beacon in the years that lie ahead.

We agreed that it would be a biannual assembly. The Arctic parliamentarians already do this every two years, so we agreed on a biannual assembly, the second one, in two years' time, being in the southern hemisphere and probably—we hope—in Australia. We hope it will be a

much bigger organisation than it was this time round, although that was a good start for what we hope will become a very long-term and important organisation.

Britain has led the world in the 200 years since the first sighting of Antarctica—it was 200 years ago today or thereabouts—and in the 60 years since the signing of the treaty. We have led the world in exploration, and I pay tribute to the great British explorers, who have done fantastic work over the years. We have led the world in scientific research, particularly from, but not limited to, the British Antarctic Survey. And we led the world in diplomatic negotiations leading to the establishment of the continent as a haven for peace and nature and scientific research. It is terribly important that we now, in a similar way, lead the world in seeking a solution to climate change, without which the future for Antarctica and for all of us looks pretty bleak. We here in the UK have pledged to uphold the Antarctic treaty and to continue to invest heavily in Antarctic research. In COP26 and elsewhere, we must now pledge ourselves to strain every sinew to combat climate change.

This week is the 200th anniversary of the first sighting of the great white continent by Bellingshausen, or perhaps by Bransfield. If we do not combat climate change and its consequences, our descendants will not live to celebrate the 400th anniversary.

2.53 pm

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): It is a pleasure to speak under your chairmanship, Mr Robertson. I thank my hon. Friend the Member for North Wiltshire (James Gray) for securing this debate on an extremely important issue. He is a great advocate for the polar regions and of the need to protect our oceans. I am pleased to be a member of the APPG for the polar regions, which he chairs. My interest in the polar regions came about when I went on holiday with my husband to the Arctic region in 2015. I found the place both beautiful and fascinating and have been pleased to be able to go back since.

As has been said, 2020 is a historic year because we are marking the 200th anniversary of the first sighting of Antarctica by the Royal Navy Captain Edward Bransfield in 1820. In the 200 years since, Antarctica has had a very special place in people's minds, but it has never been at greater risk than it is now—from two things: intrusive foreign powers and climate change.

The first threat is the more diplomatic issue. Many countries are interested in the potential of as yet unexplored and untapped mineral wealth in the region. The Antarctic treaty, which my hon. Friend mentioned, has stood the test of time—indeed, it celebrated its 60th anniversary last year—but it bans exploration for natural resources only until 2048. Obviously, when the treaty was written, that seemed like a long time ahead; it is now just 18 years away, so I am interested to know what my hon. Friend the Minister is doing to ensure that there is no exploration after that date. The possibility of unexplored oil and gas fields, coupled with the world's largest supply of freshwater, means that the Antarctic is potentially a very attractive place to foreign actors interested in exploiting rather than preserving it. It is particularly concerning that China has stated that its objective is to “understand, protect and use” Antarctica. Concerns have been raised about what it means by the word “use”.

The second issue is climate change.

**James Gray:** I am sorry to interrupt my hon. Friend so soon; she is making an excellent speech. If it is any reassurance, the Chinese were at the Antarctic parliamentarians assembly before Christmas and they signed up to the statement and showed no inclination of any kind whatever to breach the Antarctic treaty now or in the future, so I think we can be assured that the Chinese are firmly onside.

**Dr Johnson:** That is fantastic news. I am pleased to know that all countries will work together to preserve that fantastic continent and I am therefore hopeful that we will be able to sign another Antarctic treaty lasting for another 75 years.

It seems ironic that it is the fossil fuels and the possibility of finding them that make Antarctica alluring to foreign powers but are also the thing that is causing its demise. I was interested to read a BBC report from Justin Rowlatt today. He had a very exciting visit, by the sound of it, to Antarctica and has talked about the challenges that he faced just in getting to the ice sheet and being able to stay there and see what was happening, because of the storms. The report describes the east Antarctic ice sheet as being on land and about a mile thick, being relatively stable and not really sinking into the sea, and being relatively unchanged, but it describes the west of Antarctica as being ice largely floating rather than on land. That is a smaller proportion of Antarctica—only 20%—but it is much more vulnerable to the effects of climate change, of global warming, and therefore to melting into the sea.

The Thwaites glacier, which my hon. Friend the Member for North Wiltshire described, is about the size of Britain, but is melting. Unfortunately, there seems to be a bit of a vicious circle, in that the more it melts, the faster it starts to melt. That glacier alone, although only a small part of Antarctica as a whole, could, if it melted completely, cause sea levels to rise by more than half a metre. The effect of that, particularly on low-lying areas of the world and the populations that live there, would be almost immeasurable.

The Antarctic serves as a bellwether for the changing climate. Some data recently produced by Antarctic scientists suggest that there is now an onset of irreversible ice sheet instability—the cycle going so far that we will not be able to reverse it. That would lead to sea levels rising by several metres, which would have catastrophic effects.

I congratulate the Government on what they have done to protect those bits of the marine environment that they can down near the south of the world, particularly in the 4 million sq km of marine protected area, including around South Georgia and the South Sandwich Islands. That was described by my hon. Friend earlier, but I will stress again what he said. We need to have the Weddell sea as a marine protected area and to work with countries around the world to make that happen. I understand that there is a little bit of resistance, but the hope is that we will be able to overcome that. We have opportunities, particularly as we host the international climate change conference this year, to bring that issue right to the fore. I am interested in what the Government are doing to try to stop the potentially irreversible depletion of ice sheets before it is too late.

Finally, I want briefly to talk about science. Much of the knowledge about climate change has been gathered by brilliant British scientists. They have made a brilliant

[Dr Caroline Johnson]

contribution to polar and climate science. In fact, in the period from 2011 to 2015, the UK produced the second greatest number of scientific papers in relation to Antarctica. It is crucial that we inspire a new generation of polar scientists. I was pleased to hear the hon. Member for Bristol West (Thangam Debbonaire) say that her mother and her niece are engaged in this field, suggesting multi-generational interest in Antarctica. It is great that they are both women. As a Conservative party vice chairman, I am interested in how to encourage more girls to study science, technology, engineering and maths. I am interested in projects such as Homeward Bound, which took 100 women from 33 countries on a three-week expedition at the end of last year, visiting 10 bases and research stations over three weeks, with the aim of getting women interested in Antarctica, giving confidence to female scientists and inspiring younger girls to consider this field of science. That kind of programme will help to bridge the gender equality gap in science. Currently, 72% of those researching globally are men; we need to get women in there too.

It is vital that the UK continues to lead the other signatories to the Antarctic treaty in fulfilling its objective to preserve the continent for peace and science, and ensures that another treaty is in place when this one runs out in 2048.

3 pm

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Robertson. I thank the hon. Member for North Wiltshire (James Gray)—perhaps I should call him my neighbour, given that he is a Glaswegian—for securing this debate. The work that he, as a member of the all-party parliamentary group for the polar regions, has done to bring the House's attention to Arctic and Antarctic matters is invaluable. As a member of the Defence Committee in the last Parliament, I was delighted that we were able to publish the work of the Defence Sub-Committee that he did so much to set up during his time on the Committee.

As is usual in debates on the polar regions instigated by the hon. Gentleman, there has been a lot of agreement. I will address three areas: the profound challenge of climate change in the polar regions, the value of scientific research-based evidence in developing policy responses to challenges in those regions, and the existing and developing defence and security challenges in the polar regions. In his intervention about China and the Antarctic, it was interesting to hear that there is a belief that the People's Republic of China will continue to support the treaty, and I am glad to hear that. Nevertheless, I am concerned, being an observer in the Arctic Council, that there has been some dubiety about China's support of that council in the northern polar region, and we need to keep our eye on that.

As the rest of the planet has seen the return of a geopolitical competition that we thought was over, it is important to restate for everyone listening that the type of co-operation fostered by the 1961 Antarctic treaty is not an anachronism, but an example of the rules-based order to which we should all aspire. I look forward to the Minister reiterating the Government's commitment to the treaty's aims and aspirations. I see a lot of positive nodding coming from the Minister.

However, that does not mean that we should not be cognisant of the changes that have taken place in the past half century. Environmental concerns have come to the fore. Losing 3 trillion tonnes of the ice sheet is not just a symptom of global heating; it encourages the usual suspects to ponder the potential of what lies beneath. Whether those resources are mineral or animal, we would be foolish to think that there was not already a quiet gold rush under way—fostered, I think, by greed rather than by necessity. Even the strictures of the 1961 treaty allow some limited economic activity. We need to get the balance right, with a real emphasis on preserving the pristine nature of the Antarctic landscape. I think I might be the only Member in this debate who has never been to either of the polar regions.

**Thangam Debbonaire:** I have not.

**Martin Docherty-Hughes:** The hon. Lady has not either, but her family all seem to be going. The hon. Member for North Wiltshire was clear about the challenges posed by tourism. The Antarctic landscape can be the best friend of environmental campaigners by provoking a real interest in broader environmental and conservation issues, but that increased interest has started something of a tourist boom in the Antarctic, which could put real pressure on the pristine environment if managed incorrectly. We have not often seen that dilemma.

What can be done? I sometimes worry that there is an inverse relationship between our level of agreement on issues in this place and the seriousness with which they are taken by Her Majesty's Government. For example, in the broader security debates—in which the hon. Member for North Wiltshire and I often take part—although we all generally agree that the current spending and strategic path this Government are on will cause real problems in the near future, defence and security continue to slip down the agenda and were barely mentioned during the election. I hope that the hon. Gentleman would agree.

I will sound one discordant note. Although it is precisely on issues such as the Antarctic treaty that the United Kingdom should choose to define itself as a reliable and active partner for the rules-based order, I can only wonder whether this will be yet another area where a lack of a coherent worldview will impede that resolve. The Foreign Secretary is giving a statement as we speak, and I may fundamentally disagree with him if it contains a positive for a certain investment in the Communist party of the People's Republic of China, which has specifically stated that China now defines itself—rightfully or wrongfully—as a polar-region power. We all know the stories of the derring-do that have defined the UK's historic relationship with the most inaccessible of places, but we cannot escape the fact that those adventures were undertaken at a time when these islands of the north Atlantic had a much surer idea of where they were going.

As a Scottish constituency MP, it would be inappropriate not to remark on the contribution that Scots have made to Antarctic exploration, which I was reminded of when my colleagues and I had our post-election photocall next to RRS Discovery in Dundee. As the most northerly nation of the United Kingdom, we know a thing or two about the polar regions, and I hope the Government will engage with the Scottish Government on their

Arctic strategy. I look forward to the Minister reiterating the UK Government's commitment to the principles of the 1961 treaty, and I thank the hon. Member for North Wiltshire for securing this debate.

3.7 pm

**Fabian Hamilton** (Leeds North East) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. This is my first Westminster Hall debate of the new Parliament. I hope the hon. Member for North Wiltshire (James Gray) will not mind me calling him my friend. He and I have travelled together to all sorts of far-flung parts of the globe, but sadly not to Antarctica, though we did attend the polar regions conference together in Iceland under the then chairmanship of the then President of Iceland, President Grímsson.

The hon. Gentleman made some important points. The world faces its greatest challenge in trying to preserve this extraordinary area of our planet. He said that unless something is done about climate change, we will suffer hugely—a point also made by the hon. Member for Sleaford and North Hykeham (Dr Johnson). The hon. Member for North Wiltshire also spoke about the all-party parliamentary group for the polar regions, which would not exist without him. He has done remarkable things to get that group set up and ensure it has the impetus to do things and visit those regions. I congratulate him on that excellent work—long may it continue.

The hon. Gentleman thanked the officials in the Foreign and Commonwealth Office. I will leave it to the Minister to say more about them—they are her officials—but they do a remarkable job, as does every official of the Foreign and Commonwealth Office. He said that Antarctica was the last great wilderness on earth, reminding us that it is larger than the United States and Mexico combined; it is, indeed, a continent of ice. He added that we must redouble our efforts on biosecurity, because who knows what is locked up in that ice and may well be released, should it melt?

The hon. Member for Sleaford and North Hykeham said that the effect of climate change in Antarctica would be irreversible if we allowed the ice to continue to melt at the current rate. That would lead to an unprecedented rise in sea levels, which, as the hon. Member for North Wiltshire pointed out, could drown us here in the Palace of Westminster, never mind most of London and a lot of the United Kingdom.

When the hon. Gentleman mentioned the Terra Nova expedition led by Robert Scott, I reflected that Lawrence Oates, who died many years before I became a Member of Parliament, came from Meanwood in my constituency. On 17 March 2012, the centenary of his death, I had the privilege of unveiling a memorial plaque to him in Meanwood Park. I remind hon. and right hon. Members that he was born on 17 March 1880 and died on 17 March 1912—his 32nd birthday—during that tragic expedition. Of course, the expedition lives on in our collective memories and is absolutely vital to our understanding and our discovery of the importance of Antarctica.

As has already been mentioned, it was a Russian naval officer named Fabian—Fabian Gottlieb Thaddeus von Bellingshausen, a cartographer and explorer who became an admiral, and who lived from 1778 to 1852—who first spotted the ice shelf on the Princess Martha coast

on 27 January 1820. That was 200 years and a day ago, according to my information. As has already been mentioned, the Antarctic is home to 70% of the world's fresh water. Can we afford to have the ice melt into the sea, which is, of course, not fresh water? That would have a terrible effect on our ability to supply our world—humanity and all its living creatures—with fresh water.

The Antarctic treaty has been mentioned quite a lot this afternoon. It was signed in Washington DC on 1 December 1959 and came into force on 23 June 1961. It protects an area that constitutes 10% of the earth's surface from national interests and dedicates it to peaceful scientific purposes. It is, as we have heard this afternoon, the world's largest marine conservation area. Among its principal purposes, the treaty has to ensure

“in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord”.

Perhaps that is why I am replying for the Opposition this afternoon in my role as the shadow Minister for peace.

The treaty currently has 54 member states. Article IV states:

“No new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.”

There have been further additions, such as the protocol on environmental protection to the Antarctic treaty, known as the Madrid protocol. Article 7 of the protocol states:

“Any activity relating to mineral resources, other than scientific research, shall be prohibited.”

The protocol also states that Antarctica is a

“natural reserve, devoted to peace and science.”

Article 7 absolutely prohibits any form of mining until a further review in 2048—I suspect well beyond my lifetime.

The Antarctic Act 1994 implements the treaty into UK law, thus allowing the British Government to grant permission for and monitor British activity in Antarctica: science programmes, expeditions, tourism or, indeed, heritage management, although I am slightly baffled as to what that could mean. In 2017 the British Antarctic Survey announced a £100 million investment programme to upgrade polar infrastructure. We have mentioned tourism this afternoon, and my hon. Friend the Member for Bristol West (Thangam Debbonaire) talked about her family currently visiting the area; the Minister has family there at the moment as well. In 2018, 50,000 tourists visited Antarctica, with an expected increase of 10% in 2019. To protect the region from excessive tourism, the signatories to the treaty agreed to prevent vessels carrying more than 500 passengers from landing on the continent and to allow no more than 100 passengers to land at any one time—a very sensible precaution.

We have also talked about global warming this afternoon. As we know, global warming opens up new challenges to Antarctica that will necessitate new and more robust laws to protect the continent. More and more countries, however, have been using the United Nations convention on the law of the sea—UNCLOS—to stake a claim to marine territory. Article 76 of that treaty provides the legal means by which coastal states can gain sovereignty

[*Fabian Hamilton*]

over vast areas of submarine continental shelf offshore from their coasts, which is something we should be wary of.

The Antarctic, as we know, is home to the Antarctic krill, the last untouched marine living resource on the planet, and long may it remain so. It is believed that the continent contains huge amounts of hydrocarbons and minerals such as zinc, iron and uranium, along with a significant number of rare earth elements. Again, we must be vigilant in ensuring that there is never the temptation to exploit the continent of Antarctica for such minerals. Doing so would wreak further destruction not only on Antarctica, but on our whole planet.

Finally, I will mention some new technologies. Thankfully, the use of drones on Antarctica has been restricted, and their use by tourists for recreational purposes is banned. Antarctica is well suited for increasing the accuracy of global positioning satellites. Since the treaty was signed in 1959, technology has advanced massively and rapidly, and the fear among many of the signatories is that some of the technologies being used and tested on the continent could be used for military purposes elsewhere. I hope that that is not the case. Perhaps the Minister will answer that question.

I am sure that across the House we all believe in a rules-based international order. We in the Opposition will play our part, and I know the Government will play theirs, in protecting the international order and the treaty so that the wonderful continent of Antarctica will be protected for future generations and for our planet Earth.

3.16 pm

**The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mrs Heather Wheeler):** I am grateful to my hon. Friend the Member for North Wiltshire (James Gray) for securing this important debate. I pay tribute to him for his work as chair of the all-party group on polar regions. It is a pleasure to speak under your chairmanship, Mr Robertson. I commend my hon. Friend's impeccable timing. As we have heard, the debate comes slap bang between the anniversary of when the Russians claim to have discovered Antarctica and when we believe Edward Bransfield and the Royal Navy did—very diplomatic! My colleague the Minister for the Polar Regions, Lord Tariq Ahmad of Wimbledon, sits in the other place, so it is my pleasure to respond on behalf of the Government. I, too, thank my officials at the FCO for their diligent work for us all on this issue.

I very much agree with what my hon. Friend the Member for North Wiltshire and others have said today. The United Kingdom is an Antarctic nation. We have a proud history of exploring, studying and protecting the continent. We remain committed to our territorial claim to the British Antarctic Territory and to the links between Antarctica and our South Atlantic overseas territories. We can leave historians to debate who actually spotted Antarctica first. The 200th anniversary is a perfect opportunity to reaffirm our commitment to the continent and to push for greater environmental protection, as has been mentioned so much today.

Science has been and remains a key part of the work. It was integral to the creation of the Antarctic treaty 60 years ago. It is explicitly named as the primary Antarctic activity, and its importance has continued to grow since the treaty was signed. It is good to hear about female scientists getting stuck in. We are indebted to numerous people involved in such important work for us.

The United Kingdom is at the forefront of efforts to study the continent. We are second only to the United States in terms of the volume and impact of our science, and the British Antarctic Survey is a world leader in its field. We want BAS to continue performing at this level. That is why we are investing £300 million in the new state-of-the-art polar research ship—the RRS Sir David Attenborough—and upgrading our research stations.

Scientists from British universities and other institutions use BAS vessels, aircraft and bases to understand global changes in weather, biodiversity and ocean currents. They contribute to UK Government objectives, including on climate change, energy security, global food security, innovation and economic growth. Thanks to the scientists, we now know that Antarctica drives the global ocean and atmosphere and is fundamental to understanding our planet. Antarctica is a unique place and a barometer of the global impacts of climate change. The challenges of operating there mean that international co-operation is essential.

**James Gray:** I am most grateful to the Minister for her firm commitment to continuing the work she has described. On the question of climate change, should responsibility within the Government primarily be with the Foreign Office? I think it should be because, as she says, Antarctica is the responsibility of the Foreign Office. Alternatively, is it primarily a responsibility of the Department for Environment, Food and Rural Affairs—and which should it be?

**Mrs Wheeler:** There is even better news: the Prime Minister will chair the Cabinet Committee on Climate Change in the run-up to the conference of the parties in November, in Glasgow, and I do not think there can be a higher authority than that.

An example of international scientific co-operation is the Thwaites glacier research programme, a UK and US-led project studying the west Antarctic ice sheet, which is crucial to understanding the size and speed of sea level rise caused by the melting of the Antarctic. Colleagues may have seen reports about it on the BBC this morning. BAS scientists are also part of an international project to extract cores of ice up to 1.5 million years old. Those will help us to understand how carbon dioxide levels have varied in the past and, in turn, help to predict future changes. In the year when the UK is hosting the UN climate summit, COP26, in Glasgow, that sort of vital research can show the world that what happens in Antarctica matters to all of us. Changes observed by scientists in the polar regions show how crucial it is that we agree a new comprehensive deal in Glasgow to address climate change. That will be a tough test of international diplomacy, but we are ambitious and determined. Science shows us that we have no choice.

Diplomacy is also crucial to preserve Antarctica for the long term. The UK is playing its part. For example, British diplomats are working with our scientists to

improve protection for the emperor penguin by having it declared a specially protected species. As the hon. Member for Bristol West (Thangam Debbonaire) mentioned, my brother and sister-in-law have been there recently and are on their way back to Santiago as I speak.

We are, as several hon. Members have mentioned, committed to creating a network of marine protected areas in the Southern ocean. Our success in the designation of MPAs across our family of British overseas territories provides valuable insight. The first Antarctic MPA, close to the South Orkney islands, was a British proposal. We are also co-proponents and vocal advocates of two further large-scale MPAs, in east Antarctica and the Weddell sea. To answer my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson), our Government are calling on those countries that are blocking progress on the proposed MPAs—particularly China and Russia—to engage more constructively so that together we can deliver the long-promised network of marine protection across the Southern ocean.

My hon. Friend the Member for North Wiltshire warned of countries seeking to challenge or undermine the Antarctic treaty, and I share his concerns. In response, again, to a question from my hon. Friend the Member for Sleaford and North Hykeham, I can refute any suggestion that the Antarctic treaty's environmental protocol, and its ban on commercial mining in Antarctica, expire in 2048. That is fake news. The protocol does contain a 50-year review mechanism. However, the ban on commercial mining cannot be changed without consensus on an alternative approach. The UK would not support any lessening of environmental protection in Antarctica and I do not believe that many other countries would either.

I want finally to highlight the role that parliamentarians can play in preserving Antarctica for science. I pay tribute to my hon. Friend the Member for North Wiltshire for organising the first Antarctic Parliamentarians Assembly last month, to mark the 60th anniversary of the Antarctic treaty. It was encouraging that representatives from 18 countries took part, from across the global political spectrum. They indicated full support for the principles and objectives of the treaty and sent a clear signal to Governments and policy makers around the world to remain ambitious with regard to the protection of Antarctica. I know that they will hold Governments to account for our actions.

The Government are committed to both Antarctic science and Antarctic diplomacy. The UK is a world leader on Antarctica, thanks to the expertise of our diplomats and scientists, and the valuable support from

many UK-based Antarctic organisations. Two hundred years after Edward Bransfield sighted the continent, we continue to learn more about it. The United Kingdom will continue to lead the way in efforts to study and protect it for the benefit of the whole planet, and I thank all hon. Members for their contributions today. I am much obliged to them.

3.24 pm

**James Gray:** I am enormously encouraged and enthused by what we have heard in the Chamber today. There has been not a single dissenting voice and what has been said echoes what nations around the world equally feel—that in Antarctica we have a world gem, which needs to be preserved for all time to come. Nations from China to Russia, and from here to America, accept that that is the case, and the Antarctic treaty crystallises that view. I am hugely encouraged by the passion and enthusiasm with which the Minister has expressed her support for Antarctica, despite the fact that it is not, I think, her primary responsibility in the Foreign Office—she is better at hot places than cold places. Her Majesty's loyal Opposition have been equally clear about the subject in all that has been said, and that is hugely important. The Scottish National party may be nearer the Arctic than the Antarctic, but none the less its support is equally welcome. I am most grateful to my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson) for what she has said.

Looking back, for 10 or 20 years there was no mention in Parliament of the Arctic or the Antarctic—leaving aside the good work on the Antarctic Act 2013 done by my friend Neil Carmichael, to whom I pay tribute, when he was the Member for Stroud, and a very good report produced by the House of Lords three or four years ago. I pay tribute to those who run the all-party parliamentary group on the polar regions and am glad that it has raised the profile of both polar regions in this place. I hope that the debate, and the APA, with some of the trips that we do, will take that work further. Both the Arctic and the Antarctic are of enormous significance in the world—much more than they were a few years ago—and it is right that we in Parliament should pay good attention to them. I am most grateful to all those who took part in the debate.

*Question put and agreed to.*

*Resolved,*

That this House has considered Antarctica science and diplomacy.

3.27 pm

*Sitting suspended.*

## Local Services: London Suburbs

[STEWART HOSIE *in the Chair*]

4 pm

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): I beg to move,

That this House has considered London suburbs and local service provision.

It is a pleasure to serve under your chairship, Mr Hosie. This debate on services in our suburbs is in many ways an SOS, because the voice of the suburbs—the bits at the edges of our cities, rather than those at the centre, or the periphery before the shire counties kick in—has been silenced in current debates about under-investment and fair funding. Instead, considerations of heartlands and the red wall have predominated. I will pose the Minister some questions, and will chiefly address London. However, arguments about suburban neglect by successive Governments apply everywhere outside of the Westminster bubble, in Ealing, Acton and Chiswick, as well as Solihull in Birmingham or Didsbury in Manchester. Those places are all dealing with demographic and economic change, the climate emergency and the housing crisis, among many other issues.

The idea of suburbia under siege might sound contradictory, because unlike “those inner cities”, as Thatcher called them in 1987 when she won for a third time, suburbs are not seen as a problem, so they are not approached in problem-solving terms. Instead, they are left to get on with it, which for the past 10 years has meant dealing with the effects of austerity across the board and across the age scale, with pressures on both youth services and elderly adult social care. Ealing borough has had its budget slashed by 64% since 2010, meaning that it has 36p for every £1 it used to have. Given that its population is approaching 350,000, it is trying to do more and more with less and less, as can be seen from the fact that, for example, five libraries are now going to be community-run. That decision has been forced by dwindling budgets; it is not a choice. Whenever I have asked parliamentary questions about this issue, Ministers always recommend dipping into reserves, which is not a sustainable solution. Once those reserves are gone, then what?

**Gareth Thomas** (Harrow West) (Lab/Co-op): My hon. Friend is already making a strong case, and I know that she will continue to do so. Can I raise with her, and through her with the Minister, the problem of schools in the suburbs? Many of those in my constituency face a challenge in recruiting teachers, particularly maths and science teachers, because inner-London teachers get an additional payment. It is therefore more attractive for new teachers to work in an inner-London school than one in outer London, such as in the great suburb of Harrow.

**Dr Huq**: As always, my hon. Friend is totally right. We were never part of the Inner London Education Authority, as Harrow was not, and the cost of housing in north-west London boroughs is exorbitant. We need rebalancing between the London boroughs, rather than seeing this as just an issue of London versus the rest.

Suburbs were traditionally seen as havens of peaceful prosperity—safe and reassuring, away from the big, bad city—but are now riven by pockets of poverty. Organisations such as the Smith Institute have shown that, partly due to benefit changes, deprivation previously associated with inner-city poverty is reaching the outer suburbs. Two chunks of South Acton ward are among the Ministry of Housing, Communities and Local Government’s most deprived 10%, a statistic arrived at by examining measures such as homelessness, overcrowding and morbidity. Does the Minister accept not only that deprivation exists in suburban London, but that the fair funding review needs to recognise that fact and be future-proofed, so that as suburban areas face new challenges, the funding formula keeps up with them, rather than being based on a crude population calculation?

Employment patterns and demographic trends are recasting suburbs from the parochial dormitory towns they were once seen as into symbols of globalisation. For the 20,608 EU nationals in my seat—that statistic is from an old census, so the figure is probably higher now—Friday’s departure from the European Union will be a moment of profound sadness. The most recent census data shows that Ealing is Britain’s most Polish borough and its fourth most Arab borough, and ending freedom of movement is going to be disastrous for our local businesses. In the Park Royal industrial estate, we have a conglomerate of purveyors of middle eastern food who supply olives and baklava far afield, and they have told me that it is going to be really bad for them.

The stereotypical attraction of suburbia was as an escape from the grime of satanic mills for an easy life: predictable, safe, sometimes even boring. However, a whole set of 21st-century pressures have left suburbs beset by difficulties and insecurity. Crime—itsself ever-diversifying, with drug and gang networks and county lines—and fear of crime are top issues on the doorstep, as anyone who knocked on a door during last year’s election will have heard. In 2011, riots hit Ealing, and we have not been immune to stabbings and all of those things, shattering notions of suburban tranquillity.

We used to think of suburbia as a green and pleasant land, but it is also changing in its physical form. Relaxed planning restrictions threaten trees and greenery, with the developer-led “presumption to build” thrust of policy ushering in bulldozers, incentivising high-rise projects and challenging notions of suburbs as low density, which is the kind of thing people used to like about them. I was encouraged to hear in the Queen’s Speech that planning applications will eventually have to prove biodiversity net gain before approval is given—that is, they will need to demonstrate that they are leaving nature in a better state than before. Can the Minister issue guidance to ensure that, as a matter of best practice from here on in, planning committees should be considering that factor?

Plans for the last green field in Ealing Broadway to be concreted and astroturfed over have received a green light, putting protected species of bats at risk and destroying 45 mature trees. This has been hugely controversial locally, across the political divide; they were even labelled “environmental vandalism” by the hon. Member for Rother Valley (Alexander Stafford), the new Conservative MP for that seat. To date, he is still an Ealing councillor, as is the hon. Member for Beaconsfield (Joy Morrissey), another Conservative who



opposes these plans. The Mayor of London's new London plan makes the right noises about protecting green spaces, but it will be put to the test when this matter and others come to his desk. I could pass details of those plans to the Minister. What particularly bothers me is that astroturf in planning terms is considered equivalent to grasslands, although studies show that it is potentially carcinogenic. It is plastic, basically; if it is ingested by species, it is very harmful. It interferes with natural drainage, soil systems and ecology, so those plans need to be looked at.

When a "no to overdevelopment" candidate stood against me two elections ago, declaring "We want to live in Acton, not Manhattan", I agreed. In fact, he folded his candidacy for me in the end, but still got 150 votes because he was on the ballot paper. I won by 274 votes, so who knows where those 150 votes would have gone? He had a point: a whole list of future horrors is coming the way of Ealing's planning committee, including a bunch of tall towers at West Ealing that are completely antithetical to the low-rise Edwardian skyline that people love that area for.

Connectivity is a key suburban characteristic. Not only do all roads lead to Ealing, Acton and Chiswick, through the arterial network, but we seem to have every major infrastructure project there, bringing boon as well as bane. The Old Oak super-development opportunity area will, in time, provide 24,000 dwellings and an interchange that will be second only to King's Cross. HS2 has already compulsorily purchased the neighbouring back gardens of people who live there, who feel that that company acts with no humanity at all. They will basically be living in a building site 24/7 for at least the next decade, and with the ever-increasing price tag of that project, many people are wondering whether it is worth it and whether they will live to see its benefits. The same is true for Crossrail, as well as Heathrow expansion—which, if we are sticking to our climate change targets and accepting that we are in a climate emergency, seems completely nuts, given that Heathrow is the biggest emitter of carbon dioxide in Europe.

Another thing that I have been told when I have asked is that, "You will get a new upgraded Piccadilly line," which does not seem to be a good deal. I take that line every morning and it cannot cope. It is already an airport transfer route as well as a commuter line. The trains date from the 1970s. It is a far cry from those old adverts about metroland, which told people to leave the drudgery behind and move to Hounslow or wherever, and showed utopian neighbourhoods a comfortable commute from the city.

Shrivelling school and hospital budgets, as my hon. Friend the Member for Harrow West (Gareth Thomas) mentioned, hollowed-out high streets and unaffordable housing with unlet retail units below have turned suburbs into ghost towns. Will the Government's plans for business rate retention allow councils to intervene to assist suburban high streets?

We may be moving towards the French model of the banlieue, with diverse communities on the outskirts and the rich in the inner cities, as seen in the film "La Haine". Prohibitive pricing puts any kind of London property out of reach of ordinary pockets to rent, let alone get a toehold on the property ladder. Urgent house building for all tenures and more council housing are needed to reverse the damaging effects of right to

buy, which never replenished the secure tenancy stock that was lost. Does the Minister agree that it is scandalous that the national housing benefit bill is £22 billion, dwarfing the £6 billion spent on building homes?

In place of urban stability, transitory communities and churn are features of the suburban landscape, as seen in phenomena such as beds in sheds. Ealing is a borough where families are both dumped by councils from further in London and exported to further out, sometimes within the same borough because it is geographically so big.

**Jon Cruddas** (Dagenham and Rainham) (Lab): My hon. Friend speaks powerfully about the transitory nature of the communities and the urbanisation of some of our suburbs, on which she worked as an academic before becoming an MP. A good case in point is the London borough of Havering, which has seen extraordinary transformations in the last few years, often unbeknown to the council, which has been slow to adapt.

Those transformations have huge implications for the opportunities of young people in Havering. The rate of referrals to children's services has increased by 115% since 2014, which is eight times the outer London average. Since 2013, there has been a 170% increase in serious youth violence incidents, which is the highest rate of increase in London. Those are examples of the dilemmas that outer London boroughs are facing.

**Dr Huq:** My hon. Friend makes a good point. There are many outer Londons, with different types of housing, and different 21st-century pressures that affect all London suburbs, east and west. Dagenham and Ealing are probably mirror images of each other, although we in Ealing like to think that we are further in.

Ealing was once known for being leafy—and for its comedy—but it now ranks as the 10th-worst borough in the country on the barriers to housing index of multiple deprivation. It ranks particularly badly on housing affordability as a quality of life indicator. That has an impact on educational attainment, employment and public health. Some 18 of the top 20 worst boroughs are in London, with 12 of those in outer London.

We must recognise that the binary divide between inner and outer London is inadequate for boroughs such as Ealing and those of my hon. Friends the Members for Harrow West and for Dagenham and Rainham (Jon Cruddas), who have mentioned that their boroughs have characteristics of both. If the current boundary had not been not arbitrarily drawn by political bureaucrats, somewhere such as Acton could, socially and geographically, easily fall into most definitions of inner London—it has two tube stations in zone 2. Meanwhile, Southall, which is some miles west, is indisputably and cartographically in outer London. They have similar deprivation problems, however, which lead to higher costs for the local authority.

Some 65% of adults speak English at home in Ealing borough compared with the London average of 77%. Diversity is a strength, but it comes at a cost that is not recognised in the formula. There are disparities not only between boroughs but within them. Child deprivation in the Chiswick part of my seat is at 13%, but in the East Acton ward, which borders it, it is above average, at 23%.

[Dr Huq]

The Outer London Commission, which was established by the previous mayoralty, made a start on some of those issues. It has since folded—a symptom of political cycles and the need to do away with the old when the new lot come in—but it could surely be revived in some form. Voter volatility is alive and well in the suburbs. My constituency, and those of Putney, Enfield, Southgate, Manchester, Withington and Sheffield, Hallam, have all gone Labour-wards since 2015, so the old pattern of white flight and suburban nuclear families between twitching net curtains is being turned on its head by the new patterns that I have referred to.

There are people of all faiths and none. Census data shows that adherence to the Christian faith is declining, but it often feels as though Christian charities are filling the gaps where the state has failed, with food banks, Ealing Churches Winter Night Shelter and the Ealing Soup Kitchen to name but three. None of those were ever in “The Good Life” or “Terry and June”—the stereotypical suburban popular cultural images from which we get our idea of what a suburb is—but perhaps we should update our examples. The Who came from Ealing and Acton, as did Naughty Boy and Jamal Edwards.

Suburbs were established in optimism as the ideal between city and country, a slice of rural idyll in easy reach of the city centre, but they appear a bit worse for wear. The Campaign to Protect Rural England has a set of recommendations, and I believe that the late Roger Scruton’s report on beauty and planning is also about to be published. New challenges include encouraging car-free sustainable lifestyles despite a double garage often being a status symbol of suburbia.

Suburbia is not what is used to be. Nostalgia Avenue is all well and good, but to right those wrongs, I call on the Government to create a cross-departmental suburban taskforce, as Heseltine did in an earlier age with those inner cities, but in a non-pejorative way—the word “suburban” often has narrow-minded undertones. The taskforce, housed in the Minister’s Department, should symbolise joined-up thinking between transport, planning, welfare, public services, the public purse and developers, because it is only when they work together that we can begin to answer the question: what do we do with a problem like suburbia?

**Fleur Anderson** (Putney) (Lab) *rose*—

**Stewart Hosie (in the Chair):** It is a half-hour debate, so I call the Minister to respond.

**The Minister for the Northern Powerhouse and Local Growth (Jake Berry):** If the hon. Member for Putney (Fleur Anderson) wants to speak briefly, I will make my response quick.

**Stewart Hosie (in the Chair):** In that case, I call Fleur Anderson to make a very short speech.

4.17 pm

**Fleur Anderson** (Putney) (Lab): I will be brief. I thank the Minister for allowing me to speak. It is a pleasure to serve under your chairmanship, Mr Hosie. I congratulate my hon. Friend the Member for Ealing Central and

Acton (Dr Huq) on securing the debate. I will highlight a couple of areas that have already been mentioned. I support the need for a taskforce to join up some of the areas that are looked at differently by different Departments but which, when joined together in someone’s life, make a big difference or are detrimental.

I will focus on a particular area in my constituency, Roehampton, which sums up many of the problems experienced by suburbia in other cities. It used to be a place with lots of villas, but it now has the second-biggest council housing estate in the country. The main issue, which comes up all the time, is transport links. There is one station, Barnes, but the buses are so infrequent that many residents have written to me, even since my election in December, about the one-mile walk that they have to do in the rain because there is no bus. We do not have tubes; we would love to have a tram.

The lack of transport links affects employment opportunities and reduces the chance of social mobility for those residents. People say that they feel like a forgotten village—not at the edge of suburbia, but a village beyond London—when it comes to transport links.

The lack of transport also affects health services. There is no A&E in our Queen Mary’s Hospital, so people have to travel. The substance misuse service in Roehampton was withdrawn in September 2018 and has not been replaced. There is a knock-on effect for mental health services. People have to travel quite a long way—it is a two and a half hour round trip to Springfield Hospital. Mental health services, and access to them, are limited. Youth services have also been cut. The Roehampton youth club was closed last summer. Regeneration in Roehampton is not going to replace the youth services and will not address those needs. Crime is increasing as well. Drug dealing is regularly seen in local areas and is not being addressed.

The final area I want to touch on is pre-school services. We have Eastwood Nursery, but state nurseries are also under threat of cuts. The wonderful Newpin service works with local pre-school children, but the whole area has experienced cuts. There are no more Sure Start centres in the area. There is a playground in the middle of the estate. Everyone can look at it, but it is closed and locked all the time, which is very hard for local families. It should be an area of greenery and, as my hon. Friend has said, an area where people go out of London to get to, but it faces all the same problems as inner London. I would like the Minister to address how we can have a joined-up response to the need for public services in suburbia. I like the idea of a taskforce.

4.21 pm

**The Minister for the Northern Powerhouse and Local Growth (Jake Berry):** I think this is the first time I have served under your chairmanship in this Parliament, Mr Hosie. I congratulate the hon. Member for Ealing Central and Acton (Dr Huq) on securing an important and very enjoyable debate. I welcome her comments about her constituency, which painted a picture of the suburban lifestyle in its most modern of settings. It is quite right that we take this opportunity to discuss some of the challenges that people living in suburbia face in London and elsewhere.

To pick up on the hon. Lady's comments about voter volatility, she pointed to some high-profile wins for her party at the general election. If she and her colleagues ventured north and joined me in the northern powerhouse, she would note that Heywood and Middleton, Bolton, Bury North and Bury South are similar in many ways to the areas that she highlighted, but their voter volatility was in the opposite direction. I think what that shows is that there is dissatisfaction with the status quo in many areas, and sometimes people who have concerns about their area are rebelling against the status quo, not in one particular direction or the other.

I will start by addressing the questions the hon. Lady asked, as I would like to cover those before I come on to set out the departmental agenda. I am sure no one will weep if I do not get the opportunity to read the voluminous notes handed to me by my civil servants—I can show them to hon. Members at the end if they want.

The first question raised by the hon. Lady was in relation to deprivation, its spread across cities and the challenge of deprivation in inner and outer areas of cities. I have been concerned about this issue for some time, and it is absolutely right that we give it an airing in this House. I do not think that any Government over the past three decades have properly grasped the challenges. There are often significant pockets of deprivation in suburban areas, smaller towns and rural areas, which are not as easily mappable, or for which the Government have failed to have a real plan. It has therefore fallen to local authorities—which have in-depth knowledge of the communities that they have the privilege of representing, as do hon. Members in this House—to tackle those challenges. The hon. Lady is quite right to say that funding for local authorities has to be done in a dynamic way that can recognise pockets of deprivation, no matter how small or large, whether in major city centres, suburban areas or areas further outside the city.

The fairer funding formula that we are currently looking at includes deprivation as one factor, but I agree with the hon. Lady—we are certainly listening—about the challenge in addressing how funding can be dynamic and change rapidly as circumstances change. It is unacceptable that those pockets of deprivation have for decades been allowed to grow without being properly challenged or without any Government of any political hue suggesting a proper solution. We should certainly seek to tackle that in the fairer funding formula.

**James Murray** (Ealing North) (Lab/Co-op): I recognise the Minister's approach in saying that for many years pockets of deprivation have established themselves in places such as my constituency and others, and they must be addressed. Will he also acknowledge, however, that changes in recent years to the benefits system, particularly to caps on local housing allowance and other benefits that people on low incomes receive to rent privately in London, have caused a rapid shift of population from inner to outer London, and that that needs to be given particular attention?

**Jake Berry**: We absolutely do continue to give that attention. It is a real London issue but certainly not a London-only issue—it is a metropolitan issue—but I am afraid to say that when I entered Parliament in 2010, the benefits system had lost public trust. The benefits system has to be fair for those people who, quite rightly,

rely on it—any of us at any point in our lives could fall through the gaps and need a safety net to catch us, and I am proud to live in a country where that safety net exists—but it also has to be fair for taxpayers, who get up in the morning, go to work and pay their taxes to fund the benefits system. My personal opinion is that, in 2010, what brought forward the benefits cap was the lack of fairness in the system. We could probably have a separate debate about that. We would certainly need more than a brief half-hour debate to get to the bottom of it.

The link between planning permissions and biodiversity is a hugely important issue. I commend the hon. Member for Ealing Central and Acton for picking up on that issue from the Queen's Speech. Tackling the climate emergency is probably the greatest challenge that any of us will face in our time in Parliament. The hon. Lady will of course be aware that the national planning policy framework currently has biodiversity net gain as one of its planning principles. Should the Government go further? Yes, and we will, and that is why we brought forward the additional protections that we talked about, including protecting nature by mandating biodiversity net gain into the planning system; ensuring that houses are not built at the expense of nature; and delivering viable natural spaces for communities. We will make sure that we improve and protect habitats and that areas have a local nature recovery strategy. We want to give local communities a greater say through the planning system and our planning White Paper, not least so they can have a greater say on protecting local trees, which, as hon. Members know, is often an issue that exercises our constituents, and quite rightly so.

The hon. Lady also raised concerns about density and high-rise development. Of course, all local planning decisions are a matter for the local council, in many ways in concert with the Mayor of London. If we look across the country, however, we see that such communities are a great way of tackling the housing shortage across the UK, and that they often lead to better communities with a greater concentration of services in one place. Often, people prefer to live in a more dense, as opposed to sparse, community, although many people may decide to move to the suburbs for the exact opposite reason. That is why planning is driven locally.

In terms of business rates and protection for suburban high streets, business rate localisation is again about giving those who are on local councils power to drive the ambition that they will know better than any Government Minister—maybe not better than the local Member of Parliament, but certainly better than any Government Minister. However, there is a wider agenda about protecting high streets and ensuring that they thrive, which we are addressing through the future high streets fund. In the prospectus, we acknowledged that suburban high streets could bid for that fund. They are a very important community asset and the Government should rightly ensure that they are protected.

The hon. Member for Putney (Fleur Anderson) spoke about youth funding and youth clubs. If she has read our manifesto, she will have seen that it made a significant financial commitment to a youth fund, which will come forward with many millions of pounds to ensure that we can increase youth provision in our communities.

[*Jake Berry*]

The Blackburn Youth Zone is on the border of my constituency and I know the huge contribution it makes to people's lives. We must build on that.

Hon. Members also raised the issue of crime. It is correct that we seek to protect all communities, and we will do that by increasing the number of police officers on the street.

On the cross-London suburban taskforce—

**Dr Huq:** May I just correct the Minister? My proposal was for a cross-departmental taskforce that would cover all suburbs, not just London ones.

**Jake Berry:** Right. On the cross-departmental suburban taskforce, I think the idea has merit. The hon. Lady said that one of her famous constituents is called Naughty Boy—I don't think she was referring to me. On the basis that the Government are not currently proposing such a taskforce, why does the hon. Lady not be a bit naughty and set it up herself? Once it is up and running with some recommendations, I will happily meet her and other members of the taskforce to discuss how we can drive that agenda across Government.

*Question put and agreed to.*

## Industrial and Commercial Waste Incineration

4.30 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): I beg to move,

That this House has considered the incineration of industrial and commercial waste.

It is a pleasure to serve under your chairmanship, Mr Hosie, and to see many Members from different parties, and indeed from across the UK, at this important debate. I know that the issue that we are debating is of great concern to Members across the House, and I hope we will hear some of their points during the course of the next hour.

Looking out towards the east of Cardiff today, one can see the waters of the Severn estuary stretching into the distance and, not far from our brand-new Eastern High School, a large wind turbine—visible evidence of the green transition that we all want to see to renewable energy and renewable sources for the future. Now, imagine planted right next to that a huge industrial burner, complete with a chimney of pretty much the same size as the wind turbine pumping out yet more carbon emissions, and a trail of heavy goods vehicles delivering waste while providing their own blast to local air quality with diesel fumes, PM10s, particulates and so on. What a contrast and, fundamentally, what a contradiction. Worse still, it comes as part of a chain of proposed incinerators running from Swansea to Barry, to Splott in my constituency—where we already have an incinerator that I opposed—right through to Monmouthshire and across the water to Avonmouth, and in many other clusters across the UK.

I want to set out my total opposition to the proposals for the so-called energy recovery facility—it is, in fact, a huge industrial-scale burner—for the Rumney and St Mellons area in the east of Cardiff. The proponent, Môr Hafren Bio Power—businesses always choose these greenwashed names to cover up what they are up to—is essentially an arm of CoGen, a well-known company that is involved in these activities and based in Stoke-on-Trent. Interestingly, the main director, Ian Charles Brooking, has a series of other commercial interests, from rubber crumb companies to food products, as well as multiple variations of the Bio Power brand that are planning lots of speculative burner applications across the UK. An allegation has been made to me that CoGen and other companies will probably end up burning their own industrial and commercial waste—how convenient. I have been pleased to join thousands of local residents across the area in making our opposition known over the past six months, and we have been supported by colleagues on our local council and from across the parties.

There are many reasons why this facility is completely inappropriate, and I shall touch on them before I go into the wider issues. The first is about emissions and traffic. Much is made of the treatment of emissions through burner chimneys, but, given the climate crisis we face, the carbon emissions from such facilities make a crucial difference. I have already mentioned the emissions from traffic, and we are talking about potentially hundreds of vehicles going to and from the facility to deliver waste.

**Jo Stevens** (Cardiff Central) (Lab): I congratulate my hon. Friend on securing the debate. I represent a neighbouring constituency. According to a recent Birmingham University study, air quality in Cardiff is the fourth worst in the UK. It is even worse than in London. Does he agree that allowing the incinerator to be built not only risks moving our city further up the league of shame, but undermines the hard work that has gone into Cardiff Council's wide-ranging transport and clean air green paper, which is currently out for public consultation?

**Stephen Doughty:** My hon. Friend and neighbour makes a crucial point. The proposed facility would represent a contradiction to the excellent and forward-thinking paper on air quality in Cardiff that the council put so much work into, and to which I hope residents will contribute. The facility would sit in opposition to that direction of travel.

There are many other issues, including the financial viability of this prospect; whether waste can be burned there commercially or whether things will be shipped in, which I will return to; the proximity to schools and residential locations, including a Travellers' site; the traffic and the HGV movements, because despite being next to the south Wales main line, they will not be using rail; the visual impact of the clustering of existing incinerators in the area; the failures in the consultation process; and even a GDPR breach that the company has been involved in.

**Elliot Colburn** (Carshalton and Wallington) (Con): The hon. Member is making a very good point. Does he agree that when we talk about building incinerators, we are talking not just about the incinerators themselves, but about their effect on traffic and all their other potential unintended consequences, which make them so unwieldy and inappropriate for places such as Cardiff?

**Stephen Doughty:** I agree that all those issues have to be considered.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I am reluctant to make this point to my hon. Friend, because I am a good friend of his. Is he aware that many of us who have specialised in this area over the years think that energy from waste is absolutely part of the answer to climate change, when it comes to the waste that towns and cities create and do not want to take responsibility for? Is he aware that modern energy from waste can be excellent in scooping up that stuff, bringing us energy and stopping us exporting waste all over the developing world?

**Stephen Doughty:** My hon. Friend and I take slightly different approaches to this issue. In the waste hierarchy pyramid, which will be familiar to many people, incineration of waste is only just above landfill; indeed, there is some controversy about that. The key thing is that we need to reduce the waste that we create in the first place, so that we do not have to burn it, put it into landfill or export it, as he suggests.

**Wera Hobhouse** (Bath) (LD): Will the hon. Gentleman give way?

**Stephen Doughty:** I will make a bit of progress, then I will happily take some more interventions.

Ultimately, the decision on this particular project is a devolved matter, and I hope that Welsh Ministers, the Planning Inspectorate for Wales and Natural Resources Wales will listen to the growing cross-community and cross-party opposition to the proposal. However, the implications of a wider policy on the incineration of waste and, most critically, on whether we continue on the path of wasteful waste production and the climate-changing linear economy or revolutionise the way we live our lives, are a matter for the whole of the UK and globally. I hope Wales will uphold its own responsibilities to future generations, but this is part of a wider context. I do not want Wales to become a dumping ground for waste from other parts of the UK or further afield. I am sorry to say that sometimes it feels, particularly in my area, as though that is an issue. We saw what happened with the mud from the Hinkley nuclear sites, and we have seen other incinerators being built in the area. When we look at the history of Wales, we can think back to the dark days of Tryweryn, for example. We do not want that sort of relationship between Wales and the rest of the UK.

**Mr Sheerman:** Will my hon. Friend give way?

**Stephen Doughty:** I will not give way to my hon. Friend, because I have done so already. I will give way to others shortly.

I thank all my constituents who have raised concerns, and I thank the various campaigning organisations who have provided evidence for the debate.

**Wera Hobhouse:** My main concern is that we do not know about the end destination of our household waste. Stuff gets incinerated or recycled, but it may actually go further afield or get dumped at sea. Does the hon. Gentleman agree that an onus or a legal obligation on councils to disclose the end destination of household waste would be a way forward?

**Stephen Doughty:** I absolutely agree with the hon. Lady's point. Indeed, a lack of data on that is an issue I will come on to very shortly.

It is clear that this is a topic we need to talk more about, given the climate emergency that we face. In 2016, the commercial industrial sectors produced 41.1 million tonnes of waste, which is some 18% of all waste produced in the UK, but there is no clear published breakdown of how waste from those sectors is treated. The average UK incinerator produces approximately 230,000 tonnes of CO<sub>2</sub> per year. To provide a comparison, 200,000 tonnes of CO<sub>2</sub> is equivalent to 6.1 million cars driving from Cardiff to London per year. That is quite an extraordinary comparison. In Wales alone, there are already 10 sites for proposed incinerators, nine of which are in south Wales, where two are already located.

**Alun Cairns** (Vale of Glamorgan) (Con): I support much of what the hon. Member has said, and I have sympathy for the communities living near incinerators. Barry in my constituency has been battling this issue; it was one of the first things I challenged nine years ago on being first elected to represent the Vale of Glamorgan constituency. Does he recognise that the Welsh Government

[*Alun Cairns*]

took a conscious decision, back when my hon. Friend the Member for Monmouth (David T. C. Davies) and I were Assembly Members, to prioritise incineration as a means of dealing with waste, and that has led to the string of incinerators along the estuary that he talks about?

**Stephen Doughty:** The right hon. Gentleman makes his point. He will know that one of the strongest opponents of the Barry incinerator is the Assembly Member for the Vale of Glamorgan, Jane Hutt, who sits in the Welsh Government. She was with me at the protests outside the Senedd, making her views clear alongside many of my other friends. It is good that concern is being raised across the political spectrum. In fact, the Chair of the Climate Change, Environment and Rural Affairs Committee in the Senedd, Mike Hedges, has made it clear that he thinks there should be a moratorium on incineration.

**Mr Sheerman:** Will my hon. Friend give way?

**Stephen Doughty:** I am going to make some progress, because I am conscious of time. Lots of people want to make speeches—[*Interruption.*] I will let my hon. Friend intervene before the end of my speech, but I want to make some progress.

The lack of data is crucial. I have been asking a series of parliamentary questions over the past few months about this issue, and there appears to be a lack of data and no strategic approach for locating incineration facilities, in relation to travel times, emissions from travel and so on. For example, there is apparently no clear information available on how much waste travels between England, Wales and Scotland, on how much waste we are exporting and importing, or on the emissions caused by transporting waste by road to incineration locations, including the differences between, for example, transferring things by rail and other means. If we do not take that holistic picture of carbon and other emissions into account, how can we make strategic decisions?

The proposed incinerator in my constituency would lead to as much as 200,000 tonnes of commercial waste being burned each year, and it would operate 24 hours a day in a predominantly residential area. Where would the waste come from? How far would it travel? What is the impact of clustering incineration facilities? I hope the Minister will be able to explain why that information is not recorded at a UK level and made available so that decisions can be taken, whether by the UK Government or by devolved Administrations and councils.

I am also concerned—I hope the Minister can answer some questions on this—about why the UK Government have been promoting, in their UK Trade and Investment “GREAT Britain” strategy, overseas investment into CoGen and the facility in my constituency. In a glossy brochure on the energy investment portfolio, the former Secretary of State, the right hon. Member for North Somerset (Dr Fox), asked for investment in the proposed incinerator in my constituency. Again, that seems to be at odds with what the UK Government are saying overall about carbon emissions. We are hosting the Conference of Parties this year. Given their position,

why is that going on? Why are they actively promoting this facility, which has not even received planning permission yet?

**Mr Sheerman:** My hon. Friend knows that I was a councillor in Wales many years ago, so I know a bit about Wales. I have to ask him the acid test question: what is the answer to all the waste that is generated in south Wales? Most of the local authorities have low performance in recycling; the national average is certainly not good. Will the waste be exported to my constituency, or to Indonesia or some other country? What will he do to take responsibility for that waste, which he has a moral duty to deal with in some modern way?

**Stephen Doughty:** Actually, Wales has extremely strong targets and good performance on recycling. This is industrial and commercial waste, and it is not clear that all of it will be coming from Welsh sources. That is an issue that I have been raising. It looks like it will be shipped in from elsewhere. Unless we can be clear about where that waste is travelling from, how can we take strategic decisions about how it should be dealt with? I certainly feel that three incinerators located within five miles of each other in my area of Cardiff and the Vale of Glamorgan seems like overkill. Why are they not being shared out fairly across the country?

**Ruth Jones** (Newport West) (Lab): I thank my hon. Friend and constituency neighbour for securing this debate. He is making some powerful points, especially about Wales leading England in recycling. Does he agree that it is crucial that the views of the local people who will be affected by the incinerator are taken into account? After all, it is their lives, communities and homes that will be affected, and we must take account of that.

**Stephen Doughty:** I absolutely agree. I thank my hon. Friend for her support of the campaigners. The issue obviously affects her constituency, in locations such as Marshfield, Peterstone and elsewhere. I am glad that she will be supporting the campaign and meeting the campaigners and others.

I want to touch on a few more issues before concluding, but I am conscious that others want to speak, and of course we want to hear from the Minister. One of the big arguments that is often made for these plants is, “Well, they’re going to generate combined heat and power and they are going to give all this energy back to the grid.” However, the reality is that, although there are 40 energy-from-waste plants in England, only eight currently operate in combined heat and power mode. In fact, the official CHP list includes the Viridor plant in Splott in my constituency, but, although the plant might be enabled for combined heat and power, it is not currently providing that. Viridor told me that the plant cannot export as much energy to the national grid as it is capable of doing, because of infrastructure issues relating to the feeders—I do not understand the technology behind it—and the technology that would allow it to export to the grid. It is not even being used in that way.

I hate the sort of “jam tomorrow” promises that developers often make—they say, “This facility will contribute to district heating and cheaper bills and provide energy into the grid,” when the ability to do so

is not there, and the benefits may not be realised for many years. Such contracts often lock in councils and Administrations for 20 to 25 years. I hope that in 20 to 25 years, we will have made a dramatic transition to a more circular economy and will not be producing the type of waste that needs to be burned or sent to landfill, and yet we are locking ourselves into a model for dealing with waste that is not the worst, but is one of the worst.

Incinerators such as the one planned in my constituency emit more carbon dioxide per megawatt-hour than any other fossil fuel source, including coal. As well as the emissions from the traffic coming to and from the site, and potentially other emissions coming out of it—there is a lot of controversy about that—there is also the issue of what happens to the ash. Incineration is not a complete replacement for landfill, because the ash has to go to landfill, potentially in a soluble form. There is much concern about the risk to water courses, lakes and water supplies. Incineration is not some sort of magic panacea that solves all our waste problems. As I said, we need to address the production of waste in the first place. The idea that incinerators such as this are some sort of magic solution is very far from the truth.

What are the alternative ways forward? As I said, I think we need to be looking much more at creating a circular economy and reducing waste in the first place. We need to understand that there is a difference here: we have a landfill tax, but we do not have one on incineration. Where are the incentives to recycle more and produce less waste in the first place? I am aware that the Treasury considered that in 2018 and said that it would be willing to consider an incinerator tax once more infrastructure had been put in place. Will the Minister update us on where the Government are on their thinking on that, particularly given the example that we will need to set this year as we approach the crucial COP conference? What are the Government doing to reduce the amount of waste that needs to be incinerated or go to landfill?

There is a whole bunch of challenging issues here. There is a very clear case against the proposal for my constituency, but it sits within the wider issue of the responsibility for waste and how we deal with it. Obviously, there is a lot that we can do on an individual, personal level. I urge those at the top of businesses that are sending vast amounts of commercial and industrial waste to incinerators to reconsider their business practices.

There is also the uncertainty around Brexit. Some of our waste usually travels via Europe, so perhaps the Minister can update us on how the import and export of waste will be managed after 31 January. I know that one of the cases being made for the incinerator in my patch is that it is thought that trade with the Netherlands is somehow part of the solution. How will that be affected, and will it add further uncertainty?

The negative impact of incinerators cannot be ignored. Burning waste into our atmosphere is simply not the solution to coping with waste. Skyfill does not replace landfill. My message to CoGen and Môr Hafren Bio Power is this: we do not want you in south Cardiff. I hope that the Welsh Government and others will listen to the many people from across the spectrum who oppose the project.

**Several hon. Members** *rose*—

**Stewart Hosie (in the Chair):** Order. Before I call the next speaker, there are six people on their feet and 25 minutes before I call the Front Benchers to sum up, so they have five or six minutes each.

4.48 pm

**Caroline Nokes** (Romsey and Southampton North) (Con): It is a pleasure, as ever, to serve under your chairmanship, Mr Hosié. I congratulate the hon. Member for Cardiff South and Penarth (Stephen Doughty). He and I have not historically agreed on much, but we certainly agree on this. I will not pretend that I am bringing expert views to the debate, but my impassioned plea to the Minister is this: please can we get our policy on industrial-scale incineration right?

I thank my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, who met me last week to discuss this issue. I appreciate the constructive manner in which she engaged with it. We have an ambitious plan to reach net zero by 2050, and everyone in the Chamber—I hope—is committed to clean energy generation and waste reduction.

Just last week, in the room next door, we had a giant Womble carrying a placard and insisting that we recycle, reuse, rethink, and that is absolutely the direction of travel in which we must move. All over the country, however, from Cardiff South to Romsey and Southampton North, there are proposals for yet more incinerators that are, in many cases, dressed up as energy producing waste plants. As we heard from the hon. Member for Cardiff South and Penarth, in many instances that energy cannot be put into the national grid. The connections are remote and, in some cases, the energy is like a Trojan horse—it is presented as clean, green way to heat the local town, but is actually far from being that.

We have to account for the true cost of those facilities, the impact on air quality, the emissions from heavy diesel vehicles driven many hundreds of miles to bring waste from far afield, and the current policy, which allows CO<sub>2</sub> from biogenic sources to be ignored in the context of climate change. At best, only 50% of the energy generated from the facilities can be considered renewable, and we should be extremely concerned about the other half. That 50% of energy comes from burning fossil carbon—plastics—and emits as much pollution and CO<sub>2</sub> as coal-fired energy. Would we really consider building new coal-fired power stations?

Of course, there is a baseline: to keep running, the giant incinerators have to have enough fuel source. While industry urges us to believe that there is more than enough industrial and commercial waste to exceed the demand generated by the monster incinerators, we are seeing a sea change in public opinion. People—especially young people—are coming to understand that we cannot continue to consume and dispose at the same rate as we have been.

Even the big supermarkets are coming on board. Last week, Tesco—and this week, Sainsbury's—announced a reduction in packaging, particularly plastic packaging. Corporates are not paying lip service to their need to minimise waste. They are actually getting involved and ensuring that they do it. Businesses small and large across my constituency recognise that this is not just good for the environment, but good for their costs.

[*Caroline Nokes*]

I am conscious that we have only a little time, but I will turn to the reason for my attendance. In my constituency, the American conglomerate Wheelabrator plans a giant energy-from-waste facility. It will be twice the size of Winchester cathedral, but with none of that glorious building's architectural merit, and with chimneys that would reach 80 metres high. The facility would be built between the beautiful Test Valley villages of Barton Stacey and Longparish.

One of Wheelabrator's arguments in favour of the facility is that by using Department for Environment, Food and Rural Affairs methodology for calculating carbon impact, the applicant can claim that the project will be a net gain on CO<sub>2</sub> equivalents, compared with landfilling the same waste. However, DEFRA, among others, recognises that the results from that model are sensitive to the type of waste incinerated. In other words, a small change in the ratio of biogenic and non-biogenic carbon sources can reverse the impact from a net positive to a net negative. The analysis carried out on commercial and industrial waste to justify those results dates back to 2003. That is incredibly out of date, but is the only source from the UK that can be relied on.

So much has changed, and continues to change, since 2003. Far greater efforts than ever are being made ensure that we remove green waste and food waste from the waste streams and, although there is still a long way to go, we are getting better at removing recyclates, and we will continue to improve.

Aside from the specifics of the massive plant that is planned at Harewood, we need to pause and rethink our strategy on incineration. Time does not allow me to examine in detail the issue of air quality and the balance—I use that term loosely—that the applicant must strike between the visual impact of tall chimneys and the need to make them high enough to disperse the emissions over a less concentrated area. In Test Valley, we are blessed with exceptionally good air quality, which means that the chimneys might not need to be as high. That of course means that more pollutants can be released without breaching Environment Agency limits. What sort of horrific equation is that? Applicants are able to get away with emitting more because the air quality is currently good. Surely our aim should be to work with the Environment Agency to reduce those limits and seek an overall improvement, not the lowest common denominator.

We need to improve regulations to make them tighter, rather than having applicants rely on the emissions set out within existing regulations, which I raised in the Queen's Speech debate a couple of weeks ago. Although I recognise the specific needs of local authorities, this debate is about commercial and industrial waste, not municipal waste, so we have to consider commercial operations and whether it is fair, as the hon. Member for Cardiff South and Penarth has said, to have a landfill tax and not an incineration tax. Incineration is simply not an environmentally sustainable way to tackle waste management. It may be better than landfill in the waste hierarchy—only just—but to allow incineration to proliferate simply does not address the climate emergency that we all agree exists.

4.54 pm

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Mr Hosie. I thank my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty), both for securing this important debate and for his excellent speech to set the scene.

In 2017, a planning application for a gasification plant to be built in Hillthorn Park in Washington was submitted to Sunderland City Council. Since then, approximately 10,800 people have signed petitions opposing the plant—I presented one of them to the House last week.

Many of my constituents have contacted me about the planning application, and it came up a lot on the doorstep during the general election, so I am left in no doubt about how my constituents feel. Never in my 15 years as an MP have I seen an issue galvanise my constituents in such a way. They are totally against it. I share their concerns and join them in opposing the application. Although the planning application was submitted almost three years ago, we still do not know what type of gasification technology will be used if it is approved.

I am told that some of the options have never been used in the UK or in Europe. The technology has, however, been used in Japan, which has very different safety measures from the UK. Does the Minister think it right or fair for our constituents to be used as guinea pigs to test a new technology? Would she be happy if this took place in her constituency? I am sure that her constituents would not. My constituents are concerned about the short-term and long-term health and safety of those living around the plant.

The proposed site is as close as 100 metres to homes, and there are nine schools within a one-mile radius. Those communities will bear the brunt of increased traffic and the associated pollution, and they will be most at risk should anything go wrong with the plant, bearing in mind that the technology is totally untested in this country. The plant would not even be a great future employer—only 35 full-time equivalent jobs would be created. Basically, I can see no positives at all in the building of the gasification plant in my constituency—only many negatives.

The planning application is in direct contradiction to the Government's own policies on climate change and waste processing, and the proposed plant could be expected to release millions of tonnes of CO<sub>2</sub>—my hon. Friend the Member for Cardiff South and Penarth mentioned that risk—within its anticipated lifetime. Undoubtedly, that will have a negative impact on our environment and on climate change. What assessment have the Government made of the impact that waste incineration could have on climate change?

I am happy to report that the planning application for this gasification plant was rejected in July last year by the local planning and highways committee. However, the application is up for appeal by the applicant, Rolton Kilbride, and the appeal will start on 18 February. I am sure that Members present will have no doubt that, based on my concerns—some of which I have raised today and many others I have not had time to mention—I plan to make strong representations to the planning inspectorate and to ask it to reject the application.



I have already written to the planning inspectorate and the national planning casework unit to request that, in the event that the application is approved, the Secretary of State recovers the appeal. If that request is approved, it will then give the Secretary of State the final say on the application, which I will lobby her strongly to reject. For now, it is a waiting game for me and my constituents, but I remain absolutely committed in my opposition to the plant. The health and the lives of my constituents should not be gambled with.

I will continue to work ceaselessly with constituents, campaigners and local councillors of every party—they all oppose the plans—to oppose the building of this plant. It must not be allowed to happen, and the united voices of all local people must be heard and heeded.

4.59 pm

**Elliot Colburn** (Carshalton and Wallington) (Con): It is a pleasure to serve under your chairmanship, Mr Hosie, and I congratulate the hon. Member for Cardiff South and Penarth (Stephen Doughty) on securing this debate.

The contributions we have heard so far were made by Members who face the threat of an incinerator being built in their constituencies. I am in the unfortunate position of representing a constituency that lives in a shadow of the massive Beddington incinerator. I hope to give a perspective of what it is like once such things have been built.

The incinerator was championed, in an extraordinary show of arrogance, by an out-of-touch Lib Dem council, which has shown a total lack of ambition in tackling air quality in Sutton. Thanks to its complete incompetence, the incinerator is now an eyesore on the landscape that we can see from every single corner of the constituency. In 2018 alone, bearing in mind that it was not fully operational at the time, it pumped more than 21.5 million kg of CO<sub>2</sub> into the local atmosphere.

I am a local councillor and my group and those of other parties—but not the Lib Dems, unfortunately—campaigning to put additional air quality monitoring next to the site. That would have given local residents the assurance that if emissions were breached, they would have full access to the data—I thank the hon. Member for Cardiff South and Penarth for the good point he made about data—so that swift action could be taken in reporting the issue to the Environment Agency. At least that would give people some peace of mind that the air they breathe is safe. Time and again, however, shamelessly, the Lib Dem council has continued to oppose that proposal and to spout the benefits of a so-called “energy recovery facility”.

I stress the fact that it is not just the incinerators that are significant; there are other consequences to having one in the area. As we have heard, they have a potential impact on recycling rates. As the UK Without Incineration Network has rightly pointed out, for an incinerator to be anywhere near commercially viable, waste often needs to be imported and sometimes even non-recyclables are burned. They also have an impact on traffic and air quality. The route to Beddington incinerator on my patch of Carshalton and Wallington is already congested. Rubbish from four south London boroughs is taken along Beddington Lane, which leads to the incinerator. They all take their waste to that incinerator, all against the backdrop of seemingly endless roadworks that never seem to be completed but are meant to help Beddington Lane cope with the capacity.

The final impact is on energy bills. The Beddington incinerator is one of a few with an operational decentralised energy network, which in Sutton we call the SDEN—the Sutton Decentralised Energy Network. It is a way to justify having an incinerator in the constituency, because it creates energy to heat local homes. The development of New Mill Quarter in Hackbridge, in my constituency, is connected directly to the incinerator via a series of pumps and so is being heated by the Beddington incinerator.

That SDEN, however, has trapped New Mill Quarter residents in an energy scheme that they cannot get out of. They are not allowed to go on the open market to change their energy provider and, I am told, the cost of their energy bills is at least three times higher than the highest market average currently available. That is completely outrageous. Thankfully we now have a price cap under energy legislation, but we are pushing it to the limit for our New Mill Quarter residents, many of whom were not told about the energy scheme when they were being sold their house.

Now that we are unfortunately stuck with the Beddington incinerator, I hope the Minister will agree that the council should heed our calls to put additional air quality monitoring on Beddington Lane and not let Viridor hold itself to account. The council should also get on with delivering its promises of proposed farmlands in the area, which are supposed to offset some of the damages. It should also improve Beddington Lane and allow New Mill Quarter residents to go on the open market to change their energy provider, if that is what they want to do. We need to be so much more ambitious in tackling air pollution.

**Robbie Moore** (Keighley) (Con): Does my hon. Friend agree that there must be detailed scrutiny of the impact that incineration has on the surrounding environment as a result of the harmful pollutants and emissions released into the atmosphere, and of the impact of exhaust fumes from the increased traffic bringing waste to the site? An incinerator has been proposed for my constituency, in Marley. The site is located right next to playing fields, community assets and residential property, and in the bowl of a valley. If the proposal is not able to contribute any positives for health and wellbeing, does my hon. Friend agree that it should be disregarded altogether?

**Stewart Hosie (in the Chair)**: That was the longest intervention ever.

**Elliot Colburn**: I will be brief in my response. I totally agree with my hon. Friend—I could not agree more. We need to be a lot more ambitious about tackling air pollution. All I can say to the local authorities of other hon. Members fighting incinerators is that I hope that they will succeed where Lib Dem Sutton has unfortunately failed.

**Several hon. Members** *rose*—

**Stewart Hosie (in the Chair)**: Order. I am afraid I have to ask for a three-minute time limit.

5.6 pm

**Carolyn Harris** (Swansea East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hosie.

[Carolyn Harris]

Like me, my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) has a proposed site for a new incinerator in south Wales in his constituency. I therefore thank him for securing this important debate.

Clarion Close in Llansamlet, in my constituency, is on the Swansea Enterprise Park, at the heart of a small community. About 7,000 people live there, and the proposed site is close to a local school, Ysgol Lonlas, and to the Swansea Vale nature reserve. My great concern is about the effect of the incinerator on air quality, which is already a serious issue in Swansea. Only yesterday, the local press reported that Swansea has one of the highest PM2.5 levels in the UK, due to heavy industry in the city and the surrounding areas. PM2.5 are the tiny particles that cause the air to be hazy and, because they are so small, they are able to penetrate people's respiratory and circulatory systems with ease. Those pollutants are incredibly dangerous and potentially fatal, in particular for vulnerable people such as the elderly and those with illnesses.

Llansamlet is located between the M4 and two other major thoroughfares through Swansea. Consequently, that further affects the air quality in this part of the city, and asthma rates among residents are disproportionately high. We do not need the threat of further health implications from an incinerator in the area, and I have no doubt that those living in the area would agree with me resoundingly.

We should be looking at recycling and reusing as much as we can, and at finding alternatives to waste incineration whenever possible. The proposed Swansea bay tidal lagoon, which would have brought clean green energy to our city and further afield, was scrapped in the previous Parliament. However, I have already been in touch with the new Minister in the Wales Office to invite him to Swansea to discuss the tidal lagoon again. We must stop ignoring environmental issues and start looking at what can be done to halt the climate catastrophe that we appear to be hurtling towards. We need to target spending on clean, sustainable and low-carbon projects. Building these toxic towers to incinerate waste is not the answer, not for now and certainly not for the future of our children, our towns and cities, and our planet.

**Stewart Hosie (in the Chair):** I thank the hon. Lady for that wonderful three minutes.

5.8 pm

**Alun Cairns (Vale of Glamorgan) (Con):** It is a privilege to serve under your chairmanship, Mr Hosie, and I congratulate the hon. Member for Cardiff South and Penarth (Stephen Doughty) on securing this important debate.

There are of course policy differences between in England and Wales. In essence, the backstop for this issue and the challenges faced by all our communities, certainly in Wales, is planning policy. My request of the Welsh Government and the regulators is therefore for consistency, not only in the policy itself, and in its interpretation and consideration, but from politicians as well.

It is easy for politicians to stand up in a public meeting, wherever that might be in our constituencies, having played a part from the outset in setting the policy in place that has led to the position we are in

now. I am pleased to say that my position on incineration has been consistent from the time I was a Member of the National Assembly for Wales, when I represented South Wales West, which includes the Swansea East constituency. The hon. Member for Swansea East (Carolyn Harris) will remember the Crymlyn Burrows incinerator that later burnt down. That sparked my original interest, which led me to oppose the Welsh Government's policy, which is instinctively in favour of incineration.

The original debate in the Assembly, post the 2001 application in Swansea, was about trying to set some parameters for the consideration of those applications. It led to the policy, which led to proposed developments not only in Swansea and Cardiff, South and Penarth, but in Llanelli and in my constituency.

The Biomass UK No. 2 Ltd plant has been proposed in Barry, but the way it has been treated has been wholly inconsistent. On this occasion, the local authority's planning committee unanimously rejected it, only for that to be overturned by the Welsh Government's Planning Inspectorate because it had to follow the policy that the Welsh politicians had put it in place. This is a 10 MW power station that did not have an environmental impact assessment and, significantly, was not considered a development of national significance, which it would have been had it been considered consistently with the policy here in England, which I believe was the intention at the time.

In the very limited time left, I want to underline the risk of planning creep. Originally, the application would have been for clean wood. That policy has changed, yet the Welsh Government are refusing to consider it again as a development of national significance under the changed criteria. My request is that we have consistency. Also, as hon. Members from across the House have pointed out, the policy and recycling rates have changed in a positive way; therefore, the policy that gives rise to these incinerators also needs to change.

5.12 pm

**Jim Shannon (Strangford) (DUP):** I congratulate the hon. Member for Cardiff South and Penarth (Stephen Doughty) on introducing this debate. This is the second debate in Westminster Hall that we have both participated in today, the first one being at 9.30 this morning.

This issue hit the headlines in Northern Ireland when the Northern Ireland Assembly collapsed and a decision was taken by the permanent secretary to allow an incinerator to go ahead, after a Planning Appeals Commission decision deemed the application acceptable. At that time, Mrs Justice Keegan ruled that that a senior civil servant did not have legal power to give the green light to the major waste disposal facility at Hightown Quarry in Mallusk, following the collapse of devolution, leaving the application waiting for the new Minister. Many of the questions about that have been raised by the hon. Gentleman.

We have to find a method of waste disposal. We create the waste and we have to get rid of it—that is a fact of life. How do we do that? We encourage councils to recycle using the carrot and stick approach: if they recycle, that is great and they may win an award, but if they do not, there will be financial penalties. I understand and agree with encouragement. My council has been proactive and has met every target it has set; every new

target it has set, it has met that, too. We all know how it goes: glass in one bin, plastics and paper in the other one, and green waste. This issue is above and beyond that.

It is not clear how we deal with the issue of burning waste, but Government must lead the way. Controls must be in place to address the issue of landfill and the lack of space, but also to ensure that any incineration that takes place is done in the right way and is as environmentally friendly as possible.

Figures were published in the weekend press about air quality in the United Kingdom. The number of deaths has risen. The proportion of deaths in Northern Ireland due to air quality is higher than the UK average. We have a serious problem in Northern Ireland, as we do in the rest of the United Kingdom. I agree with my colleague the Minister for the Department of Agriculture, Environment and Rural Affairs, Edwin Poots, about waste incineration in Northern Ireland. He said that he did not believe that burning waste was necessarily damaging to the environment, but that incineration

“requires an awful lot of waste and there are better ways of dealing”

with it. For him, the issue was clear. He highlighted the fact that European countries with some of the highest green credentials use incineration. I agree that it is uncertain whether Northern Ireland needs an incinerator of this scale—that is probably the case in many parts of the United Kingdom, as hon. Members have mentioned.

We put so much pressure on our local councils, yet this debate and the ongoing issues at home show that there must be clearer guidance from the Minister. We look to her for a positive response. I hope that direction and guidance comes from this debate.

5.15 pm

**Dr Alan Whitehead** (Southampton, Test) (Lab): This debate is about incineration and energy from waste, and the way in which we can dispose of our waste in an inefficient and climate-friendly way. We have heard from a number of speakers in what has been an excellent debate, particularly on the role of very large incinerators in dealing with waste in future. We heard from my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty)—whom I congratulate on securing the debate—who is particularly concerned about the effect of a very large old-style incinerator plant on his constituency, local residents and air quality. There is a question of whether the waste will be attracted to the plant, which is not a municipal plant but a commercial plant—I understand that a municipal plant is already in place in the city.

That is a good example of the crossroads we have come to in waste disposal and resource management in this country. Do we continue to go down that route of incinerators taking an increasing part of our waste, or do we move to different modes—much more environmentally friendly ones, I would argue—of dealing with our waste in future. That might resolve the problems raised not only by my hon. Friend but by my hon. Friends the Members for Washington and Sunderland West (Mrs Hodgson) and for Swansea East (Carolyn Harris) and others, and a number of Members who raised similar issues about the role of incineration in our waste management arrangements.

Although I cannot say anything specific about the application for the incinerator near Cardiff—that is a matter for the Welsh Government—it is quite clear that, although it was the case that incineration was an improvement over previous waste disposal arrangements, it is decreasingly apparent that it is something we should pursue as a fundamental part of our future waste disposal activities. We can see what happened with landfill and other forms of waste disposal. There has been a rapid trajectory away from landfill, down by 64% since 1999 and now at about 20% of our waste disposal. There has been a rise in incineration, with 9% of waste dealt with by energy-from-waste or incineration plants in 2001 and 41% now. A substantial part of our waste is dealt with by those means.

In the middle of that, we have the imperative of the waste hierarchy. I think all parties agree that our aim in waste policy—the trajectory of our policy—should be to move up that hierarchy from disposal, through other forms of recovery, to recycling, preparation for reuse and, of course, prevention, which is the highest point of the hierarchy. Our aim should be to move consistently up the hierarchy so that waste is recycled into another resource or, ideally, does not enter the waste stream at all.

Old-style incineration is right at the bottom of the hierarchy, marginally above landfill. There has been considerable success over the years in removing waste from landfill. That is important for addressing climate change, as it leads to a substantial reduction in methane emissions, which are avoided by not using landfill in the first place. However, moving just to the next stage up in the hierarchy is a little like a landlord responding to someone complaining about getting wet in their house by putting a tarpaulin on the roof. It is a bit better, but it is not a solution to the problem. We need to be much more imaginative in moving up from those solutions.

There will always be some residual waste that needs to be dealt with by disposal means, but what we mean by “residual waste” is a big question. The plant that my hon. Friend the Member for Cardiff South and Penarth mentioned will take a large amount of so-called residual waste, but in many instances it will not be real residual waste; it will be stuff that people have not bothered to recycle. Only 8% of plastic film, for example, is recycled—most of it goes into residual waste—but most of it could be recycled and ought to be taken out of residual waste. Real residual waste is a fairly small proportion of the waste stream, which suggests that a policy of introducing very large incinerators to collect that waste would fix us in place on the waste hierarchy rather than move us up it.

A second point that I think is—

**Stewart Hosie (in the Chair):** Order. I am conscious that we are eating into the time for the Minister’s response.

**Dr Whitehead:** Indeed, Mr Hosie. I understand that. I hope to make my second point very briefly so that the Minister can respond.

I am particularly concerned that, if we have any sort of energy-from-waste facility for residual waste as we move up the waste hierarchy, we should ensure that it recovers the maximum energy possible, including heat for combined heat and power. At the moment, the scheme that my hon. Friend the Member for Cardiff South and Penarth mentioned does not have that facility.

[Dr Whitehead]

In their waste strategy, the Government commit themselves to ensuring that all new energy-from-waste plants are in the category of “other recoverable”. That suggests that those plants will have to have combined heat and power facilities to maximise energy recovery, and that they will not be incinerators with a bit of hobby electricity attached to them. I would be grateful if the Minister assured me that that will be her policy for the future of energy from waste, and that she will pursue that in considering what happens with energy-from-waste plants. Among other things, that would ensure that plants that do not have that sort of facility are not normally regarded as suitable to receive planning permission.

5.24 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow):** It is a great pleasure to serve under your chairmanship, Mr Hosie. I do not think I have had the pleasure before. I commend the hon. Member for Cardiff South and Penarth (Stephen Doughty), who referred in particular to a proposed incinerator in his constituency, for securing the debate. The fact that so many colleagues took part in the debate shows what heat this subject generates, from Carshalton and Wallington to Strangford and everywhere in between.

I must point out right at the outset that waste and managing air quality, which was also touched on, are devolved matters. I cannot comment on the specifics of the waste strategy in Wales or how policies in Wales influence the case for the plant that the hon. Gentleman mentioned; I can give my views only on what we are doing in England. However, I was heartened to hear the intervention of the former Secretary of State for Wales, my right hon. Friend the Member for Vale of Glamorgan (Alun Cairns), who pointed out that it was the Welsh Government that prioritised incinerators of various types. That perhaps should be taken into account.

I do not have much time, so let me first tackle a few misconceptions to ensure that I answer some of the questions that were asked. I want to clarify that the scheme mentioned by the hon. Member for Cardiff South and Penarth was part of a £5 billion portfolio of energy investment by the UK Government. That was in 2018, when the site was owned by CoGen. The project was removed from that list when its proposed technology shifted from gasification to incineration. We must not spread misconceptions. I just wanted to point that out.

Similarly, I think the hon. Gentleman suggested that we export a lot of waste from England to Wales. Obviously, where to site the plant in Wales is a commercial decision, but I would point out that in 2017, for example, nearly 60,000 tonnes of Welsh waste went to landfill in England, and 70,000 tonnes went to incineration.

I also want to clarify the position on PM2.5 emissions, which another hon. Member mentioned. Emissions from waste incineration represented 0.02% of PM2.5 emissions in the UK in 2017. A much higher amount—15%—came from transport. I thought that clarification might be useful.

I want to set the record straight: as my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) highlighted, our focus as a Government

is on “reduce, reuse, recycle”. We are sticking to that, as well as to the drive towards an ever more circular economy, which many Members touched on. That means extracting maximum value from our resources, then recovering and regenerating products and materials at the end of their lifespan. Through that, we seek to minimise the amount of waste that goes to incineration or landfill, which certainly are at the bottom of the waste chain.

However, needless to say, there is commercial and industrial waste classified as municipal waste. I agree entirely with the shadow Minister that much of it ought to be recycled. That is why the forthcoming environment Bill, which I hope everyone present will support, will include far-reaching measures to drive us towards a circular economy. We will also introduce legislation to increase the separate capture of business waste, promoting high-quality recycling. That will include food waste from the catering sector, for example, which will have to be captured separately and, wherever possible, diverted from landfill or incineration into anaerobic digestion.

**Alun Cairns:** Will the Minister give way?

**Rebecca Pow:** I have so little time, so I hope my right hon. Friend does not mind if I do not.

We are going towards high-quality recycling, but clearly we have residual waste. That is dealt with in a number of ways, which include landfill, incineration with energy recovery and export as refuse-derived fuel. Landfill is the least favoured option. Policies aimed at diverting waste away from landfill mean that, in addition to recycling gains, the volume of waste being treated at energy-from-waste plants has increased. Of course, however, the aim with all the measures in the waste and recycling strategy is to bring that down.

Energy-from-waste plants are regulated by the Environment Agency and must comply with strict emissions limits set in legislation. The agency assesses every application for a new plant to ensure that it will use the best available techniques to minimise emissions and will not have a significant effect on local air quality. The Environment Agency will not issue an environmental permit if the proposed plant would have a significant impact on the environment or harm it. Once operational, energy-from-waste plants are closely regulated and constantly monitored. The views of Public Health England about the potential health effects of such plants are also taken into account, because safety is paramount.

The Government have been very clear about maximising the resource value of waste, including residual waste. That is why we are working to ensure ever greater efficiency in these plants. Waste-to-heat plants were touched on; the Department for Business, Energy and Industrial Strategy has a fund to move towards heat networks. I know the shadow Minister will welcome that, because it is something he is particularly interested in. If the hon. Member for Washington and Sunderland West (Mrs Hodgson) would like a little more information about that particular technique in the plant she mentioned, I am happy to get my experts to advise her.

5.30 pm

*Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).*

# Written Statements

Tuesday 28 January 2020

## DIGITAL, CULTURE, MEDIA AND SPORT

### UK Telecommunications

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** My right hon. Friend the Secretary of State for Digital, Culture, Media and Sport, Baroness Morgan of Cotes, has made the following statement.

The telecoms supply chain review—laid before Parliament in July 2019—underlined the range and nature of the risks facing our critical digital infrastructure.

The review addressed three questions:

How should telecoms operators be incentivised to improve security standards and practices in 5G and full fibre networks?

How should the security challenges posed by high risk vendors be addressed?

How can sustainable diversity in the telecoms supply chain be created?

The Government are establishing one of the strongest regimes for telecoms security in the world. This will raise security standards across the UK's telecoms operators and the vendors that supply them. At the heart of the new regime will be the National Cyber Security Centre's Telecoms Security Requirements guidance. This will raise the height of the security bar and set out tough new standards to be met in the design and operation of the UK's telecoms networks.

The Government intend to legislate, at the earliest opportunity, to introduce a new comprehensive telecoms security regime—to be overseen by the communications sector regulator, Ofcom, and Government.

The review also underlined the need for the UK to improve diversity in the supply of equipment to telecoms networks.

The Government are developing an ambitious strategy to help diversify the supply chain. This will entail the deployment of all the tools at the Government's disposal. The strategy has three main strands:

Attracting established vendors who are not currently present in the UK;

supporting the emergence of new, disruptive entrants to the supply chain; and

promoting the adoption of open, interoperable standards that will reduce barriers to entry.

The UK's telecoms operators are leading the world in the adoption of new, innovative approaches to expand the supply chain. The Government will work with industry and like-minded countries to achieve these goals.

The third area covered by the review was how to treat those vendors which pose greater security and resilience risks to UK telecoms.

The Government have now completed their consideration of all the information and analysis on this subject, and are publishing the final conclusions of the telecoms supply chain review in relation to high risk vendors.

In order to assess a vendor as high risk, the review recommends a set of objective factors are taken into account. These include:

The strategic position or scale of the vendor in the UK network;

the strategic position or scale of the vendor in other telecoms networks, particularly if the vendor is new to the UK market;

the quality and transparency of the vendor's engineering practices and cyber security controls;

the vendor's resilience both in technical terms and in relation to the continuity of supply to UK operators;

the vendor's domestic security laws in the jurisdiction where the vendor is based and the risk of external direction that conflicts with UK law;

the relationship between the vendor and the vendor's domestic state apparatus; and

the availability of offensive cyber capability by that domestic state apparatus, or associated actors, that might be used to target UK interests.

To ensure the security of 5G and full fibre networks, it is both necessary and proportionate to place tight restrictions on the presence of any vendors that are identified as higher risk.

For 5G and full fibre networks, the review concluded that, based on the current position of the UK market, high risk vendors should be:

Excluded from all safety related and safety critical networks in critical national infrastructure;

excluded from security critical network functions;

limited to a minority presence in other network functions to a cap of up to 35%; and

subjected to tight restrictions, including exclusions from sensitive geographic locations.

These new controls will also be contingent on an NCSC-approved risk mitigation strategy for any operator using such a vendor.

Over time, our intention is for the market share of high risk vendors to reduce as market diversification takes place.

The Government intend to bring forward legislation, at the earliest opportunity, to limit and control the presence of high risk vendors in UK networks, and to be able to respond appropriately as technology changes.

Nothing in the review's conclusions affects this country's ability to share highly sensitive intelligence data over highly secure networks, both within the UK and with our partners, including the Five Eyes.

GCHQ have categorically confirmed that how the UK constructs its 5G and full fibre public telecoms networks has nothing to do with how the Government share classified data.

In response to the review, the Government have asked the National Cyber Security Centre to produce guidance for industry in relation to high risk vendors. The guidance sets out how NCSC will determine whether a vendor is high risk, the precise restrictions it advises should be applied to high risk vendors in the UK's 5G and full fibre networks, and what mitigation measures operators should take if using high risk vendors.

The NCSC has published that guidance on their website at: [www.ncsc.gov.uk/guidance/ncsc-advice-on-the-use-of-equipment-from-high-risk-vendors-in-uk-telecoms-networks](http://www.ncsc.gov.uk/guidance/ncsc-advice-on-the-use-of-equipment-from-high-risk-vendors-in-uk-telecoms-networks), as well as a summary of the security analysis conducted for the telecoms supply chain review at: [www.ncsc.gov.uk/report/summary-of-NCSC-security-analysis-for-the-UK-telecoms-sector](http://www.ncsc.gov.uk/report/summary-of-NCSC-security-analysis-for-the-UK-telecoms-sector).

The DCMS press release accompanying this written ministerial statement can be found at: <https://www.gov.uk/government/news/new-plans-to-safeguard-countrys-telecoms-network-and-pave-way-for-fast-reliable-and-secure-connectivity>.

Copies of these documents have been placed in the House of Commons Library.

[HCWS70]

## FOREIGN AND COMMONWEALTH OFFICE

### Foreign Affairs Council: 20 January 2020

**The Minister for Europe and the Americas (Christopher Pincher):** The High Representative of the European Union (EU) for Foreign Affairs and Security Policy (HRVP), Josep Borrell, chaired the Foreign Affairs Council (FAC) in Brussels on 20 January. The United Kingdom's permanent representative to the EU (Sir Tim Barrow) represented the United Kingdom.

*Current affairs*

The HRVP and Foreign Ministers had an exchange of views on a number of pressing issues.

The German Foreign Minister Heiko Maas briefed on the outcome of the 19 January Berlin conference on Libya. Ministers discussed EU engagement towards a political solution, in particular in helping to implement the agreed ceasefire and enforce the UN arms embargo.

HRVP Borrell discussed the situation in Bolivia and set out EU support towards the general election on 3 May 2020. He also touched on Venezuela and concern about recent escalations following the events in the National Assembly.

The HRVP debriefed on his recent trip to New Delhi, India, where he participated in the Raisina dialogue and he discussed preparations for the upcoming 15th EU-India summit, scheduled for 13 March.

Cyprus raised Turkey's hydrocarbon exploration activity in the eastern Mediterranean, following Turkey's announcement on 18 January that it would engage in further drilling.

*Sahel*

Following France's and the G5 Sahel (Burkina Faso, Chad, Mali, Mauritania, and Niger) leaders' summit that took place in Pau on 13 January, Ministers exchanged views on the deteriorating security and humanitarian situation in the Sahel and the role the EU could play as an important partner and donor in the region. They expressed support for renewing the existing Sahel strategy to try to increase the impact of the EU's security, stability and development engagement. Ministers emphasised the importance of an integrated approach between the different actors involved and resources deployed. Ministers also welcomed the planned EU-G5 Sahel summit in March, noting it would be an opportunity to identify joint priorities and ensure G5 ownership.

*Climate diplomacy*

The Council adopted conclusions on climate diplomacy and agreed to focus diplomatic outreach to third countries to encourage key partners and emitters to implement concrete actions and achieve the best results ahead of COP26. There was support for a proposal that all new EU international agreements, including all trade agreements, contain a clause to hold partners to ambitious climate standards.

The United Kingdom underlined that success in Glasgow would rely on concerted diplomatic efforts and the importance of ensuring tangible outcomes when updating nationally defined contributions (NDCs).

*Middle east peace process and the wider region*

Over lunch, Foreign Ministers discussed the middle east peace process and restated their national positions on the recognition of Palestine. The United Kingdom underlined the importance of firmly rejecting illegal annexation but made clear that our position on recognition was unchanged and reiterated our commitment to a two-state solution.

Ministers touched on the future of the joint comprehensive plan of action (JCPoA) and the importance of continuing efforts to de-escalate tensions in the region. The United Kingdom, France and Germany underlined the importance of the E3's work to find a diplomatic path through the JCPOA's dispute resolution mechanism to bring Iran back into compliance and preserve the deal.

*Council conclusions*

The Council agreed a number of further measures:

The Council approved the terms of reference for the EU-Ecuador dialogue on human rights. Since 2014, the EU and Ecuador meet at least once a year to review the state of their relationship and discuss issues of common interest.

The Council adopted conclusions on the continued presence of Operation Althea in Bosnia and Herzegovina to support authorities in maintaining a safe and secure environment for its citizens.

The Council adopted a decision on the conclusion of the enhanced partnership and co-operation agreement between the EU and the Republic of Kazakhstan (12409/16). The decision will be published in the *Official Journal of the European Union* in accordance with Article 17 (1)(a) of the Council's rules of procedure.

The Council appointed 120 members and 114 alternate members to the European Committee of the Regions (CoR) for its new five-year term running from 26 January 2020 to 25 January 2025 (14986/19).

Regarding public access to documents, the European Council approved on 15 January 2020 the reply to confirmatory application No. 39/c/01/19 (doc. EUCO 35/19). On 20 January 2020, the Council adopted by written procedure the reply to confirmatory application No. 38/C/01/19 (doc. 14533/19).

[HCWS68]

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Rough Sleeping Initiative

**The Secretary of State for Housing, Communities and Local Government (Robert Jenrick):** Today, I am announcing provisional allocations of up to £112 million for a third year of rough sleeping initiative and rapid rehousing pathway funding. This funding covers around 270 local authorities in England, including those that were part of joint funding proposals and represents an uplift of £26 million on last year's rough sleeping initiative and rapid rehousing pathway funding.

We announced the rough sleeping initiative in March 2018 to make an immediate impact on rough sleeping. Our impact evaluation of the initiative (published September 2019) demonstrated that it drove the first national reduction in rough sleeping in almost a decade. The analysis demonstrated a 32% net reduction in the number of rough sleepers, compared to what the level would have been had the initiative not been in place.

To build on the rough sleeping initiative, we launched the rapid rehousing pathway. This approach includes funding for Somewhere Safe to Stay hubs, which provide warm and dry shelter, rapid assessment, and support to people who are already, or at risk of, sleeping rough; specialist navigators, who act as a single point of contact to support people from the streets into settled accommodation; the establishment of local lettings agencies to source, identify, or provide homes and advice for rough sleepers or those at risk; and funding for supported lettings initiatives, which will provide flexible support to help individuals sustain their tenancies.

For the next financial year we have combined the rough sleeping initiative and rapid rehousing pathway to form one consolidated funding pot for 2020-21, to simplify the process for local authorities. We have drawn on learnings from both programmes to optimise the effectiveness of next year's funding, which was open to

all local authorities in England. Since October 2019 our expert adviser teams have worked intensively with local authorities to co-produce plans to further reduce rough sleeping.

A full list of the areas funded is available here:

<https://www.gov.uk/government/publications/rough-sleeping-initiative-2020-to-2021-funding-allocations>.

With the funding I have announced today, local areas will be able to enhance services that connect people with the right support and sustainable housing to move them swiftly away from the street and facilitate their recovery. This important work is part of delivering on the commitment made in the Government manifesto to end rough sleeping by the end of this Parliament.

[HCWS69]





# ORAL ANSWERS

Tuesday 28 January 2020

	<i>Col. No.</i>		<i>Col. No.</i>
<b>HEALTH AND SOCIAL CARE</b> .....	651	<b>HEALTH AND SOCIAL CARE—continued</b>	
Access to GPs .....	651	NHS: Take-up of New Technology .....	658
Accident and Emergency Waiting Times .....	663	PrEP Commissioning .....	657
Adult Social Care .....	654	Primodos .....	663
Health and Social Care (Buckinghamshire) .....	659	Topical Questions .....	665
Health Inequalities .....	662	University Hospital of Hartlepool .....	660
Life Expectancy .....	661		

# WRITTEN STATEMENTS

Tuesday 28 January 2020

	<i>Col. No.</i>		<i>Col. No.</i>
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	27WS	<b>HOUSING, COMMUNITIES AND LOCAL</b>	
UK Telecommunications .....	27WS	<b>GOVERNMENT</b> .....	30WS
<b>FOREIGN AND COMMONWEALTH OFFICE</b> .....	28WS	Rough Sleeping Initiative .....	30WS
Foreign Affairs Council: 20 January 2020 .....	28WS		

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## CONTENTS

Tuesday 28 January 2020

**Oral Answers to Questions [Col. 651] [see index inside back page]**

*Secretary of State for Health and Social Care*

**Direct Payments to Farmers (Legislative Continuity) Bill [Col. 671]**

*Considered in Committee; not amended, considered; read the Third time and passed*

**UK Telecommunications [Col. 709]**

*Statement—(Dominic Raab)*

**Criminal Law [Col. 728]**

*Motions—(Chris Philp)—agreed to*

**Petition [Col. 751]**

**Mental Health Act: Section 136 [Col. 752]**

*Debate on motion for Adjournment*

**Westminster Hall**

**Flats and Shared Housing: Fire Risk [Col. 211WH]**

**UKAEA Public Service Pension Scheme [Col. 236WH]**

**Antarctica: Science and Diplomacy [Col. 241WH]**

**Local Services: London Suburbs [Col. 257WH]**

**Industrial and Commercial Waste Incineration [Col. 266WH]**

*General Debates*

**Written Statements [Col. 27WS]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

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