

**Monday  
8 June 2020**

**Volume 677  
No. 65**



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Monday 8 June 2020**

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# HER MAJESTY'S GOVERNMENT

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(FORMED BY THE RT HON. BORIS JOHNSON, MP, DECEMBER 2019)

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§ *Members of the Government listed under more than one Department*

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# THE PARLIAMENTARY DEBATES

## OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
[WHICH OPENED 17 DECEMBER 2019]

SIXTY-NINTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

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House of Commons

Oral Answers to Questions

*Monday 8 June 2020*

HOME DEPARTMENT

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

*The Secretary of State was asked—*

### PRAYERS

[MR SPEAKER *in the Chair*]

*Virtual participation in proceedings commenced (Order, 4 June).*

[NB: [V] denotes a Member participating virtually.]

### ROYAL ASSENT

**Mr Speaker:** I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty the Queen has signified her Royal Assent to the following Acts:

Windrush Compensation Scheme (Expenditure) Act 2020

Sentencing (Pre-consolidation Amendment) Act 2020.

### Speaker's Statement

**Mr Speaker:** Following the orders passed on Thursday, virtual participation in questions, urgent questions and statements is allowed for certain Members. I have reintroduced a complete call list for questions, so Members should not rise to try to catch my eye; they should rise only when called. When a substantive question is asked by a Member participating virtually, I shall ask the Minister to answer the question and then call the Member to ask their supplementary question.

### Covid-19: No Recourse to Public Funds

**Sir Edward Davey** (Kingston and Surbiton) (LD): If she will hold discussions with the Prime Minister on the suspension of the “no recourse to public funds” condition during the covid-19 outbreak. [903001]

**The Secretary of State for the Home Department (Priti Patel):** The Government have made it our priority to protect the vulnerable throughout this national emergency, but we do not believe it is necessary to suspend the NRPF condition to do so. It is right that migrants coming to the UK are financially independent; however, practical support, such as rent protections and the coronavirus job retention scheme, apply to those NRPF conditions. We have allocated more than £3.2 billion to local authorities and £750 million to charities to support the most vulnerable.

**Sir Edward Davey:** The Home Secretary does not get it. People who have worked here and paid taxes here for years are being denied support and falling into destitution. People who have lost their jobs or seen their income slashed can be excluded from the very protections that the Home Secretary cites. Given that the rule disproportionately impacts people in our black and minority ethnic communities the hardest, will the Home Secretary suspend the “no recourse to public funds” rule for the duration of the pandemic?

**Priti Patel:** I thank the right hon. Gentleman for his question and his comments. The answer is no. Local authorities have provided a basic safety net, and that is because of the significant financial provisions that the

Government introduced and the range of measures to support those people who had been working. Because of coronavirus—because of the national health pandemic situation we find ourselves in—we will support people with “no recourse to public funds”, and that assistance is being given under the coronavirus retention scheme and also the self-employed income support scheme, so funds are available. It is wrong to imply that safety nets are not in place. I hope the right hon. Gentleman will pay tribute to local authorities which, throughout this pandemic and this crisis, have been resourced with an extra £3.2 billion to provide vital financial help.

**Holly Lynch** (Halifax) (Lab): Further to the comments that the Home Secretary just made, Ministers from the Ministry of Housing, Communities and Local Government wrote to all councils on 26 March asking them to utilise alternative powers and funding to assist those with “no recourse to public funds”, so it seems that the Government have understood in principle that NRPF is counterproductive during the pandemic, but the lack of clarity from the Home Office means that in practice people are still facing destitution. With that in mind, will the Home Secretary look again at the spirit of the Prime Minister’s comments to the Liaison Committee and outline how the Government intend to support these families?

**Priti Patel:** It is important to put on the record that this is not just about the Home Office; we work across Government and MHCLG—the Department responsible for local government and communities—is obviously central to this issue. In terms of the resources that have been provided, practical support, such as rent protections and the coronavirus job retention scheme, apply to those under the “no recourse to public funds” conditions. The hon. Lady specifically mentioned MHCLG and local authorities; £3.2 billion has been provided. I have been working directly with the Secretary of State for Housing, Communities and Local Government, and I have also been part of discussions with the devolved Administrations, throughout the past 10 weeks, looking at the protective measures and the support that can be provided through the resources provided from central Government.

**Joanna Cherry** (Edinburgh South West) (SNP): The Black Lives Matter movement and Public Health England’s review of the disparities in risks and outcomes in the covid-19 outbreak have highlighted the inequalities suffered by black and minority ethnic people in our society. Does the Home Secretary accept that the “no recourse to public funds” policy disproportionately affects people from black, Asian and minority ethnic communities? If she does, why will she not push for it to be suspended, as a concrete step towards tackling the inequalities that so appal many of our constituents?

**Priti Patel:** I have a number of points to make to the hon. and learned Lady. First, the Government published the report last week on the impact of coronavirus on black, Asian and minority ethnic communities. The findings are indeed shocking and it is right that the Government invest their time and resources, particularly through the Minister for Equalities, to look at the measures that can be put in place. The “no recourse to public funds” policy is one of many policies, and it is

right that as a Government we look at all policies that affect all communities in the round, without singling out one particular policy.

**Joanna Cherry:** I am glad to hear that the Home Secretary is looking at the policy, but I urge her to read a report that came out this time last year by Agnes Woolley called, “The Cost of the No Recourse to Public Funds Policy”. It found that most families with “no recourse to public funds” in the United Kingdom have at least one child who is British by birth, and nearly all those families are black and minority ethnic. Accordingly, “no recourse to public funds” is inherently more likely to affect BAME British children than white British children. Therefore, given this evidence that “no recourse to public funds” is a policy with racially discriminatory impacts, why will she not accept that it needs to go?

**Priti Patel:** If I may say, it is wrong to characterise the policy as racially discriminatory. It is a fact, however, that, for all communities and people of all backgrounds, there are many financial protections in place through the safety net of the welfare state. In addition, when it comes to children, funds have been made available through the Department for Education in the pupil premium. There are a plethora of support packages, which, combined collectively, are based on individual needs and individual circumstances. It is right that we treat people as individuals and not just categorise them. It is important to recognise that a plethora of issues affect people from black, Asian and minority ethnic communities, but we cannot assume that there is a one-size-fits-all approach, or a single-policy solution, to address those issues. It is right, as I have already indicated, that my right hon. Friend the Minister for Women and Equalities looks at the report that was published last week and that the Government provide a collective response to the many challenges facing the community.

### **Covid-19: Personal Protective Equipment**

**Aaron Bell** (Newcastle-under-Lyme) (Con): What steps her Department is taking to ensure that (a) police forces and (b) fire services have access to adequate levels of personal protective equipment during the covid-19 outbreak.

[903002]

**The Secretary of State for the Home Department (Priti Patel):** I thank my hon. Friend for his question. My Department is working extremely closely with the police and the fire and rescue services, as he will be aware, to ensure that they receive all the support and PPE that they need throughout this covid-19 outbreak.

**Aaron Bell:** I thank the Home Secretary for her answer. May I also take this opportunity to put on record my support for the police? I sympathise with those police who were injured in the past few days. I believe that Staffordshire police have done a fantastic job throughout the covid-19 outbreak. They have issued one of the lowest numbers of fines in the country, which is because they have been policing with consent and with the good sense of the people of Newcastle-under-Lyme and the county more widely. On PPE, it is my understanding from them that they are expecting to be reimbursed for the supplies that they have—they have sufficient supplies. Will she confirm that this will be the case?

**Priti Patel:** I thank my hon. Friend for his question. He represents a constituency with which I am familiar. The work of his local resilience forum, his chief constable and police officers and staff throughout the pandemic has been exemplary. I want to put on the record my praise for them. On PPE supplies, it is my understanding that the force has achieved sufficient supplies. That is something that we have been working on at a national level. The Government have previously indicated that forces should be reimbursed for expenditure and, obviously, we will be working on that across Government.

### Theft of Tools from Trades People

**Bim Afolami** (Hitchin and Harpenden) (Con): What steps her Department is taking to help reduce the level of theft of tools from trades people. [903003]

**The Minister for Crime and Policing (Kit Malthouse):** Stealing someone's tools is a particularly rotten kind of crime. Not only does it deprive them of their belongings, which is bad enough, but it also often deprives them of their livelihood, notwithstanding the inconvenience that it causes to them and their employers. We are determined to do something about this, which is why I recently convened a group of people from the industry and from policing to look at what more we can do to help. We are spending £25 million on our safer streets fund to drive down exactly this kind of acquisitive crime.

**Bim Afolami:** I thank the Minister for his response. Will he join me in championing the use of modern technology to combat tool theft such as the ToolWatch app designed by Harpenden residents, Denise and Alan Brett? This technology makes each tool traceable and can help police fight this crime. Will he take this opportunity to champion ToolWatch and help to spread its use in police forces throughout the country?

**Kit Malthouse:** My hon. Friend is one of the most original thinkers in the House and therefore it is no surprise that he champions innovation in all things, including crime fighting. Yes, he is absolutely right, there is lots more we can do in harnessing technology to fight crime, and I would be very interested, when we get back to normal, to visit his constituents and see ToolWatch for myself so that we can take it and promote it to the industry more generally.

### Immigration

**Sir John Hayes** (South Holland and The Deepings) (Con): If her Department will introduce a cap on the number of immigrants permitted to enter the UK each year. [903004]

**The Parliamentary Under-Secretary of State for the Home Department (Chris Philp):** I thank my right hon. Friend for that question. He has long experience of matters such as this in the Home Office and elsewhere. On 1 January, for the first time in decades, the United Kingdom will have full democratic control over our immigration system, giving us power to determine who comes here and for how long. We do not intend to impose a cap, but our points-based system will ensure that only those with the skills our country needs come to the United Kingdom, and it is our expectation that total migration, as a consequence, will reduce.

**Sir John Hayes:** With the post-covid economy facing unprecedented challenges and the prospect of job losses, in the same spirit that the Home Secretary showed in condemning this weekend's wicked violence, will the Minister look again at the resident labour market test, which means that jobs have to be offered here before they can be filled from abroad? Rebuilding Britain mean backing British workers.

**Chris Philp:** My right hon. Friend is correct that we want to encourage as many people as we can from the UK to take up job opportunities that are available. Our objective, ultimately, is to see a full rate of employment. We have laid out the points-based test that will apply from 1 January next year, ensuring that only people with high skills can come here, but it is up to this House and this Parliament to keep that under review, to ensure that we are striking the right balance in the way he describes.

**John Redwood** (Wokingham) (Con): I am grateful for all that the Home Secretary is doing to bring in this new policy, which I hope brings higher wages and higher skills, but does it not also require tougher enforcement against the dreadful people traffickers who are making money out of making a mockery of our laws and undermining all that we stand for?

**Chris Philp:** My right hon. Friend is correct: people trafficking and people smuggling is a shocking offence that causes untold human misery. Last year, Immigration Enforcement made 259 arrests in connection with people smuggling and secured 101 criminal convictions, but I would like to assure him that this is an area where we can, must and will go a great deal further.

### Domestic Abuse

**Caroline Ansell** (Eastbourne) (Con): What steps her Department is taking to help protect victims of domestic abuse. [903005]

**The Secretary of State for the Home Department (Priti Patel):** Domestic abuse is a horrific crime that shatters the lives of those affected. We are working closely with domestic abuse organisations, the domestic abuse commissioner and the police to ensure that help and support continues to be available, and more so while the covid-19 restrictions apply.

**Caroline Ansell:** I thank my right hon. Friend for her commitment to work in this area. One in four perpetrators are repeat offenders, and some have as many as six different victims. In that light, does she agree that greater uptake of Drive, an intensive intervention programme aimed at perpetrators, could save lives, change the narrative and break the generational cycle which sees children raised in homes where they have witnessed abuse go on in later life to be at greater risk of becoming either abuser or victim?

**Priti Patel:** I wholeheartedly agree with my hon. Friend. She has highlighted many of the challenges but also the opportunities, in terms of how we can work with partner organisations to provide the right kind of support needed to tackle the root causes of domestic abuse, to protect children and to educate them in terms

of their own safeguarding. There are many opportunities through which the Government are doing that, so that we can tackle this heinous crime. The landmark Domestic Abuse Bill, which began its Committee stage on 4 June, is a significant opportunity to transform our response to domestic abuse, provide critical support to victims and bring the perpetrators to justice.

**Nick Thomas-Symonds** (Torfaen) (Lab): I know that there will be a statement on the events of the weekend following this session, so I will address those matters then. On domestic abuse, I welcome the fact that the Government responded to the calls of Opposition Members and campaigning charities on the need for a funding package for the sector. Labour called for £75 million for domestic abuse services, with specialist services such as those for migrant women protected. Can the Home Secretary confirm how much of that investment has reached the frontline?

**Priti Patel:** The hon. Gentleman will be well aware of the funding packages that the Home Office, along with the MHCLG and the Ministry of Justice, put towards the Treasury recently. To date, £1.2 million has been allocated to 13 frontline support organisations running key and vital services, including helplines, chat functions and improving technological capabilities, specifically for the covid-19 response. The funding will help to expand helplines and online capability to provide additional support and guidance so that victims can continue to access the support that they need.

**Nick Thomas-Symonds:** Well, £1.2 million of support for helplines is obviously welcome, but it is a tiny proportion of the overall £75 million, which needs to reach where it is needed as soon as possible. As of 2019, one in six refuges has closed since 2010. In 2017, local authority spending as a consequence of austerity had fallen from £31.2 million to £23.9 million, resulting in 60% of women being turned away from refuges for lack of spaces. That simply is not good enough. Even if the Home Secretary does not know the specific figures today, will she confirm that she will do all that she can to ensure that the money that has been announced actually reaches the frontline? Yes, the Domestic Abuse Bill is coming through Parliament, but we cannot just legislate our way out of this—that money is needed now.

**Priti Patel:** The hon. Gentleman is absolutely right about the money that is required to go to frontline services. As I indicated, the £76 million of funding that has been allocated to domestic abuse is split across three Departments. The Ministry of Justice has received £15 million for work with local domestic abuse charities through the criminal justice system.

On the hon. Gentleman's specific question about the need for refuge provision, the Ministry of Housing, Communities and Local Government will be allocating £10 million to domestic abuse safe accommodation services. It is important that we all recognise that that is where the demand is. Throughout this very difficult period where refuges have found it difficult to operate, there has been a wide spread of measures where we as Government, in our engagement with the refuges directly, as well as with the Domestic Abuse Commissioner and

the Victims Commissioner, have deliberately sought practical means of support for the frontline throughout this emergency.

**Edward Timpson** (Eddisbury) (Con): Building on my right hon. Friend's answer to the question on refuges, covid-19 has also highlighted the fact that despite the best efforts of the staff in our refuges across the country, including in the north-west, many of those who have sought refuge there, including their children in some circumstances, have not always had access to a good internet connection, which is often a lifeline for them, especially for children who need education. As we start to roll out broadband across the country to fulfil our manifesto commitment, will she commit herself to looking at refuges as one of the organisations that should be at the front of the queue so that people know that access will be there should they seek such sanctuary?

**Priti Patel:** My hon. Friend makes a vital important point. I have seen for myself, working with refuge and other third-party organisations in the domestic abuse space, the amazing work that they do in terms of internet safety within refuges. We must always put first and foremost the safety of the victims in the environments within which they are living. He is right to highlight the fact that without the internet, too many people, including children, are cut off, and that is a hindrance to their development and wellbeing. I will absolutely take his suggestion away with me and ensure that as we build greater internet safety provisions in refuges for domestic victims, we also think about what more we can do to give them the right kind of safeguards with the right provisions.

### Illegal Channel Crossings

**Dr Julian Lewis** (New Forest East) (Con): What steps her Department is taking to stop migrants crossing the English Channel illegally. [903006]

**Sally-Ann Hart** (Hastings and Rye) (Con): What steps her Department is taking to stop migrants crossing the English Channel illegally. [903016]

**Giles Watling** (Clacton) (Con): What steps her Department is taking to stop migrants crossing the English Channel illegally. [903019]

**The Parliamentary Under-Secretary of State for the Home Department (Chris Philp):** I am very glad that this question has arisen. We should be absolutely clear that these crossings of the English channel are extremely dangerous. They are crossing the busiest shipping lines in the world. They are facilitated by criminal gangs who are ruthlessly exploiting vulnerable people. The crossings are also entirely unnecessary because France is a safe country and it has a very well-established and functioning asylum system. We are therefore working with our French counterparts around the clock, sharing intelligence between our National Crime Agency and the French authorities, to stop illegally facilitated crossings and to prevent on-the-beach embarkations.

**Dr Lewis:** That is a very clear answer as far as it goes, but it appears that French patrol boats are escorting these dangerously overloaded inflatables across the channel

until they reach English waters—I should say UK waters—whereupon our patrol boats pick up the occupants and ferry them to our shores. I understand that this is because we have to save people who put themselves, and sometimes their families, at serious risk at sea, but how can we remove perverse incentives to behave in such a dangerous fashion?

**Chris Philp:** It is worth emphasising that where boats get into difficulties in French waters—for example, if their engine breaks down—the French will pick them up and take them back to France. We must, as my right hon. Friend says, be mindful of safety of life, but we are reviewing our operational practices in these areas, for the reasons he mentions. Half the attempted crossings are intercepted by the French on the beach. We have so far, since last January, returned 155 people who have crossed and we seek to return many more.

**Sally-Ann Hart:** Migration policy is a core aspect of our national sovereignty. Will my hon. Friend please confirm that the UK will have a fair immigration policy that welcomes people who come to the UK legally, irrespective of nationality or religion, and that we will take back control over illegal immigration?

**Chris Philp:** I entirely agree with the point my hon. Friend makes, and with the similar points made by my hon. Friend the Member for Dover (Mrs Elphicke), on this topic. We have a points-based system coming into force shortly. We granted asylum or protection to 20,000 people last year, one of the highest figures in Europe, and we welcomed 3,000 unaccompanied asylum-seeking children, the highest number of any country in Europe. Our legal migration methods are entirely fair. We should therefore be policing illegal migration routes with complete effectiveness, and the Home Secretary and I are determined to do that.

**Giles Watling:** I thank my hon. Friend for his earlier answer, but we know that the migrants, as they cross the channel, sometimes threaten the French navy that they will throw themselves or their children into the sea. That is an appalling act, and we need to get the French navy to step up to the plate and take those people off the boats in international waters. What are we doing now to ensure that this happens?

**Chris Philp:** Discussions are under way between the UK Government and the French Government. Indeed, I am speaking to my opposite number, the French deputy Interior Minister, Monsieur Nunez, on Thursday this week. There is more we are doing as well, including working with the French OCRIEST, the French gendarmes and the Police aux Frontières—the PAF—to ensure that as many of those embarkations are stopped before they even get on to the water. About 50% are stopped before they get on to the water, but we would like that number to be a great deal higher.

### Covid-19: Hate Crimes

**Olivia Blake** (Sheffield, Hallam) (Lab): What steps she is taking to help prevent hate crimes against (a) people and (b) places of worship while covid-19 lockdown measures are eased. [903007]

**Kim Johnson** (Liverpool, Riverside) (Lab): What steps she is taking to help prevent hate crimes against (a) people and (b) places of worship while covid-19 lockdown measures are eased. [903008]

**The Secretary of State for the Home Department (Priti Patel):** The Home Office is committed to rooting out hate crime across our society, and we are in continued conversations and discussions with the police and partners across Government to ensure that these criminals face justice. The Government have a zero-tolerance approach to the vicious misinformation that seeks to blame any race or religion for the spread of all sorts of coronavirus rumours and misinformation. The deliberate spreading of false information in order to undermine our respect and tolerance for each other has been disgraceful, and obviously we are working across Government to stamp this out.

**Olivia Blake:** Last month in South Yorkshire there was a tripling in hate crime and, even more shockingly, a doubling in the amount directed at people of east or south Asian descent. Muslim communities have also been attacked and singled out over Ramadan and Eid. What engagement has the Home Secretary had with those communities at risk?

**Priti Patel:** First, the figures that the hon. Lady has cited are simply shocking, disgraceful and unacceptable. That speaks to a small minority of individuals and their lack of tolerance and respect for the communities she mentions. She specifically asks me about the engagement I have had, but of course across Government, and in the Home Office as well, we are engaging with different groups and different leaders of organisations at a ministerial level, but also at an individual level. I would say to her and all colleagues that we absolutely condemn the appalling racial discrimination and the hateful way in which misinformation has been spread, but also the way in which this has been targeted against specific communities.

**Kim Johnson:** As we are all aware, there has been a disproportionate number of deaths of black people as a result of the coronavirus, with a number of equality organisations raising concerns about closed online groups mobilising to incite hatred and violence against communities that are becoming covid-19 scapegoats. Stop Hate UK claims that the real number of hate crimes is likely to be much higher as incidents against people and places of worship are significantly under-reported. Can the Secretary of State confirm what specific plans have been put in place proactively to address the feared increase in hate crime?

**Priti Patel:** I thank the hon. Lady for her very important question and the points she has made. Any form of hate crime is of course completely unacceptable, and we expect the perpetrators of such crimes to be brought to justice. I suggest and ask that anybody who is a victim ensures that they engage with the police and has crimes reported. On the Government's response and work across Government, obviously the Home Office and MHCLG continue to work closely with the National Police Chiefs' Council, importantly to ensure that all police forces—we police by consent in this country—are providing assistance to communities and community organisations, and having the right kind of dialogue and support. But we are also

encouraging that hate crimes—throughout this pandemic, there are no excuses for them—are reported. I and we, across police and across Government, continue to work with civil society partners. That is absolutely the right thing to do, and we will continue to do so.

**Bambos Charalambous** (Enfield, Southgate) (Lab): As the Secretary of State has mentioned, there has been a sharp increase in online hate crime during the coronavirus lockdown. Organisations providing advice and support for victims are predicting a big surge in hate crime following the relaxation of lockdown measures, so what steps are the Government taking to introduce counter-messaging for religious, ethnic and LGBT+ groups that fear an escalation in hate attacks, and what additional funding will be given to the organisations responding to increased demand for advice and support?

**Priti Patel:** I thank the hon. Gentleman for his question, and he is right to ask about the cross-Government work that we do, and the support that we give to organisations, in the Home Office, but also with MHCLG. It is clear, in particular, that we see a lot of this activity taking place online. We are absolutely making sure that we can tackle that. We have robust legislation in place to deal with cyber-attacks, internet trolls, harassment, and perpetrators of grossly offensive, menacing and obscene behaviour, and we will continue to do so. Of course, through other means, such as places of worship funds and other activities across Government, we will absolutely continue to make sure that such organisations are resourced in the right way and, importantly, that we continue such community engagement and dialogue.

#### **Covid-19: Support for People in the Asylum System**

**Catherine West** (Hornsey and Wood Green) (Lab): What recent assessment she has made of the adequacy of levels of financial support for people in the asylum system during the covid-19 outbreak. [903009]

**The Parliamentary Under-Secretary of State for the Home Department (Chris Philp):** I have been making an assessment of this matter in recent weeks, and following publication of the most recent Office for National Statistics data, I can announce to the House today that, with effect from 15 June, the asylum support rate will be increased by 5%, from £37.75 a week up to £39.60 a week. That is about five times higher than the prevailing rate of inflation, which is currently 0.8%.

**Catherine West:** That is rather an ungenerous increase, I have to say, given that the rate can be as low as £37 a day for certain people seeking asylum. However, any increase is something I welcome. Could the Minister tell me whether he could live on under £40 a day?

**Chris Philp:** Well, it is per week: the rate is £39.60 per week. It is calculated by a methodology that is approved by the courts, and it is done with reference to ONS data, based on the incomes of people in the bottom 10% of the population. It is done with reference to figures, by a court-approved method, and that is the right way to fix this thing. I say again that a 5% increase is very substantially higher than inflation.

#### **Police Numbers**

**Rob Butler** (Aylesbury) (Con): What steps her Department is taking to increase the number of police officers. [903010]

24. **Paul Howell** (Sedgefield) (Con): What steps her Department is taking to increase the number of police officers. [903013]

**The Minister for Crime and Policing (Kit Malthouse):** The Government are of course committed to delivering an extra 20,000 police officers over the next three years and to putting violent criminals behind bars for longer. That is why we are giving the police literally wheelbarrows full of cash, with £700 million this year to help with the recruitment of 6,000 additional officers by the end of March 2021; 3,005 of those officers have already been recruited.

**Rob Butler:** May I first ask the Minister to join me in congratulating all of Aylesbury's police on ensuring that the Black Lives Matter march in the town on Saturday passed off peacefully? Thanks are also due to the organisers and the community partners for their co-operation. Having recently been on a socially distanced patrol with the police superintendent in Aylesbury, I know the increase in officer numbers and the cash my hon. Friend mentioned will be greatly appreciated. Can he assure me that the process of additional recruitment be sustained, despite the undoubted pressures on the public purse due to coronavirus?

**Kit Malthouse:** I join my hon. Friend in congratulating his local police on the peaceful passing off of the protests in his area on Saturday, and I thank him for taking the trouble in his first few months as a Member of this House to spend some time with his local police. It is always informative, and I urge all Members to do the same.

Of all the promises made at the general election, I know that delivering Brexit and delivering 20,000 police officers are the two closest to the Prime Minister's heart. With confidence, therefore, I can say that we will complete that task in the time allotted.

**Paul Howell:** I want to take the opportunity to place on record my thanks to Jo Farrell, the chief constable of Durham and Darlington police force, for the calm and controlled conduct of her force and, in particular, for her excellent weekly cross-party virtual briefings to make sure that local MPs and council leaders are up to speed. In recent calls, one point of concern has been frustration with delays in restarting court proceedings. Will my hon. Friend further encourage the Ministry of Justice to do everything possible to find a safe way to make as much progress as possible in reopening courts, so that all our police forces' work results in criminals being dealt with?

**Kit Malthouse:** I join my hon. Friend in offering congratulations to his local police force and chief constable for the work they have done throughout the lockdown. Police across the entire country have done a fantastic job and remained remarkably resilient throughout the last few difficult weeks. He is right that the impact of

the crisis on the courts has been profound and has resulted in the workload—the case load—rising quite significantly. Double-hatted as I am between the Home Office and the MOJ, I have a ringside seat on creating a recovery plan for the courts. On Friday, I held a meeting between the courts service, the Lord Chancellor and chief constables from across the country to start to outline the recovery plan to them, and I am confident that it will be put in place quite soon.

**Sarah Jones** (Croydon Central) (Lab): As the shadow Home Secretary said earlier, issues around the horrific killing of George Floyd and the protests at the weekend will be dealt with in a statement later this afternoon. Now, I would like to ask the Minister about his “wheelbarrows full of cash”. With many police and crime commissioners, we wrote to the Home Secretary in early May, responding to a letter from the Minister for Crime and Policing to a PCC suggesting that funding for recruitment of the first tranche of the 20,000 additional police officers promised by the Prime Minister be repurposed to fund the response to covid-19 pressures. Will the Minister categorically confirm today that that letter was incorrect and that funding for recruitment of those desperately needed additional staff will not be diverted, and that the wheelbarrows full of cash will continue to be used to recruit those 20,000 police as promised?

**Kit Malthouse**: I am grateful to the hon. Lady for allowing me to clear up what is obviously a misunderstanding. Throughout the crisis, I have held weekly calls with police and crime commissioners across the country to talk to them about the issues they are facing. One issue brought to us relatively early was cash flow, as a number of forces have faced additional costs during the crisis and they felt that their cash flow—not the absolute cost, but their cash flow—might come under pressure. We therefore agreed to a number of measures, not least advancement of the pension grant and the early delivery of half of the ring-fenced funding for recruitment, to ease that cash-flow pressure. That is a separate issue from the overall cost, and our discussions with the Treasury about that cost and with PCCs are ongoing.

#### Social Distancing: Enforcement

**Rachael Maskell** (York Central) (Lab/Co-op): What steps her Department is taking to enforce social distancing measures during the covid-19 outbreak. [903012]

**The Secretary of State for the Home Department (Priti Patel)**: As we battle coronavirus, I am in constant contact with law enforcement leads, alongside the Policing Minister. We have listened to their needs from the start and empowered our outstanding police officers and forces to reduce the spread of coronavirus and save lives. Of course, central to that are the social distancing measures, and police continue to work constructively across all our communities to engage, explain and encourage, with enforcement the last resort.

**Rachael Maskell**: There is so much confusion now about social distancing. Despite just guidance having been given, in Wales, legislation was made to give the police the powers they need to put this in place, so what discussions has the Home Secretary had with Cabinet

colleagues to introduce similar legislation now, particularly as we are seeing lockdown lifted and more danger being presented into our communities?

**Priti Patel**: First of all, when it comes to social distancing measures, the Government could not have been clearer that we all need, in order to stop the spread of the virus and control it—[*Interruption.*] We do, and from a policing perspective, the regulations are very clear in ensuring that we work constructively with our communities to social distance. As I have said, enforcement is the last resort, and the police have the power to issue fines of up to £100 in the first instance. The hon. Lady will be interested to know that 15,000 fixed penalty notices have been issued from 27 March to 25 May. In Wales, which she mentioned, 1,300 FPNs have been issued, taking the total for England and Wales to just under 17,000.

#### Covid-19: Quarantine

**Rushanara Ali** (Bethnal Green and Bow) (Lab): What recent discussions she has had with Cabinet colleagues on the quarantining of people entering the UK during the covid-19 pandemic. [903014]

**The Secretary of State for the Home Department (Priti Patel)**: As set out in my statement last week in the Commons, the public health measures at the border that are being introduced from today are the latest cross-Government measures in our collective response and fight to save lives, protect the British people and, importantly, prevent a second wave of coronavirus. Alongside the Minister for the Cabinet Office and the Secretaries of State for Transport, for Business, Energy and Industrial Strategy, and for Health and Social Care, I have worked across Government and the devolved Administrations, with science and industry, to carefully develop this health policy from a cross-Government perspective.

**Rushanara Ali**: I thank the Home Secretary for her answer, but the reality is that some of the Government’s response is likely to increase the risk of a second wave. It is also not clear why the Government are not agreeing to a 48-hour fast-track system of quarantining, instead of 14 days, which will do damage to our businesses. What steps will she take to ensure that this can be done in 48 hours?

**Priti Patel**: First of all, the policy is clear and it has been outlined not just by me but by other colleagues across Government—this is a cross-Government policy. The hon. Lady will be aware that the regulations are public health regulations, and in addition, the specific measures that clearly have an impact on the transport sector are being led by the Department for Transport and other Government Departments. From a health perspective—this is all about health; these are public health measures at the border—we have been guided not just by the science, but by working with the Department of Health and Social Care and SAGE advice and scientific advisers, in how this policy has been developed.

**Conor McGinn** (St Helens North) (Lab): Scientists say that the quarantine introduced today has come too late. The police say it is unenforceable. The tourism and aviation industry say that it will ruin them, and the

Home Secretary's Department said that it is very hard to imagine how it will practically work. In contrast, our proposal for a 48-hour testing-led model would be targeted and efficient and would keep the country open for business. Can the Home Secretary explain to the House how her plan is better and why the Government think that they are right and everybody else is wrong?

**Priti Patel:** To the hon. Gentleman, I would say the following—first of all, this is not my plan; this is a Government plan and Government policy. In terms of the approach that has been taken, the Government have maintained throughout this pandemic that medical and scientific advice, in terms of border measures, are consistent and are now being applied. That is why throughout this entire outbreak—across the whole of Government, working with every Department—we have brought in and identified the right measures. He is right to highlight the impact on business and the economy, which is why I held a roundtable with the transport sector last week. It raised a number of issues about not just quarantine, but business costs and issues around business rates and furlough.

It is not solely for one Department to address these issues, and it is right that we work across Government to look at how we can introduce new measures. As the hon. Gentleman might recall from my statement last week and the questions I answered, I covered potential air bridges, fast testing, immunity passports and how we can digitalise the response at the border. That is a cross-Government response and it is something that all my colleagues across Government, led by the Department for Transport and the Department of Health and Social Care, are currently working on.

**Mr Ben Bradshaw (Exeter) (Lab):** The Secretary of State claimed again that this policy is backed by the science. The chief scientific officer says that it is not. Will the Home Secretary please publish today the advice that she received from the Scientific Advisory Group for Emergencies that led her to introduce this irrational jobs and holidays-destroying measure?

**Priti Patel:** I refer the right hon. Gentleman to the comments that I made in the House last week regarding the scientific advice from the Home Office's own scientific adviser. Of course, that advice will be published.

### Topical Questions

[903026] **Mrs Natalie Elphicke (Dover) (Con):** If she will make a statement on her departmental responsibilities.

**The Secretary of State for the Home Department (Priti Patel):** The remarkable success of Hong Kong is predicated on its freedom, its autonomy and the remarkable industry of its people. The decision by the Chinese National People's Congress to impose a national security law on Hong Kong is a clear breach of China's international obligation and a threat to the freedom of the people of Hong Kong. If China follows through with this legislation, Britain will not hesitate to act. We will put in place new arrangements to allow those in Hong Kong who hold British national overseas passports to come to the UK, enabling them to live and apply to study and work for extendable periods of 12 months, leading to a pathway to British citizenship. If it proves necessary, the British

Government will take this step, and take it willingly. We will never abandon our commitment to the freedom of Hong Kong and its people.

**Mrs Elphicke:** New-born babies put at risk of hypothermia; toddlers stripped of their life jackets and dangled over the side to prevent interceptions; and pregnant women forced to board at gunpoint. Does the Home Secretary agree that it is humanitarian—as well as the right thing to do—to tackle and put a stop to ruthless criminal gangs, to return boats to France and to give her the legal powers that she needs to put a stop to these small boat crossings once and for all?

**Priti Patel:** My hon. Friend is absolutely right. She will know from the discussions that we had as recently as Friday the extent of the criminality, exposure and abuse undertaken by people traffickers, who are forcing mothers and children on to unseaworthy vessels, and the horrendous circumstances that they are put in. My hon. Friend the Immigration Minister earlier outlined the approach that the Government are taking to tackle these abuses, and to go after the criminals and the facilitators of this crime. We will not stop pursuing this policy until we absolutely break the pathway that these criminal gangs are using.

[903027] **Steve McCabe (Birmingham, Selly Oak) (Lab):** The Home Office says that 9,000 looked-after children and care leavers are eligible for EU settled status. To date, 11% of these children have had such status. Why does the Home Office not consider a blanket approval for these vulnerable children, and spare us all an administrative nightmare and a second Windrush?

**Priti Patel:** When it comes to EU settled status, we are working with local authorities to give them the support that they need. I hope that the hon. Gentleman, and all hon. and right hon. Members across the House, will continue to work in a constructive manner in their constituencies to ensure that children are granted the settled status that they are due.

[903029] **Saqib Bhatti (Meriden) (Con):** Does my right hon. Friend agree that the right to protest is a fundamental part of our democracy, but that that right does not extend to physically assaulting our heroic police officers? Can she confirm that those perpetrators who assaulted police officers and engaged in public disorder over the last few days will feel the full force of the law?

**Priti Patel:** My hon. Friend is absolutely correct. We strongly support the right to protest peacefully, but that does not extend to the violent behaviour that we have witnessed across the country throughout the weekend. Any assault on our brave police is completely unacceptable. Any perpetrator should be in absolutely no doubt that they will be arrested and prosecuted. Assaults on emergency workers must be handled with the appropriate severity by the entire criminal justice system in a consistent way, and this Government will go even further, as we have committed to consult shortly on doubling the minimum sentence for those who assault emergency workers, in order to ensure that the sentence truly fits the crime.

[903028] **Chi Onwurah (Newcastle upon Tyne Central) (Lab):** The Government need a refresher course in their own policies: the Prime Minister does not know what



“no recourse to public funds” means and the Equalities Minister and apparently the Home Secretary think it means that lots of help and support are available. In Newcastle today, “no recourse to public funds” means a mother unable to buy food or nappies for her baby, a British citizen, in the middle of a pandemic with no public help available. Does the Home Secretary know that? Does she care?

**Priti Patel:** The hon. Lady is completely wrong in her categorisation. First, public health measures are available right now, in addition to the fact that this is a public health emergency, so it is wrong to assert that in the way she has done. Also, I have outlined the funds. Working across Government, with the Ministry of Housing, Communities and Local Government, vital funds and resources have been provided to local authorities to provide support to people who need that extra support. That is something the Government are committed to.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I know that we will return to the protest issues in the statement shortly. This evening, there will be a television dramatisation of the terrible injustice inflicted on Anthony Bryan by the UK Home Office during the Windrush scandal. It was a case we raised in the Home Office Select Committee two years ago. Does the Home Secretary agree with the urgency and importance of the Government now accepting and acting on all the recommendations in Wendy Williams’ review? In particular, given the timing of the immigration Bill, has she implemented recommendation 7 on a review of the hostile environment, including its impact on race equality?

**Priti Patel:** The right hon. Lady will be well aware, from the statement I made in the House earlier this year, that I am looking at all the recommendations in the Windrush lessons learned review and have committed to returning to the House to outline those recommendations and their implementation. It is important for me to say categorically again, on the record, that the review was distressing and many strands in terms of institutional thoughtlessness were applied to the Home Office. Last week—Wednesday, I think—I met again and had a substantive discussion with the Windrush advisory taskforce to look at various facets of the review and to discuss the issues around compensation but also to discuss the measures that do need to continue to be pursued by the Home Office in terms of ways of working. That work is absolutely ongoing. There are cultural changes that need to be brought to the Home Office as well to understand and resolve many of the issues that she as Chair of the Select Committee will be familiar with and which her Select Committee covered two years ago. It is important that we give not just the Department but myself the time to work with Wendy Williams to bring forward those measures so that we can right the wrongs of the past.

[903031] **Dr Luke Evans** (Bosworth) (Con): Just a couple of weeks after I gained the nomination to stand for election as the Member of Parliament for Bosworth, a young man was stabbed to death at the end of my road in Hinckley. What has the Home Secretary’s Department been doing to rid us of the horrible scourge of knife crime both before and during the covid-19 outbreak?

**Priti Patel:** I thank my hon. Friend for his question and for raising a distressing and horrendous case. Too many young lives have been lost to knife crime, which is why we continue with our plans and determination to recruit 20,000 police officers—the Policing Minister has already outlined a way that is working and the funds allocated. Importantly, it is right that we have legislated to take more knives off our streets and that our serious violence Bill will place a new duty on public agencies to reduce serious violence. That means public agencies coming together at a community level to work to stamp out that violence but also to provide the support that young people need in the community to avoid a life of crime and violence and to be protected from these horrible, heinous crimes.

**Mr Speaker:** We will be pleased to hear from a virtual Barry Sheerman.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I only wish I could be with you, Mr Speaker, to ask this question to the Home Secretary. She will know that drugs and drug running are at the heart of so much violence when it occurs in our constituencies. There is some good money that she is responsible for—the violence reduction units—and which is very welcome because it enables police forces to have those extra resources, but it is on a yearly basis. My police and crime commissioner and my local police tell me that, in order for that to be effective, it needs to be known that they will have that money for a number of years. Will the Home Secretary move on that and help my community, and communities up and down the country?

**Priti Patel:** I thank the hon. Gentleman for his question, and also for highlighting some of the most shocking aspects of serious violence. He mentions the violence reduction units, which play a phenomenal role in reducing violent crime at a local level. He also touched on drugs, and particularly county line drugs. A lot of work has been combined, and there are now more resources available to police forces specifically for reducing serious violence and for violence reduction units, but also for rolling up county lines. He will be absolutely cognisant and aware of the work taking place in his constituency with his chief constable and police and crime commissioner to make sure that all those strands come together, to make sure that we can absolutely tackle the scourge of serious violence.

[903032] **Jonathan Gullis** (Stoke-on-Trent North) (Con): In Stoke-on-Trent North, Kidsgrove and Talke, residents report the illegal use of off-road bikes around natural beauty spots, such as Ford Green nature reserve, the football pitches of Kidsgrove Ladsandads and Birchenwood country park. Will my right hon. Friend join me and local councillor Dave Evans in encouraging my local police and crime commissioner, Matthew Ellis, to work with the chief constable to start taking tougher action on the illegal use of vehicles, and to confiscate those vehicles when the law has repeatedly been broken?

**Priti Patel:** My hon. Friend is absolutely right. Of course, the rule of law applies to everybody. I particularly commend the work he has led, with his local council colleagues, on working with the chief constable to urge

the police and crime commissioner to tackle this scourge. Any crime of this nature blights communities, and communities are disproportionately affected by this.

[903033] **Tracey Crouch** (Chatham and Aylesford) (Con): While many people completely understood the impact of the strict global lockdown on their personal travel plans, things are beginning to change at destinations across the world. Many of our constituents are due to travel in the next few weeks but now face potential financial loss because of the lack of clarity over whether the quarantine policies are a refundable reason for cancellation under their insurance policies. What discussions has the Home Secretary had with the insurance industry about cancellations due to the impracticality of quarantine for those about to go abroad, and will she commit to giving her speedy support to travel corridors, so that our hard-working constituents can go on the holidays they have saved for?

**Priti Patel:** My hon. Friend will be well aware of my comments last week about travel corridors, and specifically international travel corridors. I have been working across Government, with Transport but also the Foreign and Commonwealth Office. The travel advice right now still clearly advises against non-essential travel. However, this is important, and my hon. Friend makes a valid point about insurance companies, refunds and some of the financial responsibilities and liabilities. We are working across Government, as I said to the House not only today but last week, to make sure that all those considerations are actively pursued and discussed. She will hear from other Government colleagues who lead on those policy areas.

[903034] **Mrs Pauline Latham** (Mid Derbyshire) (Con)[V]: Some charities are reporting a decline in the use of domestic abuse helplines during this lockdown, as people are entrapped with their abusers. This is a particular problem for those victims facing language barriers, where English is not their first language. What steps is the Home Secretary taking to ensure that those victims, using those helplines, are directed to specialist charities with bilingual call handlers, such as Karma Nirvana?

**Priti Patel:** My hon. Friend is absolutely right to highlight that. A great deal of work has taken place with specialist domestic abuse organisations, particularly those that offer bilingual services. A wide-ranging awareness campaign has been launched, the “You are not alone” campaign, which signposts victims to the specific practical

support that they need. We have provided £2 million to bolster those services. That is for helplines, and to help organisations to bolster their own technological capacity and provide direct practical skills to ensure that victims remain protected.

**Stephen Flynn** (Aberdeen South) (SNP): We learn and understand our history in schools and museums, and we build statues of those whom we deem worthy of our adoration. Does the Secretary of State agree that where there is the democratic desire to do so, statues of white men who enslaved and killed black men, women and children can, and should, be removed from our streets?

**Priti Patel:** The hon. Gentleman is right to raise this issue. We live in an open democracy and a free society, where we can do as he suggests through democratic means at a local level, with elected mayors and local councillors. Those processes must be maintained so that people can have their voices heard, exercise their democratic rights and freedoms and, importantly, stay within the rule of law.

[903035] **Lee Rowley** (North East Derbyshire) (Con): Following on from the question asked by the hon. Member for Aberdeen South (Stephen Flynn), does my right hon. Friend agree with so many residents of North East Derbyshire who contacted me over the weekend that violence is never an acceptable method of pursuing political ends?

**Priti Patel:** My hon. Friend is absolutely right. We are privileged to live in an open and democratic country with many values entrenched in our constitution and our rules-based system. There is no justification for violence. There are many avenues through which people can exercise their voice and raise their concerns at a local council level. That is the right way to approach these issues.

**Mr Speaker:** Topical question 16—not here.

In order to allow the safe exit of hon. Members participating in this item of business and the safe arrival of those participating in the next, I am suspending the House for five minutes.

3.31 pm

*Sitting suspended.*

## Speaker's Statement

3.36 pm

**Mr Speaker:** I have a short statement to make about Select Committees. On Tuesday 24 March, the House passed an order allowing for virtual participation in Select Committee meetings and giving Chairs associated powers to make reports. The order has effect until 13 June, but I was given a power under the order to extend it if necessary. Following representations from the Liaison Committee, I can notify the House today that I am extending the order until Thursday 17 September.

## Covid-19: R Rate and Lockdown Measures

3.36 pm

**Jonathan Ashworth** (Leicester South) (Lab/Co-op) (*Urgent Question*): To ask the Secretary of State for Health and Social Care to make a statement on the R value and lockdown.

**The Secretary of State for Health and Social Care (Matt Hancock):** Thank you, Mr Speaker, for this opportunity to update the House on progress on our plans for controlling coronavirus.

Thanks to the immense national effort on social distancing, as a country we have made real progress in reducing the number of new infections. As we move out of lockdown, we look at all indicators to assess progress in tackling the virus. Last week's Office for National Statistics infection survey estimated that the number of people who have had coronavirus in England fell from 139,000 between 3 and 16 May to 53,000 between 17 and 30 May—a drop of over half. In terms of new cases, an ONS estimate released on Friday shows that there are now around 5,600 new cases each day within the community in England: a huge drop since the peak.

The number of new fatalities each day is, thankfully, falling too. Today's figures record 55 fatalities, the lowest number since 21 March, before lockdown began. They also show that there were no deaths recorded in London hospitals. That is a real milestone for the capital, which, of course, in the early stages of the pandemic, faced the biggest peak. Yesterday, we saw no recorded deaths in Scotland, which is very positive news for us all. Sadly, we expect more fatalities in the future, not least because the figures recorded at the weekend are typically lower. What is more, Mr Speaker, 55 deaths is still 55 too many and hundreds of people are still fighting for their lives. Each death brings just as much sadness as when the figure was much higher in the peak. I know that the thoughts of the whole House are with those families and communities who are grieving for their loved ones.

We, of course, also look at the R rate. The Scientific Advisory Group for Emergencies confirmed on Friday that its estimates, taking into account 10 different models, are that R remains between 0.7 to 0.9, and that it is below 1 in every region of the country. That means the number of new infections is expected to continue to fall. So there are encouraging trends on all critical measures. Coronavirus is in retreat across the land. Our plan is working and those downward trends mean that we can proceed with our plans, but we do so putting caution and safety first.

Even at the peak of the pandemic, we protected the NHS and ensured that it was not overwhelmed. We will not allow a second peak that overwhelms the NHS. We are bearing down on the virus in our communities, aided by our new NHS test and trace system, which is growing every day. We are bearing down on the virus in our communities, aided by our new NHS test and trace system, which is growing every day. We are bearing down on infections in our hospitals, including through the new measures to tackle nosocomial infection, such as face masks for visitors, patients and staff. Finally, we are strengthening protections for our care homes, including by getting tests to all elderly care home residents and staff.

[Matt Hancock]

I am glad to be able to tell the House that David Pearson, the eminent social care expert who has previously led the social care body ADASS—the Association of Directors of Adult Social Services—and has decades of experience of leadership in both social care and public health, will be chairing our new social care taskforce to drive our covid action plan yet further. David has an impressive track record and I am delighted that he will be supporting us in leading this important work. Together, we are getting this virus under control and now more than ever we must not lose our resolve.

**Jonathan Ashworth:** I note what has just been said about the social care taskforce, but may I say that it probably should have been set up some months ago? The Government are easing restrictions, but even when looking at their own tests we know that PPE supplies are still not secured—dentists are warning about PPE today; that tracing is still not fully operational—the chief operating officer of test and trace has warned that it will not be fully operational until September; that testing is still not sufficient—we are still not routinely testing all NHS staff, whether asymptomatic or not, even though we know that such testing will arrest the spread of the virus in hospitals; and that the R value, according to the PHE Cambridge model, is close to 1 in many regions and is at or above 1 in the north-west and the south-west. The modellers of that model warn that that may result in the

“the decline in the national death rate being arrested by mid-June.”

The British people have shown great resilience and fortitude in observing this lockdown and helping to slow the spread of this deadly, horrific virus, but we have still had more than 40,000 deaths. As the Secretary of State said, infections are still running at more than 5,000 a day. We should proceed with caution, but many now fear that the Prime Minister is starting to throw caution to the wind. I therefore wish to put some specific requests to the Secretary of State: will he agree to start publishing, on a weekly basis, the regional R value estimate, alongside the national estimates? Does he agree that the voices of regions must be heard in future decisions about lockdown? Will he start including the various metro Mayors, such as Andy Burnham, in the covid Cobra meetings? Will the Secretary of State ensure, this week, that local authorities and general practitioners start receiving specific data about who has tested positive so that they can start putting in place area-based responses? Will he issue, this week, written guidance on defining what a “local lockdown” is, how it will be enforced and what resources and powers local authorities and agencies will be able to draw upon?

Finally, we know that the more deprived an area is, the higher the covid mortality level. There are pockets of deep deprivation in the north-west and in the south-west, such as in parts of Cornwall. What financial support will be given to those who are asked to isolate? Given that we also know that black, Asian and minority ethnic people are more at risk from covid, will he now publish the PHE report on disparities in full—all the chapters, all the analysis, all the recommendations—because action to protect BAME people, especially BAME health and care staff, must be an urgent priority?

**Matt Hancock:** Let me make a couple of points in response. First, we have turned around an incredibly difficult situation when the demand for PPE shot up. Thanks to the incredible work of Lord Deighton, we now have good PPE supplies to all sectors. We are working with the dentists to ensure that they, too, will be able to get the PPE they need. The hon. Gentleman talks about testing, but he omitted to mention that we have hit every goal on our testing expansion, and we now have capacity for more than 200,000 tests a day and last week we were achieving that level of testing, which is a testament to the work of so many people, in companies and in the public sector, who have done an incredible piece of work on testing.

He picked on the results of one particular model that we look at, but he surely understands that actually the way to get the best advice is to look at all the different models, rather than just one. I mentioned one other survey, which is based on data rather than modelling—the ONS survey—and I also told him already the SAGE view, taking into account all the evidence, which is that R is below one in each region.

As the hon. Gentleman said, we do publish R. He is quite right about the importance of working with local authorities and local leaders. I spoke to the Mayor of Greater Manchester on Friday about the higher rate of R in the north-west, albeit that it is assessed to be below one. Local leaders are incredibly important in the local action that we will be taking.

The hon. Gentleman asked about local authorities and GPs getting access to data. We are working with them on the appropriate data that should flow to local authorities and GPs. He asked, rightly, for guidance on how local action will work, and that is an important early piece of work for the JBC—the joint biosecurity centre. I am glad he has recognised the importance of the work that Public Health England has done and published on the disparities between people of different ethnic backgrounds and also other differences, for instance the fact that older people are much more likely to die from covid-19. It is very important that we base our response on all this evidence.

**Mr Speaker:** I call the Chair of the Select Committee, Jeremy Hunt.

**Jeremy Hunt (South West Surrey) (Con):** The Prime Minister’s testing turnaround target does not apply to postal tests. Given that the majority of infections can happen less than a week after the person who gives someone the virus develops symptoms, will the Secretary of State consider replacing postal testing with same-day delivery and collection of testing? If it is good enough for Amazon Prime, it should be good enough for NHS test and trace.

**Matt Hancock:** My right hon. Friend is right to raise this matter, because testing turnaround speeds are very important, and they are improving. The answer is that we are intending increasingly to use the routes that have a 24-hour turnaround for the symptomatic testing, which needs that rapid response, and to use the routes that have a slower turnaround for asymptomatic testing, where the timing of the test is less important. That is the direction of travel, and we intend to solve the problem that he rightly highlights in that way.

**Mr Speaker:** We now head north of the border to Dr Philippa Whitford, the SNP spokesperson, who has one minute.

**Dr Philippa Whitford** (Central Ayrshire) (SNP) [V]: The R number is close to one across England and may even be above that in some areas. As the R number reflects lockdown changes made a couple of weeks ago, does the Secretary of State not accept the need to assess the impact of sending people back to work and school before making further changes to lockdown?

With Serco admitting that its tracing system will not be fully operational until September, would the Secretary of State not have been better investing in public health systems instead of a private company with no expertise? Why are the test results from the commercial labs still not being sent to local GPs and public health teams to allow contact tracing? Finally, we all recognise the economic impact of lockdown, but does he not accept that the worst thing for the economy would be a second wave needing a second lockdown?

**Matt Hancock:** As a clinician, the hon. Lady will recognise that taking into account all the evidence of the rate of transmission is incredibly important, and I think that it is an error and it is wrong and it is beneath the normal standards of her questioning to focus on just one report, rather than on all the reports. I hope that when she speaks to people in Scotland and across the whole country, she will take into account all the evidence, rather than just focus on one report. I urge her to do that, because it is important for the public communications.

The other point I would make is that the NHS test and trace programme is being built at incredible pace. The Prime Minister committed that we would get it up and running for 1 June, and we have delivered that, and that it will be world class, and we will deliver that, but we could not deliver it without the public and private sectors working together. I think the divisiveness that comes through from the other side is a real mistake in these difficult times. Instead, everybody should be working together.

**Andy Carter** (Warrington South) (Con): Parents in my constituency have been in touch overnight to say how disappointed they were by a decision taken by local councillors yesterday afternoon not to open primary schools today. Does the Secretary of State agree that local authorities need to look at a number of local factors, not just regional R data for a wider area, when taking important decisions on getting our children back to school?

**Matt Hancock:** I do, absolutely. It is particularly a mistake to look at just one model rather than the overall assessment of R in each part of the country, which is assessed to be below 1 in each area. With the number of new infections coming down, we can take the plan forward, as we ought to, because the education of children matters, as well, of course, as controlling the virus.

**Maria Eagle** (Garston and Halewood) (Lab): The Government have repeatedly said that lockdown will be eased only when the R rate is below 1 and the threat

level is coming down. The threat level is still at 4, and as the right hon. Gentleman has said, in the north-west there are some calculations of R that have it above 1. Many of my constituents are really worried about this, yet the Government are accelerating plans to end the lockdown more quickly than they announced they would. Why?

**Matt Hancock:** We are continuing with the plan that we have, which is cautious, takes a safety-first approach and is based on all the information, not just, as the hon. Lady rightly pointed out, just one part of it. We said we would take the next steps when the five tests have been met, and they have been met. R is below 1, and the other four tests have also been met, which is why we are able to proceed. The evidence that we are increasingly seeing of the number of new cases and, thankfully, fatalities coming down is good news that demonstrates that the plan is working.

**Harriett Baldwin** (West Worcestershire) (Con): We are all so grateful to our NHS and careworkers. So many people have made so many difficult sacrifices during this period of lockdown. They are furious to see the lack of social distancing in some of the protests that took place over the weekend and want to know what impact that might have had on the reproduction rate of the virus.

**Matt Hancock:** I thank my hon. Friend for that question. It is incredibly important that people follow the social distancing rules. Where the demonstrations that we saw over the weekend did not follow the social distancing rules, they risk increasing the spread of the virus. That is the clear scientific evidence. It is a mistake for people to participate in demonstrations that help to spread this vile disease. Instead, we should all be doing our bit to reduce the spread.

**Barbara Keeley** (Worsley and Eccles South) (Lab) [V]: With the R number above 1 in the north-west in one model, we need action to prevent a second wave of infections and deaths. The Secretary of State has talked about local lockdowns, but will he commit to ensuring that Public Health England supplies more local information on the spread of the virus to assist in that? Will he also tell us whether there will be additional powers and financial support for areas covered by a local lockdown, as called for yesterday by our Greater Manchester Mayor, Andy Burnham?

**Matt Hancock:** Yes, we hope very much to be able to publish more and more granular, localised information and to work with local leaders to deliver on what is needed to act upon it.

**John Redwood** (Wokingham) (Con): Given the Secretary of State's great success in expanding the number of tests, will we soon have more precise and accurate R figures, along with the other information now accumulated, and is there not a danger, in interpreting back trends, that they are unreliable because of differential test rates?

**Matt Hancock:** The answer is yes and yes. Survey testing is the most reliable way of assessing the prevalence of the disease and its downward trajectory, because it

[*Matt Hancock*]

takes into account a randomised approach to working out where the disease is—much like the opinion polls that we are familiar with in this House—because as testing has gone up, inevitably more cases have been found. It is a good thing that more cases have been found, but we need to know the prevalence, which is best done by surveys.

**Kirsten Oswald** (East Renfrewshire) (SNP) [V]: The Secretary of State has just spoken about the importance of people following the rules, but it is clear that Dominic Cummings's rule-breaking trip across England has undermined the little confidence that there was in the UK Government's public health messaging. Does the Secretary of State appreciate the harm that has been done by the outrageous spin and shape-shifting on this issue, and what will he do to repair the damage?

**Matt Hancock**: No, I do not think that has anything to do with it. The most important thing is that people follow the social distancing rules, and that should apply even if they have a strong and heartfelt case to make in a public discussion, such as at the weekend.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): The success of the Government's strategy rests, to an enormous extent, on public support and consent for the lockdown measures. What advice is the Secretary of State receiving from his behavioural experts on the viability and sustainability of localised lockdowns? It is a challenging thing to set the country on a path to easing restrictions, but then to dial it back again.

**Matt Hancock**: Of course it is important to ensure that people are fully informed about the reasons why we may need to take action in a particular local area, and that is an important part of the consideration. Ensuring that local bodies—for instance local directors of public health—are fully engaged, is an important way of doing that. In Wales, where my right hon. Friend has his constituency, that is done through the devolved nations, with their responsibilities locally for public health.

**Mary Kelly Foy** (City of Durham) (Lab): The R number is one indicator of infection, but it is only reliable at regional level. Currently, directors of public health tell me that they receive only high-level reports, and that they need more localised information, with data that relate to the number and location of cases, and state when infection occurred. That information is vital to stopping transmission, especially as restrictions are lifted. By what date will that information be made available to local authorities, so as to inform their local outbreak plans?

**Matt Hancock**: As soon as is practical.

**Jack Brereton** (Stoke-on-Trent South) (Con): Many of my constituents are now sending their children back to school and will soon be returning to work in sectors such as retail. They want confidence that in doing so, they are doing the right thing for their families. Will my right hon. Friend assure my constituents that each step the Government take is based on the advice and on science?

**Matt Hancock**: Absolutely. Throughout this period we have based our decisions on the science and scientific advice, taking into account all considerations. Scientific advice, for instance from SAGE, is so important, and it is critical that we take into account all the science. That is why it is a mistake for people to pick on one report and focus on that, as opposed to considering all the science in the round.

**Ruth Cadbury** (Brentford and Isleworth) (Lab): People living in residential care homes who receive support for learning and other disabilities are at high risk of catching covid. It is good to know that in Hounslow, those living in residential care have not yet contracted covid, but unlike those in settings for older people, they cannot access testing kits. When will the Government ensure that all residential care settings, including those for under-65-year-olds, are able to access testing?

**Matt Hancock**: The hon. Lady is right to ask that question. On the clinical advice, and indeed the scientific advice that we were just discussing, we introduced whole-home testing for residents and staff to care homes for older people, because older people are 70 times more likely to die from covid-19 than those who are younger, which is a significant age gradient. Now that we have got tests to all eligible care homes for the elderly, we are moving to delivering the same thing for people of working age.

**Greg Clark** (Tunbridge Wells) (Con): The Secretary of State is quite right that it is important to protect our older citizens. It is true that older people and workers in care homes are able to get tests, but that is not the case for people who live or work in retirement villages and supported accommodation. Will he intervene to correct that anomaly immediately, so that we can protect all our older and vulnerable people?

**Matt Hancock**: Yes, of course, that is taken into account in the clinical decision on the order of priority for testing. My right hon. Friend makes a very important point that I will ensure is taken away and looked at, to check this for people in those settings outside formal social care, which are often not Care Quality Commission registered but still have a much higher proportion of elderly people who are vulnerable to this disease in them. I will ensure that that is properly looked into and, if I may, I will write to the Chair of the Science and Technology Committee on that point.

**Kevin Brennan** (Cardiff West) (Lab): The Secretary of State says that the Government are taking a safety-first approach, and yet Professor John Edmunds has expressed concern that if we relax, the infection will come back very fast. In Wales, there has been a more cautious approach to people being able to travel such long distances, as we saw the weekend before last in Dorset. What will the Secretary of State do if the R number drifts back above 1?

**Matt Hancock**: I do not want to see the R number go above 1. I spoke to Professor Edmunds at the weekend, as it happens. He said, quite rightly, that a cautious approach is needed, but there is scope to allow some opening up, according to our plan.

**Mark Pritchard** (The Wrekin) (Con): Of course, the international R rate matters too. I welcome the Prime Minister hosting the global vaccine summit in the UK last week, which raised an astonishing \$88 billion. Given that the UK is the largest contributor to Gavi, the Vaccine Alliance, what support are this Government giving to low-income and developing countries, particularly in the Commonwealth and overseas territories?

**Matt Hancock:** That is an incredibly important point, because being able to get a vaccine everywhere around the world is incredibly important to us here at home. Of course, our top priority is access to the vaccine for the citizens of this country, but we are also using our aid budget to ensure that, should a vaccine work and become available, we can not only deliver it here but be good global citizens. As my hon. Friend says, we have put more into this than any other country on the planet.

**Munira Wilson** (Twickenham) (LD): Professor Edmunds also said yesterday that the R value was largely being driven by outbreaks in care homes and hospitals. Despite the Secretary of State's statement, we know that there are still some care homes, including in my constituency, where residents and staff have yet to be tested. How can we effectively bring down the R rate without regular testing? Will he commit to regular testing in all care settings, including for the under-65s and those with learning disabilities?

**Matt Hancock:** The hon. Lady is absolutely right that testing in care homes is important. I am very pleased that my team hit their target of ensuring that all elderly care homes had access to tests by Saturday. Almost 9,000 care homes got kits for all their staff and residents to be tested, and the important thing is that that did not show a huge amount of infections that we did not previously know about. I am delighted that David Pearson—who, it is worth the shadow Secretary of State acknowledging, has been working with us throughout this period—will now be taking a leadership role in driving forward this work to protect our care homes further.

**Robbie Moore** (Keighley) (Con): Quite rightly, many of my constituents have contacted me with concerns about mass gatherings and a lack of social distancing, which we unfortunately witnessed in Ilkley last weekend, when many visitors came to enjoy the sunshine. Can my right hon. Friend confirm that the R rate is below 1 in West Yorkshire? Will he consider local lockdown if appropriate, so that we can take action where necessary if we see a flare-up in infections in one part of the country?

**Matt Hancock:** Yes. I want to protect all the residents of Ilkley from the disease. As we have got the number of new infections right down to between 5,000 and 6,000 each day, according to the ONS—a long way below where it was at the peak—and as the number of deaths has fallen, I want to keep that down. Where there is evidence of a specific cluster or flare-up, we will take local action that will help to protect the residents of Ilkley, elsewhere in Yorkshire and throughout the country, so that we can then safely release other lockdown measures while keeping the community safe.

**Liz Twist** (Blaydon) (Lab): Following on nicely from that, what local resources and funding will be put in place for local authorities to deal with local lockdowns where they are needed?

**Matt Hancock:** We have already allocated £300 million for precisely that task. Making sure that local authorities are properly funded for their important role in local action is of course an important part of the task.

**Antony Higginbotham** (Burnley) (Con): The Secretary of State will be aware of the media reports saying that the R rate in the north-west is above 1, which have understandably caused concern to my constituents in Burnley. Can he reassure them and people throughout the north-west not only that the R rate is below 1 in the north-west, but that we have to look at all the evidence, and on that evidence we are still defeating this virus?

**Matt Hancock:** That is right. I set out some of the evidence in my statement. It is important that we look at the overall base of evidence and take scientific advice on that. There are 10 models that go into SAGE, and it is important that the media reports the facts, which are that if we take into account all the models, R is below 1 in each region of the country, according to SAGE. Of course, different scientific models will come out with different results, and it is right that the scientists should publish and discuss those—that is how science advances—but it is also important that the media play their part responsibly. I reassure the residents of Burnley and elsewhere in the north-west that our overall assessment is that R is below 1 in the north-west and everywhere else in the country. Of course, we keep it closely monitored at all times.

**Neil Gray** (Airdrie and Shotts) (SNP) [V]: Can the Secretary of State advise whether the R number has been rising or has fallen since the Prime Minister announced, without consultation and with a day's notice, that people should get back to work in England? Given that some reports suggest that some areas of England have an R number at or close to 1, what consultation has the Secretary of State had with the devolved nations? When will he publish details on what local lockdowns will look like to ensure that the virus is contained?

**Matt Hancock:** I have already answered all those questions. The estimate from the scientists, taking into account all the evidence, is that R is below 1.

*Neil Gray indicated dissent.*

**Matt Hancock:** The hon. Gentleman may shake his head, but if he asks the same question, he is going to get the same answer.

**Andrew Jones** (Harrogate and Knaresborough) (Con): I strongly welcome the progress made with testing in Harrogate and Knaresborough—we have had mobile testing at the council-owned Hydro unit—but we are seeing black, Asian and minority ethnic members of the community being disproportionately impacted in this pandemic. What steps is the Secretary of State undertaking to provide further testing for those who are most vulnerable?

**Matt Hancock:** The use of the testing capability that we now have, which is one of the biggest in the world and the biggest capability in Europe, means that we can focus the testing where it is most clinically needed. Reports such as the one by PHE on the impact of the disease on different parts of the population, whether that is in respect of age, sex or ethnic background, are incredibly important in making that assessment. Where the clinical judgment is that tests should be used specifically for one group because they have a higher risk, we will follow that clinical judgment.

**Geraint Davies** (Swansea West) (Lab/Co-op) [V]: Given the varying rates of infection across both England and Wales and the need to isolate covid, will the Secretary of State now adopt the Welsh guidance that people should not normally travel more than five miles from their home, in order to stop people travelling from high-infection areas to low-infection areas and thereby spreading the virus unnecessarily?

**Matt Hancock:** We talk to the Welsh Government all the time about making sure that the public health matters that are devolved are exercised in as co-ordinated a way as reasonably possible, and I fully respect the Welsh Government's capability in making these sorts of assessments for Wales.

**Darren Henry** (Broxtove) (Con): Can my right hon. Friend assure me that steps to ease lockdown will be taken cautiously and carefully so that we can examine the effect on our R rate in different parts of the country before proceeding?

**Matt Hancock:** My hon. Friend is absolutely right to raise this question. Of course, we proceed cautiously. That is why we take steps in turn to see the effect. The good news is that the evidence thus far is that the steps we have taken have coincided with a continued reduction in the incidence of the virus. That is why it is safe to proceed on the plan that we have set out.

**Clive Efford** (Eltham) (Lab): How can it be that, when we are coming out of lockdown and starting to relax some of the restrictions, local authorities do not know what they are expected to do in the event of a local outbreak and they do not know what powers they are to be given? How can it be that the Government can say only that they will tell them when it is practicably possible?

**Matt Hancock:** I am afraid that I do not recognise that picture at all. The local directors of public health have been heavily engaged in addressing local outbreaks throughout this pandemic. In the past few weeks, for instance, there have been outbreaks locally that have then been addressed, with a leadership role played locally by the local director of public health. Perhaps the hon. Gentleman was not listening to the answer given to one of his hon. Friends that we have also put £300 million into local authorities to assist them to make sure that they have that capability on the ground.

**Steve Brine** (Winchester) (Con): The work that PHE has done with Cambridge to understand the R rate at a regional level is very welcome. It might yet, of course, prove invaluable if needed. Can my right hon. Friend

say how local is realistically possible? I think that I am right in saying that we could not hone in on Winchester, as an example, if we needed to stamp on an outbreak. Would other factors come into play, such as how effective an area was on the test and trace programme, for instance?

**Matt Hancock:** Yes, absolutely. As I tried to say in my opening statement, R is one of many measures that we need to look at. The number of new infections—the level of new infections as opposed to the rate of change—is also important and more directly measurable both through test results and through the surveys that we discussed earlier. Of course, the surveys, the number of test results in particular and the number of people presenting for testing, which we get from the test and trace programme, are much more granular local data that can give us a view of local outbreaks. If there is evidence of a local outbreak, then symptomatic testing can be done in that community in order to find out how serious the problem is locally, so a whole suite of tools are at our disposal.

**Jim Shannon** (Strangford) (DUP): Does the Secretary of State not agree that, while the Kingdom of Great Britain and Northern Ireland must move forward together, regional variation of the R number will mean differentiation? What discussions or input will the Secretary of State and Government have with regional authorities to ensure that there is UK-wide understanding, and will all R numbers be calculated using the same scientific criteria?

**Matt Hancock:** The answer to the hon. Gentleman's last question is, emphatically, yes. I have regular discussions and exchanges both with the First Minister in Northern Ireland and also with my opposite number Robin Swann. We work to ensure that the response to this virus across the whole United Kingdom is as closely aligned as it reasonably can be respecting the different impacts of the disease in different parts. Thankfully, the impact of the disease in Northern Ireland has been less than in the rest of the country, and long may it remain so.

**Sir Graham Brady** (Altrincham and Sale West) (Con): What assessment has my right hon. Friend made of the progress in countries that are operating social distancing at 1.5 metres or 1 metre, and when does he think that we may have a review of those measures in this country?

**Matt Hancock:** That is constantly kept under review. In fact, I was reading some of the most recent science on this over the weekend. The interaction of the distance put in place and the other measures, for instance, on mask wearing and ventilation in particular, are what matters for the progress of the disease. The problem is not whether the rule is 2 metres or any different distance but that the virus transmits especially face to face—less so if people are side to side or back to back—in close quarters. Of course, being outside helps as well.

**Wendy Chamberlain** (North East Fife) (LD): I welcome today's news from the Scottish Government that we have just had a second day in Scotland of no additional deaths from coronavirus, but I am concerned about the level of testing, particularly in a community setting, where it is nowhere near capacity. If we cannot have comprehensive testing, how can we have confidence in



the R number? So how is the Secretary of State working with the Scottish Government to ensure that all the testing capacity, including in drive-through centres, is in use?

**Matt Hancock:** Absolutely; I work closely with the Scottish Government to do everything we can so that they can increase their testing capacity. Part of the testing programme, as the hon. Lady mentioned, is the drive-through centres. That is essentially UK-wide, likewise the postal testing services, and then the hospital-based testing is run, of course, by the Scottish NHS and is therefore devolved. This requires a higher level of co-ordination. Across the UK, in England we have the highest level of testing and we do everything possible to help the Scottish Government to get their testing capacity up.

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): No new deaths in Scotland, no new deaths in Northern Ireland, and no new deaths in London hospitals: while I agree with my right hon. Friend that even one death from coronavirus is one too many, does he not agree that this is evidence that the whole-UK approach and the measures adopted across the entire United Kingdom at the beginning of this virus are working, and that this is reason to be hugely positive?

**Matt Hancock:** My hon. Friend is absolutely right that there has been very encouraging progress, and all the significant data point in the same direction, which is downwards. That is incredibly important. It is a testament to the efforts of everybody across the whole United Kingdom, because everybody has played their part in the social distancing. The more that we do this as one United Kingdom, the better. Of course there are sometimes substantive reasons for local variation—sometimes, for instance, north of the border—but ultimately this country is coming through this and we are winning the battle against this disease.

**Rachael Maskell** (York Central) (Lab/Co-op): Local directors of public health need comprehensive, granulated data in order to do their job. Currently there are holes in the data that they are receiving, particularly on testing, in order to then follow through on tracing. So when—not “soon”, but when—will they actually receive that comprehensive data, together with the local R value, in order to then keep our communities safe?

**Matt Hancock:** They get data now, we want them to get better data, and we will keep improving the data flows. It is as simple as that.

**Stephen Metcalfe** (South Basildon and East Thurrock) (Con) [V]: As we control the R rate and move forward, may I welcome the steps that are being taken to reduce restrictions for the most vulnerable in society? Will my right hon. Friend confirm that these steps are being taken in line with scientific advice and in the safest way possible?

**Matt Hancock:** Yes, that is absolutely right. I pay tribute to my hon. Friend, who makes the case for the evidence being the basis of policy and following and being guided by the science, as we have done throughout this crisis. He makes the case very eloquently. It is very

important, because that is the best way that we can get the best possible response in what are inevitably very difficult circumstances.

**Richard Thomson** (Gordon) (SNP) [V]: We know that the Secretary of State does not want to see the R rate rise above 1—none of us does—but the high-profile recent mixed messages that have come from his Government might well lead to that happening anyway. In those circumstances, is he prepared, if necessary, to reintroduce restrictions on movement and activity, and will he do whatever it takes to persuade the Chancellor to continue with financial support to the employed and self-employed for so long as it is necessary?

**Matt Hancock:** I am very grateful to the hon. Gentleman for that question and for the manner in which he asks it. We have always said that we are prepared to reintroduce measures if that is necessary. He has already seen from the Chancellor one of the most generous packages of support in the world for people dealing with and coping with the consequences—in some cases incredibly difficult and painful consequences—of this disease.

**Greg Smith** (Buckingham) (Con): As my right hon. Friend works with medical and scientific advisers to lift lockdown measures cautiously, what hope can he give the millions of grandparents in this country that they too may soon be able to play a full role in their grandchildren’s lives, in particular those who engage in childcare to enable parents to go to work?

**Matt Hancock:** Like anybody who has a heart, I yearn for grandparents to be able to see their grandchildren. My own children saw their grandmother at a social distance, appropriately, rigorously according to the rules, for the first time this weekend, and it was a real joy—the first time in months and months—but they have not seen their other grandparents, and of course they are not allowed to hug them yet. I am with my hon. Friend and no doubt you, Mr Speaker, and everybody else in this House in wanting to see a restoration of that basic human contact for which we all yearn.

**Andrew Gwynne** (Denton and Reddish) (Lab) [V]: The concern over the R rate in Greater Manchester on one measure has focused attention on possible local lockdowns, which would have a financial impact on people who are unable to work from home. In those circumstances, will the Government consider a form of local furlough for people whose workplaces are closed down or who are unable to get to work?

**Matt Hancock:** I am sure that Treasury Ministers will have heard the hon. Gentleman’s suggestion, but we do not need such a scheme now, of course, because the full furlough scheme is in operation nationally.

**Jason McCartney** (Colne Valley) (Con): We know the significance of the R rate being 1, but what level does the R rate have to get to, and for how long, for the Government to initiate a response and bring restrictions back; then, what does it need to be reduced to, and for how long, before the new restrictions are removed?

**Matt Hancock:** The reason having the R below 1 is important is that that is the rate at which the number of new infections continues to fall. When R is below 1, the

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question is how fast it is falling. The number of new transmissions for each person who has the virus is currently, on average, less than one, so R is below 1 and therefore the number of infections is falling. We do not have a specific figure or target for R; we just want to keep it below 1 and we want to keep the number of new infections falling. Our response in the first instance to new outbreaks will be the local action we have been talking about for much of this session, and that is greatly to be preferred to a reinvigoration of the need for national lockdown.

**Mr Ben Bradshaw** (Exeter) (Lab): If it is not because we locked down too late or because of any of the Government's other blunders, why does the Secretary of State think we have the highest excess death rate in the world?

**Matt Hancock:** I am not sure which evidence the right hon. Gentleman is pointing to, but I would be happy to talk to him afterwards.

**Scott Benton** (Blackpool South) (Con): The circulation of an unofficial R rate of 1.6 for Blackpool, and the publication of this by the local press, created a great deal of alarm in my constituency. The fact that the figure was adjusted to 0.5 only days later just demonstrates the difficulties with believing unofficial statistics and taking them out of context. Will my right hon. Friend confirm that R rate figures are accurate only at regional level, and does he agree that the media have an obligation to report data accurately and within context, to make sure that members of the public are properly informed?

**Matt Hancock:** Yes, I do. My hon. Friend makes the point extremely strongly, and the people of Blackpool should be proud that they elected him December. He makes the case very clearly, and what he says is true in the example he cites, of Blackpool, and in the wider north-west. I am sure you feel, Mr Speaker, that a single report should not be taken out of context and that all the science should be looked at. Members in all parts of the House should respect that if they really want to respect the science.

**Dave Doogan** (Angus) (SNP) [V]: The Secretary of State has made very clear the importance of co-operation between the various health directorates in all four nations of the United Kingdom. I think we all welcome that, but we also need to see co-operation in other Government Departments. What discussions has he had with his Treasury colleagues about the need to vary furlough to different degrees across the United Kingdom when we come out of lockdown at different rates?

**Matt Hancock:** One of the reasons why it is valuable to move together as one single country is that we have one overall economy and economic policy is for the whole country. That is one of the very many reasons why we are stronger together. It is important that the Scottish Government take that into account when they make their judgments on what is best for Scotland.

**Caroline Ansell** (Eastbourne) (Con): I am very pleased to say that my home constituency of Eastbourne has a low incidence of infection, but it has a high number

of care homes and a high number of residents who have been shielding. Equally, it is a tourist destination. With lockdown easing, what reassurances can my right hon. Friend give us that we are moving forward safely?

**Matt Hancock:** It is important that those engaged in the tourism industry follow the guidance on social distancing as carefully as possible. They should always follow those rules and ensure that social distancing is in place. As we manage to open things at the right pace—cautiously and safely—in due course, it is incumbent on industries such as the tourism industry to ensure that they follow the guidelines. The proposed next step, subject to formal confirmation, is the opening of non-essential retail. Non-essential retailers will have to follow clear guidelines about ensuring that their shops are safe and that they do not add to the spread of the disease. If we are able to take further steps after that, it is so important that a whole industry, such as the tourism industry, helps everybody to help it by following those sorts of rules.

**Daisy Cooper** (St Albans) (LD): I have received a letter from a little boy called Charlie, who is clinically extremely vulnerable and has been shielding with his family for about 11 weeks. He wants to know why non-vulnerable people can be allowed to have unlimited exercise wherever and whenever they want, while people who are still shielding feel trapped in their own homes without even 30 minutes to go outside. Now that we have stopped clapping for carers, would the Secretary of State agree that, for just once a day, we could stay home for shielders?

**Matt Hancock:** The hon. Lady asks an important question. We did make a change to the guidance, in order to recommend going outside. I know that some people were very worried about doing that, but it is safe to do so safely—by staying 2 metres away from others. Let me say this to all those who are shielding: the shielding guidelines are there for your own protection; you are particularly at risk if you catch the disease and these are the guidelines for how you can stay safe. We appreciate that the guidelines have a significant impact on those who are shielding, and are always looking at what we can do to make the lives of those who are shielding better and to improve the guidance.

**Theresa Villiers** (Chipping Barnet) (Con): May I urge the Government to follow the lead of other European countries and move to a 1 metre social distancing rule? That is the only way that we are going to save millions of jobs in hospitality over the next few months.

**Matt Hancock:** We always keep these things under review. The challenge is that being 1 metre apart, face to face, means that there is a much greater chance of transmission of the disease than at a further distance.

**Afzal Khan** (Manchester, Gorton) (Lab) [V]: Many of my constituents were deeply concerned to read about the high R rate in the north-west. In the same week, they were told to send their children back to school. Has the Secretary of State made any assessment of the impact of reopening schools on the R rate in the north-west?

**Matt Hancock:** Yes, and I have reconfirmed this with the chief medical officer. It is safe to take the steps that we have recommended to open schools for reception year, year 1 and year 6 right across the country. I am glad to be able to reassure the hon. Gentleman—I hope that he can then reassure his constituents and others across the north-west—that the assessment of SAGE, taking into account all the evidence, is that R is below 1 in all regions.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): May I remind the House that this week is Carers Week? Will my right hon. Friend assure me that SAGE, when providing advice to Ministers, looked at a range of information to ensure that it is presenting an overall view, and that its belief is that the R rate is below 1 in all regions?

**Matt Hancock:** Yes, that is absolutely right. It is just so important that we take into account all of the evidence and all of the studies that are published, and not just strongly focus on one.

**Chris Bryant** (Rhondda) (Lab): Some of the people who have had the toughest time during these months are the people who work in care homes. They have had to deal with things they never thought they would have to deal with, including keeping family members apart from the people they have been looking after, even when they are dying. In Wales, the Welsh Government have decided to give everybody working in a care home, including chefs and ancillary workers, £500 as a bonus. May I please ask the Secretary of State to try to make sure that the Chancellor of the Exchequer does not tax it?

**Matt Hancock:** I will talk to the Chancellor about that. It is obviously a question for a Department other than mine.

**Mr William Wragg** (Hazel Grove) (Con): It is essential that the spread of covid-19 is understood in different settings, such as hospitals and care homes, so will my right hon. Friend confirm that the R rate can be unduly distorted at a regional level by these figures and that local lockdown measures should be used very carefully?

**Matt Hancock:** In the first instance, where we have taken local action, it can often be in a care home or in a hospital. That would be the action that is needed, and it has been successful, in many cases, in ensuring that an outbreak where we see a rise in the number of new cases does not then transmit into the community. So in the first instance, local action is very local: it is in a single hospital or in a care home. I think understanding that as the starting point for local action is important in thinking about how we take this forward.

**Stephen Flynn** (Aberdeen South) (SNP): We have already heard about the good news from Scotland, where we have gone two days without a death, but we do need to be careful and also mindful of the fact that the R rate may increase in the future; indeed, others in the Chamber have concerns for their areas. Can the Secretary of State give a commitment that if the R rate does rise and the lockdown needs to be reimplemented,

he will make every effort to ensure that the Chancellor makes sure that businesses, employees and the self-employed receive the financial support they deserve?

**Matt Hancock:** The hon. Gentleman asks an extremely reasonable question, and I hope that he sees that the Government have been incredibly front-foot about ensuring that that sort of provision is available and has been available right from the start of this crisis. We have one of the most generous schemes in the world.

**Robert Courts** (Witney) (Con): I, too, would like to pay tribute to all the many carers throughout the country—people who are just relatives, but who are looking after someone through love and are unpaid for that. Because they do not see themselves as carers, they often do not have the information that they might otherwise need. Will my right hon. Friend see if there is anything more he can do to work with colleagues in councils and of course the relevant Departments to ensure that those carers have access to everything they need, because carers are a massively important part of making sure that the R rate is controlled?

**Matt Hancock:** Yes. I think the whole House will join me and my hon. Friend in thanking all carers, paid and unpaid, in this Carers Week. This Carers Week is so different from normal because of what has happened during coronavirus. One of the things we have seen during coronavirus is that people have got together to celebrate and thank our carers right across the board. He is absolutely right to raise the point that he does, and I will certainly look into it.

**Neale Hanvey** (Kirkcaldy and Cowdenbeath) (Ind) [V]: No one wants to see the R number go above 1; hence the robust questioning the Secretary of State is facing. This weekend, the Government's incongruous messaging continued. SAGE member John Edmunds told Andrew Marr that the decision not to lock down earlier had cost a lot of lives. Later in the show, the Secretary of State dismissed this view in the face of Channel 4's "Dispatches" programme and the growing number of scientific experts who are warning that the Government's premature relaxation of lockdown could see a significant second wave of infection. If the Government are no longer following the science provided by their own advisers, whose advice are they following?

**Matt Hancock:** I am afraid that the hon. Gentleman has misquoted Professor Edmunds, and I think he should go and look at what was actually said.

**Joy Morrissey** (Beaconsfield) (Con): Will my right hon. Friend join me in praising the carers in Beaconsfield for their tireless work? Can he confirm that the only reason we are now able to consider local lockdowns is because of our testing capabilities, along with NHS test and trace, which are helping to build a more accurate picture of what is going on in different parts of the country?

**Matt Hancock:** Yes, I would like to thank the carers of Beaconsfield for the work they have done through this crisis and before. I tell them that the value and esteem with which we hold them is so high and we are so grateful for what they do. My hon. Friend is right

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that you simply could not have a localised approach, and therefore the safety of reducing safely and cautiously the overall lockdown measures, without a significant testing capacity. Thanks to the teamwork of the NHS, Public Health England and many, many private companies, we have built the largest coronavirus testing capacity in Europe from almost nothing. It is a testament to so many people, to the team effort and to the way the country has rallied behind that need.

**Mr Speaker:** In order to allow safe exit of hon. Members participating in this item of business and the safe arrival of those participating in the next, I am suspending the House for five minutes.

4.35 pm

*Sitting suspended.*

## Public Order

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. It seems to me that there might be too many Members in places in the House where they are not properly distanced. Could they please not be there? Thank you. We now come to the statement by the Home Secretary. I call Priti Patel.

4.41 pm

**The Secretary of State for the Home Department (Priti Patel):** With permission, Madam Deputy Speaker, I would like to make a statement on public order. Like all Members of this House, I was sickened at George Floyd's tragic death. His treatment at the hands of the United States police was appalling and speaks to the sense of injustice experienced by minority communities around the world. I fully appreciate the strength of feeling over his senseless killing, the inequality that black people can sadly still face, and the deep-seated desire for change. I know that it is that sense of injustice that has driven people to take to the UK streets to protest.

This Government are clear that racism and discrimination in any form have no place in our society, and we will do whatever is required to eradicate it. Of course there is more we can do. There is more that we should all do to combat inequalities across society, to support those seeking social justice and better life chances and to offer hope, but all too often, too many are confronted by despair. It is right in any democracy, in an open and free society, that we advance these issues in a constructive, sensitive and responsible way.

The Government understand the importance of the right to protest. In normal circumstances, a large and peaceful protest would not be of concern to the authorities, because we live in a great country where our right to protest and to have our voice heard is integral to our fundamental democratic freedoms. The right to come together and express our views peacefully remains one of the cornerstones of our great democracy. Members across the House share an enduring commitment to uphold liberty and freedom of expression, on the basis of respecting the rule of law. As our nation battles coronavirus, however, these are not normal circumstances, so to protect us all and to stop the spread of this deadly disease, any large gatherings of people are currently unlawful. We cannot afford to forget that we are still in the grip of an unprecedented national health emergency that has tragically claimed more than 40,000 lives, so the severe public health risk forces me to continue to urge the public not to attend future protests. The Government's scientific and medically led advice remains clear and consistent. No matter how important the cause, protesting in large numbers at this exceptional time is illegal, and doing so puts everyone's lives at risk.

Let me turn to an operational update. Around 200 protests took place across the country over the weekend, attended by over 100,000 people. As many as 137,500 people have now attended Black Lives Matter protests across the UK. While the majority were peaceful, a lawless minority of protesters have regrettably turned to violence. The worst violence flared in London on Saturday evening, with missiles and flares being thrown at police officers outside Downing Street. Officers in

protective equipment were deployed to arrest the culprits and to clear the area. At least 35 officers have now been injured during the protests in the capital. I salute their bravery and wish them a swift recovery. The thugs and criminals responsible are already being brought to justice. This is a fluid situation, but as of this morning the total number of arrests stood at 135.

As the ugly tally of officer assaults shows, some protestors, regrettably, turned to violence and abusive behaviour at the weekend. This hooliganism is utterly indefensible; there is no justification for it. There is no excuse for pelting flares at brave officers, throwing bikes at police horses, attempting to disrespect the Cenotaph or vandalising the statue of Winston Churchill, one of the greatest protectors of our freedoms who has ever lived. It is not for mobs to tear down statues and cause criminal damage in our streets, and it is not acceptable for thugs to racially abuse black police officers for doing their jobs. The criminals responsible for these unlawful and reckless acts are betraying the very cause they purport to serve. These protests are about injustice, but by attacking our courageous police they are acting in a wholly unjust way.

When I became Home Secretary, I vowed to back the police. I said that I would stand with the brave men and women of our police and security services, and against the criminals. I stand by that today, proudly and without apology, because, as we saw at the weekend, we ask our frontline police officers to do the most difficult of jobs: to run towards danger to ensure that we are not in danger; to put their own lives on the line to protect the public; and to uphold the rule of law and the rights of individuals against the disorder that we have seen in recent days. By doing that, the police in our country give us all the very security we need to live our lives as we choose.

That is an essential part of our freedom, because violence, disorder and crime blight communities and society as a whole. So the police need to know that they have a Prime Minister, a Home Secretary and a Government who stand with them and will give them the tools, powers and resources they need to keep us safe—and they do. Police funding has had its biggest uplift in a decade, increasing by more than £1 billion, and we are recruiting an additional 20,000 police officers to keep our streets and our country safe. They will have my full support in upholding the rule of law, and in tackling violence, vandalism and disorderly criminal behaviour. I could not be clearer: I want to see the violent minority responsible arrested and brought to justice.

I agree with the many peaceful protestors that racism has absolutely no place in our society. Black lives matter, but police brutality in the United States is no excuse for the violence against our brave police officers at home. So to the quiet law-abiding majority who are appalled by this violence and who have continued to live their lives within the rules, I say: “I hear you.” To the police, who have been subject to the most dreadful abuse, I say: “You have my full backing as you act proportionately, fairly and courageously to maintain law and order.” And to the criminal minority who have subverted this cause with their thuggery, I simply say this: “Your behaviour is shameful and you will face justice.” I commend this statement to the House.

4.49 pm

**Nick Thomas-Symonds** (Torfaen) (Lab): I thank the Home Secretary for her statement and for advance sight of it. Like everyone in the House, I was appalled by the killing of George Floyd. His fateful words, “I can’t breathe” not only haunt us, but have become a catalyst for people across America and the world to say that the racism that continues to shame everyday life must stop. People in our communities with lived experiences and family legacies of the prejudice that black people in the United Kingdom face have bravely stepped forward. I want to be absolutely clear: I hear you and, not that it should need saying, black lives matter.

Words are important, but we cannot allow this moment of global demand for justice to pass without action: we on the Labour Benches will be at the forefront of calls for change. What is never a solution, though, is violence or vandalism. The vast majority of protestors are peaceful, but some of the actions we have seen from a minority are unacceptable. I condemn those who have attacked the police, and I pay tribute to the police officers who put themselves in harm’s way over the weekend. I hope the Home Secretary will update us on the condition of the 27 injured officers, including one in hospital, and the injured protester. When it comes to the statue of Edward Colston, I do not condone an act of criminal damage to remove it, but I will not miss a public statue of a slave trader. It should have been taken down many years ago.

At a time when politicians and public health experts are rightly stressing the need for caution around protests given the risk of coronavirus—I stress that again today—and the importance of social distancing, the imperative on those in power is all the greater to show that they have listened and that they understand the scale of the anger and the desire for meaningful action. At moments like this, it is for our leaders to unite communities, heal divisions and confront the injustices in our society.

Public Health England recently published its report on the disparities in the risk and outcomes of covid-19, showing that black males are four times more likely than expected to die with covid-19. The recommendations of that report need to be made public now. Coronavirus has shone a light on inequalities that have long existed. The damning findings of the Wendy Williams Windrush review need to be heeded and its recommendations acted upon. The Home Secretary said earlier that she was looking at them, but she urgently needs to come to the House and tell us the action she is taking.

My right hon. Friend the Member for Tottenham (Mr Lammy) produced a report in September 2017 on the treatment of and outcomes for black, Asian and minority ethnic people from first point of contact with the police and then throughout the criminal justice system. It showed that black people make up around 3% of the general population but accounted for 12% of adult prisoners and more than 20% of children in custody. Those shameful statistics matter, and the Government should implement the report’s recommendations in full. In recent days, we have heard powerful testimonies from so many people on how racism continues to have an impact on daily lives in our country. Does the Home Secretary agree that now is not the moment for divisive rhetoric? Instead, this is a time for the Government to listen, to learn and to act.

**Priti Patel:** I thank the hon. Gentleman for his thoughtful comments and his considered response not only to my statement but to the appalling events that we have seen, and the violence in particular. He is absolutely right about the processes around the removal of the statue and the violence that was associated with it. We live in an open society and in a democracy. We have the means and mechanisms to bring statues down and to change society in the way we wish.

The hon. Gentleman is right about peaceful protest, which remains an important part of society and the way in which we have our voices heard—the way in which we come together to combat the inequalities across society, to give service to those communities who sometimes feel that they have no voice and to find ways to bring together the aspects that can help to change lives and bring social justice together, rather than causing divisiveness in the way that was alluded to.

The hon. Gentleman referred to a number of points, some of which were aired during oral questions. When it comes to the Windrush review, I could not have been clearer: I will return to this House to talk about the recommendations within the context of inequality and many of the criticisms that were levelled at the Home Office over a substantial period. It is right that we do that.

The hon. Gentleman spoke about health inequalities, life chances and the lack of opportunities—particularly for the black community—as well as violence and the criminal justice system. These are issues that we have to tackle together to understand the root causes and societal causes but also, importantly, to provide the right solutions and the right support to the community across the country.

I echo the hon. Gentleman's words about our police officers, in particular the injured officers, who have sustained the most appalling injuries. I spoke to the Metropolitan Police Commissioner this morning and heard from her that the officers are recovering. They have sustained some awful, horrendous injuries, including a punctured lung and, where the bike was thrown at the horse, a broken collarbone. I wish all the officers a swift and good recovery. That type of behaviour is thoroughly unacceptable and is exactly what we never want to see again on our streets.

When it comes to coronavirus, our police continue to operate by consent and ensuring community engagement, which is at the heart of policing by consent in the United Kingdom. They have the support of the communities within which they operate and work with the organisers. However, the police and the Metropolitan Police Commissioner have been absolutely clear that, with the protests that we saw over the weekend, there were no community organisers to engage with. I made a plea on Saturday and urged all the community organisers behind the protests to engage with the police, so that people could protest safely and prevent the spread of the virus, and also violence and disorder could be prevented from taking place. Sadly, that did not happen. Going forward, we must work together collectively to prevent acts of violence and thuggery of the kind that we saw at the weekend and ensure that people who want their voices heard can find the right ways of doing that without necessarily coming on to the streets and protesting.

**Bim Afolami** (Hitchin and Harpenden) (Con): Does the Home Secretary agree that the best way to ensure that black lives matter is peaceful protest and working

to improve social justice and economic opportunities for black people and other ethnic minorities, not the lawless, senseless violence of a small minority or defacing war memorials and public monuments, which can undermine the whole message and, indeed, the Black Lives Matter movement as a whole?

**Priti Patel:** My hon. Friend is absolutely right. When it comes to inequalities and the injustice that has been shown and felt throughout the black community in particular, there is no doubt that racism and discrimination in any shape or form have no place at all in our country and society. That is why it is important that we work collectively to address injustice, secure social justice for the communities in question and combat inequalities across all of society, and also, importantly, improve people's life chances, opportunity and hope, which we should all be united on.

**Joanna Cherry** (Edinburgh South West) (SNP): May I thank the Home Secretary for advance sight of her statement? I extend my best wishes for a full recovery to all the police officers who suffered injury during the trouble in London and pay tribute to their brave service. I also unreservedly condemn the violence and disorder that took place. However, it is important that we do not let a minority distract us from the legitimate concerns of the Black Lives Matter movement.

The desire to take to the streets to protest is understandable, and one thing that I hope we share across the House is a cherishing of our freedom of speech, freedom of expression and freedom of assembly. The right to protest peacefully is a fundamental part of those rights. However, we are in the midst of a public health crisis. Having regard to that, the Justice Secretary in Scotland, Humza Yousaf, joined prominent anti-racism activists to urge people in Scotland to plan protests against racial injustice in a way that safeguards them and the wider public from the ongoing threat from covid-19. Protests went ahead in Glasgow and Edinburgh, but I am pleased to say that they were peaceful, and I know that the organisers and participants tried hard to maintain social distancing.

Does the Home Secretary agree that it is important that we do not let the minority who engaged in violent disorder detract from the legitimacy of the concerns of the protesters and the Black Lives Matter movement?

Does she also agree it is important that all those in public life are careful not to do or say anything that might polarise the situation, as Trump has done in America? Finally, will she use this opportunity to make a clear commitment to review all Government policies where there is evidence that they impact adversely on BAME communities? For instance, evidence shows that the no recourse to public funds policy, to which I referred earlier, clearly discriminates against black, Asian and minority ethnic communities. Will she commit not just to bringing back the Windrush report to this House, but to implementing the recommendations in that lessons learned review?

**Priti Patel:** I thank the hon. and learned Lady for her remarks and her support for police officers, while also respecting the right to protest in a safe, sensible, and proportionate way, as we are in this public health emergency. It is important to labour the point that these protests are about injustice. It is right that we come together to

find the right way, collectively, to tackle those injustices, fight for social justice, and deliver social justice for black, Asian and minority ethnic communities. As we have seen on our streets, however, by attacking our courageous police a small minority of individuals have acted in a wholly unjust way. The hon. and learned Lady mentioned the events in America, and it is dreadful, utterly heart-wrenching, and sad to see the level of protests there as well. As we saw over the weekend, a small minority of people are subverting the cause that people are protesting about.

We will continue to fight to solve inequalities and injustices. Earlier the hon. and learned Lady mentioned the policy of no recourse to public funds, as well as the Wendy Williams review and report. She also mentioned health inequalities, particularly for black and minority ethnic communities, and it was right for the Government to address that issue in the House last week. We must collectively come together. The Minister for Equalities is looking at this issue right now, and we must find an integral, overall approach across Government, with combined policies, not just one, to look at how we can serve those communities better, and address many of the inequalities that have been brought to light over recent weeks.

**Dr Matthew Offord (Hendon) (Con) [V]:** We all agree there is injustice in the world, but does the Home Secretary agree with many of my constituents that images of demonstrators throwing bikes at police officers, aiming fireworks at horses, and racially abusing other people, are simply unacceptable? The irony is that public sector workers have recently been applauded, yet now those same people are being put at risk of physical harm through both violence and a pandemic. Will she take every possible step, including with the co-operation and agreement of the Mayor of London, to prevent any further demonstrations during the period of pandemic?

**Priti Patel:** My hon. Friend has made important points. I have already made my view abundantly clear about how unacceptable the violence was that we witnessed on the streets, and the assaults on police officers. Hon. Members will understand that operational decisions on policing come under the operational independence of chief constables, and the Commissioner of Police in London. Police and crime commissioners also have responsibility for the totality of policing in their force area.

For future protests, it is the responsibility of the Mayor of London to ensure that when it comes to policing, protests in particular do not manifest in the way they have done. He has a duty to communicate to Londoners that they should express their own views in a right and proportionate way, by sticking to the regulations that have been outlined by the Government. I made my views clear over the weekend, as did the Secretary of State for Health and Social Care: we do not want to see these protests take place. We are in the midst of a health pandemic, and by gathering in such a way, people's lives are being put at risk. That does not help anybody; that will not stop the spread of the virus or protect the NHS. The Mayor of London has an important role to play right now, and I urge him to step up and do exactly that.

**Yvette Cooper (Normanton, Pontefract and Castleford) (Lab):** I join all the Front Benchers in sending support and best wishes to all the police officers who have been

injured, and in their strong sense that violence by a minority is always unacceptable and helps no one. There is a responsibility on us all to ensure that this does not prevent us from coming together to respond to the strong demands for action against racism and injustice across the country.

In that spirit, the Home Secretary will know that the Home Affairs Committee is conducting an inquiry into policing, two decades on from the Macpherson report. Next week, we will look at reports that covid-19 enforcement fines may have been disproportionately applied to BME communities. Has she looked at that, and what has she found? Will she provide for the Committee a list of all the practical steps that she and the Home Office are now taking to tackle injustice and racism?

**Priti Patel:** I thank the right hon. Lady for her questions and for her work on this matter with the Home Affairs Committee. I will absolutely provide the Committee with the information she asks for. I look forward to working with her to outline the practical steps and measures, particularly around fixed penalty notices and enforcement issues throughout the coronavirus crisis, and to address many policing issues 20 years on since the Macpherson report. I know from all the conversations I have had with the Met police commissioner—not only over recent days but over several months now—that when it comes to diversifying London's police force and all our police forces, we must make sure that we do everything within our power to address cultural issues, improve training and do more when it comes to recruitment. We must also ensure that all officers, across the country and in London, understand that they serve the communities in which they police and understand the communities of which they are members.

**Madam Deputy Speaker (Dame Eleanor Laing):** The House is grateful to the Home Secretary for taking the trouble to answer in great detail all the questions that have so far have been asked, but now that quite a few questions have been asked, we will have to speed up a bit, to try to get everyone in. I make no criticism—these are sensitive matters and need to be dealt with in full—but perhaps now we can go rather faster.

**Robin Millar (Aberconwy) (Con):** I am pleased to say that in north Wales the protests passed off peacefully over the weekend. Does the Home Secretary agree that we have a tradition of effective, peaceful protest in this country, and can she reassure us that those who perpetrated acts of violence or criminal damage over the weekend will be brought to justice?

**Priti Patel:** My hon. Friend is absolutely right, and I give my thanks to his local police force and the officers that policed the protest at the weekend. He is absolutely right: we want to ensure that swift justice occurs, sending a clear message to the perpetrators of serious violence that we do not want to see a repeat of it.

**Florence Eshalomi (Vauxhall) (Lab/Co-op):** Vandalism and violence should never be accepted. I too pay tribute to the hard-working officers who have been on the frontline, including officers from my borough of Lambeth, who are often the first to be called whenever there is a protest because of our proximity to central London. Does the Home Secretary actually understand the anger

[*Florence Eshalomi*]

and frustration felt by so many people? Does the Home Secretary recognise that this protest is being led by young people? Does the Home Secretary recognise that there is structural inequality, discrimination and racism in our country? Does the Home Secretary recognise that people want to see action from the Government?

My son turned three yesterday. I do not want to have to wait until he is a teenager before we see changes in this country. Will the Home Secretary and the Government act now? Black lives matter, and we need to see the Government doing something about that.

**Priti Patel:** I would make a number of points to the hon. Lady. I have been very clear in my remarks about the level of injustice that is felt across the country, and that has been illustrated in what we have seen over the weekend and the very peaceful protests that have taken place, but I am really saddened that she has effectively said that this Government do not understand racial inequality. [*Interruption.*] On that basis, it must have been a very different Home Secretary who as a child was frequently called a Paki in the playground; a very different Home Secretary who was racially abused in the streets or even advised to drop her surname and use her husband's in order to advance her career; and a different Home Secretary who was recently characterised in *The Guardian*—if I may say so, Madam Deputy Speaker—as a fat cow with a ring through its nose, something that was not only racist but offensive, both culturally and religiously. This is hardly an example of respect, equality, tolerance or fairness, so when it comes to racism, sexism, tolerance or social justice, I will not take lectures from the those other side of the House.

I have already said repeatedly that there is no place for racism in our country or in society and, sadly, too many people are too willing to casually dismiss the contributions of those who do not necessarily conform to preconceived views or ideas about how ethnic minorities should behave or think. This in my view is racist in itself. As I said earlier, both in my statement and in my answers to other colleagues in the House, to combat the real inequalities in society and to end the gross disservice to many communities across our nation who are subject to real and pressing inequalities, we must address these sensitive issues in an accurate and responsible way and by addressing prejudice rather than inciting and inflaming tensions.

**Kevin Hollinrake** (Thirsk and Malton) (Con): I was going to say how good it is to hear this House so united—in the main, it is united in its support for peaceful protest, particularly one that is tackling prejudice and unfairness, and also in its support for the police. Does my right hon. Friend agree that the best way to support the police is to deter future violent crime by making sure that everybody who is guilty of things such as throwing missiles at police—we have all seen those videos, and that video footage should be studied—is arrested, charged and prosecuted?

**Priti Patel:** My hon. Friend is absolutely right, and those people should be in no doubt whatever that swift justice will follow, and that is exactly what the British public want to see. They want to see the rule of law

applied, but also for people to express their views in a peaceful way that is in line with the democratic values of our country.

**Clive Efford** (Eltham) (Lab): I want to add my voice to those who have condemned the minority of people at the weekend who were acting in a violent way towards the police, and I wish those injured officers a speedy recovery, but Secretary of State, does it not just fuel the suspicion of people from the BAME community when the recommendations of something like the Public Health England report are withheld? Are they not bound to suspect that that is the establishment feeling that it is likely to be embarrassed and made to feel awkward by those recommendations? Should they not be published?

**Priti Patel:** I say to the hon. Gentleman, first, that he is speaking to a Home Secretary who is from the BAME community, so there is no withholding of the data or information that he is referring to. The Government have been fully committed, and the Equalities Minister is working to not just look at the data but, importantly, work across Government—I think the House needs to fully recognise this—through all Government Departments from a policy perspective to understand the causes, whether they are health issues or housing issues, and the range of issues that basically dominate many inequalities. It is important that the Government have the time and space to do that, to actually deliver the right solutions to provide the right levels of social justice.

**Owen Thompson** (Midlothian) (SNP) [V]: In Midlothian and Edinburgh, there are streets, a statue and other local references to Henry Dundas, but there is no mention in any of those locations of his shameful role in delaying the abolition of slavery, which forced some 630,000 slaves to wait for more than a decade for their freedom. Does the Home Secretary agree with the leading human rights activist Professor Sir Geoff Palmer that we cannot erase parts of history, and that a more honest narrative is needed about memorialised figures in the slave trade as a crucial step in our journey to becoming a fair and inclusive society?

**Priti Patel:** The approach for becoming and being a fair and inclusive society also applies to the democratic ways in which we can express our views around cultural monuments, statues and street names. Whether we are talking about a statue or any other type of memorial, people should work through the correct democratic processes, with local authorities and the right individuals, to achieve the change that they want to see.

**Martin Vickers** (Cleethorpes) (Con): Fortunately, my constituency has had a low infection rate from covid, but in recent weeks people have been anxious about an influx of visitors to the resort. You can imagine, Home Secretary, that they are doubly anxious this coming week—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. I am trying not to interrupt people, because we do not have much time, but we must adhere to the standards of this place. The hon. Gentleman knows—a previous hon. Gentleman got this wrong too—that you cannot address the Home Secretary as “Home Secretary”; you must address the Chair. There are still new Members



who do not quite know how to do this. There are good reasons for it that we do not have time to go into now, but the hon. Gentleman must address the Chair.

**Martin Vickers:** My apologies, Madam Deputy Speaker.

My right hon. Friend will be aware that my residents are doubly anxious because a Black Lives Matters protest meeting is planned for this Saturday. Could she assure my constituents that not only will property and people be defended but social distancing will be enforced to maintain the low infection rate?

**Priti Patel:** My hon. Friend makes a very important point. I reiterate the point I made earlier: we have asked protest organisers to engage with the police. That way, anybody who wishes to express their views or opinions in the right way—in a socially distanced and legitimate way—can do so. We do not want the type of scenes we saw at the weekend, with mass protests and crowds of more than six people coming together and obviously not social distancing. We are in the midst of a pandemic and it is right that we all behave responsibly and communicate the message across all our communities that social distancing matters and can and will save lives and importantly that we continue to control this virus at this very delicate time.

**Fay Jones (Brecon and Radnorshire) (Con):** My hon. Friend the Member for East Surrey (Claire Coutinho) quoted Martin Luther King on social media this morning when she said:

“in spite of temporary victories, violence never brings permanent peace”.

Does my right hon. Friend agree that the violence over the weekend undermines the essential message of Black Lives Matters, which must be heard?

**Priti Patel:** My hon. Friend is absolutely right. I have made the point repeatedly that the violence dominated what was for the majority a peaceful protest and subverted its very clear message. People were making their voices heard and articulating the injustices they see. There is no place for violence and it should not be tolerated.

**Mr David Jones (Clwyd West) (Con):** Does my right hon. Friend agree that nobody reasonable could ever conclude that accidents of thuggery by police officers on the streets of Minneapolis could ever justify acts of thuggery against police officers on the streets of London, and will she do everything in her power to ensure that there is no repetition of the events of last weekend?

**Priti Patel:** My right hon. Friend is absolutely right. I have spoken about the violence, disorder and criminality witnessed on the streets of London this weekend. I will continue to work with chief constables and police and crime commissioners across the country, as will my hon. Friend the Minister for Crime and Policing, to make that point again and again. While we support the right to protest, we are in a health emergency. It is right that we protect the public, but it is also right that our police forces uphold the rule of law.

**John Cryer (Leyton and Wanstead) (Lab):** The violence at the weekend was simply wrong—that is straightforward—but would the Home Secretary agree that we should

look at what President Trump is doing in America and do the exact opposite, and instead of encouraging bitterness, anger and even violence, which is what he is doing daily, we should be showing leadership, bringing people together and opposing racism everywhere?

**Priti Patel:** These protests are about injustice. What we have seen in America is dreadful—it is absolutely awful to see America tear itself apart—but, as I have said repeatedly, we can come together to address issues across all BAME communities and to address inequalities, the issue of young people’s life chances and the fact that they want more hope and opportunity. That is the type of leadership that the United Kingdom can show.

**Jonathan Gullis (Stoke-on-Trent North) (Con):** Residents in Stoke-on-Trent, Kidsgrove and Talke were rightly outraged when they saw the Cenotaph graffitied and attempts to burn our Union Jack, desecrating the memories of those who paid the ultimate sacrifice for the freedoms we have today. Will my right hon. Friend back me in supporting Lewis Feilder and Conservative Friends of the Armed Forces by introducing a desecration of war memorials Bill to enable our police and courts to more easily prosecute those who damage our sacred memorials?

**Priti Patel:** I completely support that sentiment and the point that my hon. Friend just made.

**Christine Jardine (Edinburgh West) (LD):** None of us in this place or, I believe, anywhere in the country wants to see violence and vandalism on the street. None of us wanted to see a large gathering of people at a time when social distancing is so vital for public health. More than that, none of us wanted to see the mindless violence against our police officers. But does the Home Secretary not agree that the answer to that is not to ramp up the rhetoric and throw more police officers into the fray? It is to look at the systemic injustice that there is in this country and invest in social programmes and in tackling that injustice. I would not suggest for a minute that the Home Secretary does not understand racism, but I ask her to rethink the Government’s strategy for dealing with the injustice that we have in society today.

**Priti Patel:** First, when it comes to policing, our police continue to operate by consent. They command the respect and co-operation of the British people by acting with integrity and accountability, and they do that in an outstanding way. When it comes to addressing social injustices and inequalities, as I have said repeatedly this afternoon, it is right that we come together as a Government and, in fact, as a House, because all right hon. and hon. Members have a duty to their own communities to be part of the solution in addressing the injustices. That is something that we can all collectively work to achieve.

**Madam Deputy Speaker (Dame Eleanor Laing):** I must implore Members: a lot of people have bothered to come here this afternoon and they are not all going to get to ask a question because most Members have not asked questions but have made statements and told stories. From now on we will have to have short questions, and that means one question. The Home Secretary will then be able to give short answers to single questions.

**Robert Courts** (Witney) (Con): I will very much try to do that, Madam Deputy Speaker.

We are lucky to live in this country under the protection of the rule of law, not least because of the actions of Winston Churchill, who defended the rule of law and defended this country against industrialised racism. Does the Home Secretary agree that under the rule of law, violence and vandalism have no place?

**Priti Patel:** My hon. Friend is absolutely right.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): Black Lives Matter protests have been held throughout Wales and I, too, stand against the injustice and violence faced by black people here and elsewhere. The vast majority of protesters respected social distancing or made innovative use of communications technology. Will the Home Secretary give due credit to the peaceful majority? For example, school student—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. We do not need examples. The question has been asked. [*Interruption.*] Order. The question has been asked.

**Priti Patel:** The right hon. Lady is right that we should absolutely reflect on the majority who have protested peacefully, and I commend the young people in particular. Online protests are much safer when it comes to the health epidemic that we are enduring right now. Importantly, the voices of those who protested peacefully have in effect been subverted through the violence that we saw this weekend.

**Tom Hunt** (Ipswich) (Con): I wish to say how appalled I was by the damage to the Winston Churchill monument on the 76th anniversary of D-day. My constituents and I are absolutely appalled. The people who did that are ignorant fools and should be properly held to account. The big job is to get the balance right between respectful, peaceful protest and preventing criminal damage and mass destruction. Does my right hon. Friend think we have the right balance at the moment? Do the police have the powers that they need to get that balance right?

**Priti Patel:** The important point to note is that for those who participated in violence and thuggery, justice will follow, and the police have all the powers and tools necessary to ensure that that happens.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP) [V]: I share the Home Secretary's condemnation of anyone who engages in acts of violence, yet there remain valid concerns about the exporting of riot gear, tear gas and rubber bullets to the US, where some police forces have engaged in brutal crackdowns against peaceful protesters. Will she join the calls to her colleagues in the Department for International Trade to immediately suspend export licences for this equipment to the US?

**Priti Patel:** The hon. Lady will know that the Government as a whole consider all export applications thoroughly against a strict risk assessment. All exports to the United States are conducted in line with strict guidance, and the United Kingdom operates one of the most robust licensing regimes in the world.

**Gareth Bacon** (Orpington) (Con): I thank my right hon. Friend for reassuring the country that the individuals who desecrated the Cenotaph, Winston Churchill's statue and the statue of Abraham Lincoln will be held to account. Does she agree that vandalising monuments to the heroes who defeated fascism, defended our freedoms and ended slavery in the United States does absolutely nothing to further the cause of equality?

**Priti Patel:** My hon. Friend is absolutely right. Those acts of violence were wholly counterproductive and that is why it is important that justice follows and the police pursue the individuals who are responsible for those crimes.

**Carol Monaghan** (Glasgow North West) (SNP) [V]: It is important to recognise that the majority of the weekend's protests, including those in Glasgow and Edinburgh, were peaceful, but to show that black lives really matter, we must examine the deeds of the past, so will the Home Secretary now commit to removing statues of slave traders from public places of honour?

**Priti Patel:** The hon. Lady is right to point to peaceful protests, which are a vital part of a democratic society, and she asks about the removal of statues of particular individuals. She will know that there are democratic processes that should be followed and respected by everybody to bring about that change, including working with councils of all colours across the country—Labour, Conservative and Lib Dem councils—with due process followed. That is absolutely the right approach to take, including following the rule of law.

**Mr Richard Holden** (North West Durham) (Con): Throughout the pandemic, our police officers have put themselves in danger to uphold the rule of law, save lives and serve our communities. Does my right hon. Friend join me in condemning the actions of violent agitators over the weekend? Not only have they put our brave police officers at risk, but their actions have taken away from the reasonable, careful and important voice of lawful demonstrators.

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. Just before the Home Secretary answers that question, could everyone who is still to speak please just take their pen through their introductory remarks and ask a question? It is not really very difficult—just cut out the first bit.

**Priti Patel:** My hon. Friend the Member for North West Durham (Mr Holden) is absolutely right.

**Nadia Whittome** (Nottingham East) (Lab): We will try again. Does the Home Secretary agree that the Government should remove statues of British figures involved in the slave trade? Further, does she agree that the lives of black people who have died following contact with police, such as Sarah Reed and Rashan Charles, are worth more than any statue?

**Priti Patel:** The hon. Lady will be well aware—perhaps she would like to lobby local authorities across the country to bring about the changes to statues. I notice that she celebrated the violence and criminal scenes that we saw across the weekend. I thought that the politics of

protest and placards had left the Labour party with the departure of the right hon. Member for Islington North (Jeremy Corbyn).

**Andrew Griffith** (Arundel and South Downs) (Con): I am proud that it was a Conservative Government who introduced Finn's law to protect our service animals. Will my right hon. Friend assure me that she will not rest until the minority of thugs involved in attacking the police horse, as well as, of course, our brave officers, are brought to justice?

**Priti Patel:** My hon. Friend is absolutely right. What we witnessed at the weekend was utterly despicable. I look forward to visiting the mounted police section quite soon. I have had it with authority from the Metropolitan Police Commissioner that the injuries to the horse were mild, but importantly, she highlighted yet again how the acts of thuggery are disproportionate to not just police officers, but the animals.

**Zarah Sultana** (Coventry South) (Lab): Edward Colston made his fortune by violently transporting 84,000 Africans to the Caribbean. At least 19,000 died en route. Statues of racist murderers like Colston can be found in cities across Britain, so I ask the Home Secretary a simple question: does she believe that it is right that black Britons have to walk in the shadows of statues glorifying people who enslaved and murdered their ancestors—yes or no?

**Priti Patel:** I hope that the hon. Lady will join me in lobbying councils across the country where Labour has been in charge for many years to bring about the change that black, Asian and minority ethnic people would like to see.

**Laura Trott** (Sevenoaks) (Con): Does my right hon. Friend agree that we must not let the violence of a minority this weekend overshadow the majority who were peacefully protesting, and that we must bring forward practical steps to address the remaining racial inequality in our society?

**Priti Patel:** My hon. Friend is absolutely right, which is why the Equalities Minister is working across Government to address many of the issues around social injustice that need to be tackled.

**Douglas Chapman** (Dunfermline and West Fife) (SNP) [V]: Many Elizabethan British heroes used violence to enhance their wealth. Does the Home Secretary agree that violence is never part of the solution, but if we can educate our citizens in where we have been, what we have done and to whom, that will provide the basis for an equal and humane society?

**Priti Patel:** The hon. Gentleman makes a valid point. Violent activity can never be regarded as a legitimate form of protest. I do not just expect those who engage in violent activity to face the full force of the law; importantly, we should ensure that those who have a legitimate voice are heard through the right means.

**Alec Shelbrooke** (Elmet and Rothwell) (Con): With regard to public order, may I ask my right hon. Friend to continue the policy of stop and search, and get knives off the street so it is not just black lives matter, but all lives matter?

**Priti Patel:** My hon. Friend is absolutely right. One of the most extraordinary—

**Nadia Whittome:** All lives can't matter until black lives matter.

**Madam Deputy Speaker (Dame Eleanor Laing):** Order.

**Priti Patel:** One of the important facts about stop and search, which I have experienced myself when meeting the parents of young black men who have been murdered on the streets of London, is its significance in taking weaponry off our streets. That is important for all Members of this House to recognise. When I have seen those parents, sat with them and heard their stories, they have called for more stop and search in order to stop more young black lives being killed, and to prevent more criminal and violent activities on the streets of our cities.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): There is no place for racism or discrimination in our society, but it is there; it is everywhere, and it is crushing the hopes and lives of millions in this country. I condemn the violence and vandalism, but the vast majority of the protests were peaceful. I want to hear from the Home Secretary what she is actually going to do to eradicate the racism that she condemns so that we do not need to have more protests in five, 10 and 15 years.

**Priti Patel:** The important point is that this is not down to one individual. We all have a responsibility—*[Interruption.]* Yes, and we all have a responsibility—across Government, across this House and across society—to understand the inequalities and the extent of the injustices. From a Government perspective, that means coming together and finding the right policy solutions, which this Government are committed to doing.

**Dehenna Davison** (Bishop Auckland) (Con): Will my right hon. Friend join me in thanking County Durham residents for maintaining both peace and social distancing at the protests in Durham this weekend? Will she also join me in calling for all those who acted lawlessly and violently against our police to face the full weight of the law as quickly as possible?

**Priti Patel:** My hon. Friend is absolutely right. I congratulate her constabulary for the work that it has done, and the chief constable, who I have spoken to recently. Those acts of violence are not acceptable and it is right that those people face the full force of the law.

**Kirsty Blackman** (Aberdeen North) (SNP) [V]: No recourse to public funds is a policy that is in place at the Home Office that disproportionately affects my black constituents, as is the refusal rate of visitor visas. Will the Home Secretary commit to looking at these structurally racist policies within the Home Office, and to reforming them so that they do not disproportionately affect my black constituents?

**Priti Patel:** I refer the hon. Lady to my comments on this issue earlier on.

**Lucy Allan** (Telford) (Con): My right hon. Friend has offered her full support to our police in tackling violence, vandalism and disorderly behaviour. Will she encourage the Mayor of London to follow her lead?

**Priti Patel:** My hon. Friend is absolutely right. It is the responsibility of the elected Mayor of London, the police and crime commissioner for London, to do exactly that.

**Wera Hobhouse (Bath) (LD):** Many people in Bath, Bristol and the surrounding areas have said that the statue of Edward Colston should have been removed many years ago. Does the Home Secretary agree?

**Priti Patel:** The question is, why wasn't it and why did the Labour Mayor not do that sooner?

**James Sunderland (Bracknell) (Con):** Will the Home Secretary join me in paying tribute to the fortitude, professionalism and patience of our police forces in the face of yet more unnecessary aggression and violence?

**Priti Patel:** Our police officers and police forces have shown great courage over the weekend and throughout the protests. I absolutely stand with them and support them as they have faced a criminal minority with the dreadful approach that they have taken and shown.

**Tracy Brabin (Batley and Spen) (Lab/Co-op):** My inbox, like many, is full of emails from constituents demanding that we decry racism and police brutality, and I absolutely applaud that. One such constituent, Zohra, a second-generation British Indian chartered accountant and mum of three children, tells me that according to INQUEST, the proportion of BAME deaths in custody where restraint is a feature is twice as many as other deaths in custody. To build trust with communities, what can the Home Secretary tell us that the Government are doing to end that injustice?

**Priti Patel:** It is important to understand the facts and figures around deaths in police custody. In 2018-19, there were 16 deaths in custody of whom 15 individuals were from a white background and one was black. It is important that the Independent Office for Police Conduct looks at all investigations in the right way and holds to account police forces when deaths in police custody take place, and that is exactly what happens.

**Jerome Mayhew (Broadland) (Con):** It is the dehumanising of the other that makes it okay to violently attack a stranger, whether that stranger be black or white. Does my right hon. Friend agree that we should listen to the peaceful voices of the BAME communities, celebrate our civilian unarmed police who look after us all, and celebrate our common humanity?

**Priti Patel:** My hon. Friend is absolutely right about celebrating our common humanity, the diversity of our great country, and the people who have taken to the streets and expressed their views in a balanced, proportionate and peaceful way. When it comes to our police, I absolutely stand with them. They showed great courage and determination over the weekend.

**Patrick Grady (Glasgow North) (SNP):** We will overlook the irony of the Home Secretary saying that mass gatherings are unlawful, while hundreds of us are required to gather here in Westminster. I wonder if she believes that the hostile immigration environment, indefinite detention, no recourse to public funds, destitution and no family reunion for unaccompanied minors sends a message that black lives matter to this Government?

**Priti Patel:** I have been very clear about the protests over the weekend, and about how the Government and all Members of Parliament should look to work together to address issues of social injustice.

**Laura Farris (Newbury) (Con):** My right hon. Friend has quite properly said that residents should lobby local authorities to raise principled objections to offensive statues, but Bristolians have lamented the inconsistent response of their local authority. Will my right hon. Friend consider publishing guidance not to determine outcomes but to create uniform principles, so that law-abiding citizens who object to statues can feel sure that their complaints are heard?

**Priti Patel:** My hon. Friend makes a valid and important point. If people want change when it comes to their local authorities and police and crime commissioners, they can do that the democratic way, which is through the ballot box.

**Lilian Greenwood (Nottingham South) (Lab):** Will the right hon. Lady congratulate both Nottinghamshire police and the Nottingham protest organisers on their efforts to ensure that yesterday's event was peaceful and safe? In particular, will she congratulate the young protesters who stopped and set about cleaning up graffiti that they witnessed on the Council House in Nottingham? Will she tell us whether the Government have raised their concerns through official channels about the shocking and divisive reaction from the President and the United States authorities to peaceful protest there?

**Priti Patel:** Peaceful protest remains a vital part of our democratic society, as the hon. Lady has said, but what we witnessed over the weekend was terrible. We talk about community spirit and communities coming together when it comes to understanding the strength of feeling and people expressing their views in the right kind of way. I have already spoken about the United States of America, and what we are seeing over there is a tragedy.

**Alexander Stafford (Rother Valley) (Con):** Does my right hon. Friend agree that we should push for the harshest possible sentences on the perpetrators of the violence not only for causing the violence but for undermining the key message of equality and for helping to spread the coronavirus?

**Priti Patel:** As we saw post the 2010 and 2011 riots, it is important that we see swift justice. We have a process of swift justice in place to ensure that justice is served for the appalling acts that we have seen over the weekend.

**Bob Stewart (Beckenham) (Con):** Watching on the television, I thought the police seemed to be holding back. They will have been holding back for good operational reasons such as that they did not want too many people hurt. Will my right hon. Friend assure me that the police have every power they need to cope with future riots such as the one that they had to go through on Saturday?

**Priti Patel:** My hon. Friend is absolutely right. He will know of the operational independence of our police forces. Obviously, police and crime commissioners have

responsibility for the totality of policing within their force areas. When it comes to resource and support of our police officers, I am unequivocal: we have given the police the highest funding uplift in more than a decade; we are equipping and training them so that they are equipped at the highest level and to the highest standard, and that, of course, will continue.

**Alison Thewliss** (Glasgow Central) (SNP) [V]: The use of rubber bullets in the UK is, thankfully, rare, but not so in the US. It has been identified that the bullets have a 15% rate of permanent disability and a 3% fatality rate. Can the right hon. Lady assure me that they will not be used here, and, if they will not be used here, will she end their export to the US?

**Priti Patel:** I have just been reliably told by the Policing Minister that rubber bullets are not authorised for use on the mainland.

**Kerry McCarthy** (Bristol East) (Lab): As a Bristol MP, I want to commend the police for how they handled things yesterday; it was a very difficult situation for them. Does the Home Secretary agree that we need to look at the underlying reasons for people going out on the streets to protest yesterday, and accept that austerity, covid-19 and many other issues are factors behind that?

**Priti Patel:** The hon. Lady raised a number of issues. First, I have spoken to the chief constable of Avon and Somerset and the Policing Minister and I have had a considerable debrief on what happened yesterday. With regard to the protests, I have already spoken about the right to protest in a peaceful, lawful and respectful manner. What we witnessed yesterday was mob rule, which is completely out of kilter with the rule of law and unacceptable.

**Gary Sambrook** (Birmingham, Northfield) (Con): The protests in Birmingham last week were very peaceful, but unfortunately the same cannot be said for the weekend's protests in London. Does my right hon. Friend agree that there is never any excuse for thuggish and violent behaviour against our police officers?

**Priti Patel:** My hon. Friend is absolutely right.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): I congratulate many of the peaceful protesters and the police and authorities that have helped to facilitate those protests, while acknowledging that the UK is still a racist country for many people. The Home Secretary is eager to comment on operational matters, but stays quiet, of course, when the Prime Minister encouraged lots of sunbathers, predominantly white, to mass-gather on the beaches of Brighton. Is it only black protesters who are the problem and not white sunbathers? Will she ensure that messages are coherent on this issue, and will she speak out—

**Madam Deputy Speaker (Dame Eleanor Laing):** I call the Home Secretary.

**Priti Patel:** The Government's position on coronavirus could not be any clearer—

**Lloyd Russell-Moyle:** Incoherent!

**Madam Deputy Speaker:** Stop shouting.

**Priti Patel:** It is coherent. The hon. Gentleman should understand the message of saving lives, staying alert and not participating in mass gatherings of six or more people. To do so is dangerous to public health. I have made that point today. In fact, the Health Secretary, who was in the Chamber before this statement, echoed those points as well. I say to the hon. Gentleman that we are in a public health emergency. It is down to all of us—whether as local MPs, councillors or citizens in our community—to make sure that we all uphold those standards, as the majority of the public have done, so that we can save lives and protect the NHS.

**Steve Brine** (Winchester) (Con): Everyone has the right to peaceful, lawful protest, but in a pandemic they do not, whatever the cause, have the right to act in a way that could impact on others who choose not to hit the streets in a mass gathering. Does the Home Secretary take the view that as well as Ministers pleading with the public to stay away on health grounds, police forces should warn those who organise such events that they are organising what are currently illegal gatherings?

**Priti Patel:** My hon. Friend is absolutely right. This comes back to the point that I made earlier. Many of the organisers behind these protests are not engaging with the police. Police forces around the country have worked incredibly hard over the last 10 or 11 weeks to get the message out there by engaging with their communities, and they will continue to do so.

**Mrs Natalie Elphicke** (Dover) (Con): Given the risk that the protests may cause a second wave of this virus, and given the disgraceful violence and destruction that we have seen, does the Home Secretary agree that it is time to give the police greater powers to control demonstrations and marches where police commanders believe there is serious risk to public health, public order and property?

**Priti Patel:** This weekend has shown that these protests are a threat to public health. On those grounds alone, our police officers are working night and day across the country to reiterate that point and communicate that message. My final comment is that the operational independence of chief constables is recognised in law, and the Police Reform and Social Responsibility Act 2011 gives police and crime commissioners responsibility for policing within their forces. It is important that they reiterate many of these essential messages.

**Madam Deputy Speaker (Dame Eleanor Laing):** I thank the hon. Members who took part in the second half of that statement for being swift. We were therefore able, in just over an hour, to allow everybody who wanted to participate to do so. That is a fair and decent way of doing things.

In order to allow the safe exit of hon. Members participating in this item of business and the safe arrival of those participating in the next, I am now suspending the House for five minutes.

*Virtual participation in proceedings concluded (Order, 4 June).*

5.46 pm

*Sitting suspended.*

## House Business during the Pandemic

*Emergency debate (Standing Order No. 24)*

*[Relevant Documents: First Report from the Procedure Committee, Procedure under coronavirus restrictions: proposals for remote participation, HC 300; Second Report from the Procedure Committee, Procedure under coronavirus restrictions: remote voting in divisions, HC 335; Third Report from the Procedure Committee, Procedure under coronavirus restrictions: the Government's proposal to discontinue remote participation, HC 392; First Special Report from the Procedure Committee, Procedure under coronavirus restrictions: the Government's proposal for proxy voting for shielding Members, HC 429; and Procedure under coronavirus restrictions: Transcript of oral evidence given by the Clerk of the House and the Clerk of the Journals on 1 June 2020, HC 300.]*

5.51 pm

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I beg to move,

That this House has considered the Conduct of House business during the pandemic.

First, I would like to place on record my gratitude to Mr Speaker for allowing this debate. I am acutely aware that it is still not a full week since we last debated this issue, so I think it is worth reminding ourselves of the reasons why Mr Speaker was persuaded that it was appropriate to have this debate today.

Since the House divided, we have seen the practical outcome of the decision that was made to restore physical attendance to this House. We have seen Members queuing round the block, up the stairs, down the stairs, through Speaker's Court and in just about every imaginable part of the parliamentary estate. It has not done any great service to the reputation of the House. It has, in fact, exposed us to ridicule around the world.

I note in passing that we have card readers installed in the Division Lobbies today, so it might be in order for me to congratulate the Leader of the House on having been wittingly or otherwise the midwife of electronic voting in this House. It is always interesting to speculate what one's legacy might be at the end of one's time in office, and I wonder whether that is one that the Leader of the House would have sought. In a world where irony has been destroyed, that would just be one small adjunct.

**Karl McCartney** (Lincoln) (Con): I do not disagree with the right hon. Gentleman that the sight of us all walking through here to vote was slightly ridiculous. Is he aware that screens were previously erected in the Lobbies, but they were removed before we returned last week? Does he think that that was because there are no TV cameras in the Lobbies?

**Mr Carmichael:** I am sorry, but I cannot answer the hon. Gentleman's question because I do not really understand it—from some of the exclamations I hear around me, I fear I am not alone. To answer his question, I was not aware of that, but I struggle to see the relevance of it.

We also saw the attendance of the Secretary of State for Business, Energy and Industrial Strategy at the Dispatch Box. Thankfully, we have now heard that his test for covid-19 was negative. I am sure that we were all grateful to hear that and wish him well. As I said when I

made the application on Thursday last week, the outcome of the test was not the relevant issue. The sight of the right hon. Gentleman at the Dispatch Box, and the reaction to that among us all and among the watching public, should have been a wake-up call to the Leader of the House and to the Government. It is entirely regrettable that it was not.

**Layla Moran** (Oxford West and Abingdon) (LD): After the scenes of the Secretary of State sweating at the Dispatch Box were seen on television, I received countless emails from my constituents who, while they wanted me to represent their views, were asking me not to go in because it might make me a super-spreader of any germs in this place. It is utterly irresponsible, and surely we should not have to choose between the health of our constituents and our ability to do our jobs.

**Mr Carmichael:** Yes, I agree with my hon. Friend in all respects but one, which is that this is just one part of the job we do. When I hear the Leader of the House and others saying that it is time for us to get back to work, I have to say that it sits rather ill with me. I have to say that from my own experience, and I know this is the experience of others, I have never been busier and I have never had a heavier mailbag than I have had since the initiation of lockdown.

**Jonathan Gullis** (Stoke-on-Trent North) (Con): Will the right hon. Gentleman give way?

**Mr Carmichael:** I will give way once more, and then at that point I will want to make some progress.

**Jonathan Gullis:** The right hon. Gentleman says that we work beyond this House, which obviously we do, but does he recognise that the work in this House is extremely important in looking at what the Government are doing, and that being physically in this building will help us in exchanging words about that, as we are doing now?

**Mr Carmichael:** I do absolutely agree with the hon. Gentleman. That is why I have never made any secret of the fact that I regard the virtual arrangements as having been sub-optimal, but there is a cost-benefit analysis to be made. My conclusion, and I think the conclusion of many, is that the cost of return at this time outweighs the benefits that we have had. That judgment is really what it comes down to at the end of the day.

Just consider how many hon. Members might have had contact with the Secretary of State, had he been infected, and then at the end of Tuesday gone home. Who else might they have met, and who might they have gone home to and then passed on the infection and the virus to?

In fact, on the subject of going home, it has been reported to me—obviously I was not present to hear the remarks—that at the 1922 committee last week, the Leader of the House attributed to me a motivation that I adopted the position I hold because I do not like the long journey. I have to assure the Leader of the House, and indeed the House as a whole, that that is not the case. If I were put off by a long journey, I would not have been able to serve for 19 years as the Member of Parliament for Orkney and Shetland. For the benefit of the Leader of the House and for other Members, let me

make it quite clear that the objection I have to ending the hybrid system is one based on parliamentary and constitutional principles and on public safety; it is not a question of self-interest.

If I were to return home to Orkney this Thursday night—I would get home on Friday night, in fact, just ahead of midnight—I would get to stay there until late on Sunday afternoon. At that point, and it is not a bad situation, I would be getting on a plane to start the journey back here—believe me, Madam Deputy Speaker, this is not a jumbo jet; it is a Saab 340, a 34-seater plane—and I would be sharing the plane and breathing the same air as people who would be heading off to Aberdeen the next day for hospital appointments, for their operations, for radiotherapy and chemotherapy or for whatever else. The idea that I might inadvertently transmit the virus to those people because I am infected but remain asymptomatic is one that, frankly, makes my blood run cold. That is why, having come here, I am staying here, and I will be here for the duration until it is safe to go home.

**Wera Hobhouse (Bath) (LD):** To avoid inadvertently spreading the virus, should not the advice be that we should all wear face masks? We know that indoor spaces are the most dangerous in terms of spreading the virus, and it is clear that if we unknowingly have the virus, by wearing a face mask we reduce the risk of passing it to someone else from 17% to 3%. Would not that be sensible Government advice for this House as well?

**Mr Carmichael:** Long before the coronavirus pandemic, several people told me that my appearance would be improved by wearing a mask, so this is perhaps no great surprise.

**Chris Bryant (Rhondda) (Lab):** That was just your wife.

**Mr Carmichael:** Don't take me there.

The principle—the important constitutional principle that is at stake here—is one of equality of all Members in this House. It is the subject of an excellent letter to the Leader of the House from a group of academics from University College London, headed up by Professor Meg Russell. She makes the point that not only did the Government win this return by a de facto exclusion of those who were most in need of the protection, but they have now put in place arrangements that have two tiers of Members. Not only does that affect us as Members, but it affects every single one of our constituents, because while there are constituencies and communities who are represented by people who are fit enough to be here, who have no underlying health condition and who have no one in their family whom they are required to protect, there are those represented by people who are not in that fortunate position and who do not have the option of physical attendance.

I commend the Government for at least restoring virtual participation by videolink, which we have seen operating again today, thankfully, but the position on Divisions is important because it runs right to the heart of this question of equality. If a Member has an underlying health condition and so is not able to attend, they are allowed to nominate a proxy; if, however, they are a

carer for, or simply residing with, a person in that position, they are equally unable to attend here—I have heard no one challenge that—but they are not allowed a proxy vote. So the opportunity for such Members to express in the Division Lobby, either electronically or otherwise, the view that they may have expressed on a screen is not given to them, and that is wrong. The hybrid Parliament existed to maintain that equality of representation of all communities and all constituencies.

Last week at the Dispatch Box, the Leader of the House made two claims that merit some attention. First, he said that the abandonment of the hybrid Parliament was necessary in order for the Government to get their legislative programme through. He might not have noticed, but in the week before the Whit recess we managed to deal with both the Finance Bill and the Immigration and Social Security Co-ordination (EU Withdrawal) Bill. In that regard, I remind him that the letter from the Constitution Unit at UCL observes that: “there has been no barrier to bill committees meeting in socially distant form at Westminster since 21 April. Had the government wished to do so, the Commons could also have run hybrid or virtual bill committees, as is now happening in the House of Lords.”

Pause and consider that for a second: we in the elected Chamber are now lagging behind the House of Lords in terms of our use of the modern technology that is available to us. If we thought that the covid-19 conga was going to bring Parliament into disrepute, then goodness! We only knew the half of it.

**Steve Brine (Winchester) (Con):** The right hon. Gentleman is a jolly fellow and I am enjoying his speech, but some very serious issues are facing this country right now. We discussed this matter last week, and although I realise his party has form in not respecting election results they do not agree with, I, as someone who voted against the Government last week and to retain electronic voting, accept that we were not successful. We had this debate then, but here we are again, discussing ourselves. Should we not move on?

**Mr Carmichael:** It was my decision to make an application, but it was Mr Speaker's decision to grant the application. If the hon. Gentleman is seeking to question Mr Speaker's judgment, he should perhaps make that clear. And the very best of luck to him. I see that he is not standing to correct the record in that regard.

The other point that the Leader of the House made last week was that, somehow or other, Members should be prepared to set an example. In this, there might be a bit more consistency than in other arguments. Let us remember that the ending of virtual proceedings ran contrary to the Government's own advice that if someone could do their job from home, they should do so. Of course, the Government have form when it comes to disregarding that particular piece of advice.

**Mr Toby Perkins (Chesterfield) (Lab):** In response to the point that was just made by the hon. Member for Winchester (Steve Brine) about the vote that we had a week ago, does the right hon. Gentleman agree that all those people who were having to shield were unable to vote in that Division? It was one of the biggest Conservative rebellions since Brexit, but lots of people were unable to

[Mr Toby Perkins]

vote. If those people had been able to vote, we might well have had a different result, so does he agree that it would be sensible for us to have another vote with everyone who has been elected to this House able to take part?

**Mr Carmichael:** Having committed ourselves to virtual or hybrid proceedings, it would have been sensible to make the decision to end them by a virtual process. However, that was not done, and we have to just accept that that was the way the vote went. If the hon. Gentleman has regard to the excellent letter from the Constitution Unit at UCL, he will find that it makes exactly that point.

One of the things that pains me more than anything else is the way in which the Government have chosen to do this without consulting the other parties in the House and without seeking to build the necessary consensus. So let us be quite clear that, in the event that this all goes horribly wrong, as it may well, only one person and one party in this place will be responsible for that.

I do not want to take too much time, but before I sit down I have to reflect on the fact that the hon. Member for Wallasey (Ms Eagle) was quite harsh in her judgment of the Leader of the House last week. She said that he had been the worst one ever. As I say, I think that that was harsh. Personally, I always reserve judgment until someone has left office as to where they stand in the panoply of greats. However, I think it is worth while comparing how the Leader of the House currently does the job with the way in which it has been done by many of his predecessors.

I was first elected to this place in 2001, and the Leader of the House then was Robin Cook, a man who had been demoted, as many said, from being Foreign Secretary. He never saw the transfer to being Leader of the House as any sort of demotion, however. He gave a weekly masterclass at the Dispatch Box in what it was to be a parliamentarian, and I am pretty sure that he would have had no truck either with the physical return at this time or, indeed, with the manner in which it has been executed.

In her assessment last week, the hon. Member for Wallasey prayed in aid the Prorogation of Parliament as well as the ending of the hybrid proceedings. She might have added to that the treatment of the Liaison Committee. The reason that Robin Cook—or, if you prefer, Sir George Young or William Hague, who have also given distinguished service to the House as Leader of the House—would never have had any truck with this sort of thing is that they understood that the office of Leader of the House had two functions. Yes, the Leader of the House is a Minister who is accountable to Parliament, but also, uniquely, they have a role as Parliament's representative within Government. Robin Cook, William Hague, George Young and others all understood the importance of that role, and they were never afraid to carry it out. They understood the importance of the principle of equality of all Members and the people that they represent in this place, and they understood that it was their duty in Government, at the Cabinet table, to protect it. That remains the duty of the Leader of the House at the moment. It pains me beyond

measure that he is so determined not to do his duty, and my plea to him today is a simple one: he should change his mind and do his duty.

**Several hon. Members rose—**

**Madam Deputy Speaker (Dame Eleanor Laing):** Before I call the Leader of the House, I should warn Members who are planning to speak, lest they might have prepared long orations, that this debate will last for only two hours in total and therefore there will be a time limit on Back-Bench speeches of five minutes, which may well reduce later in the day.

6.10 pm

**The Leader of the House of Commons (Mr Jacob Rees-Mogg):** I listened with great interest to the right hon. Member for Orkney and Shetland (Mr Carmichael), who is a distinguished Member of this House and former holder of office in the coalition Government. It is, of course, clear that there are still some concerns about the return to physical proceedings, and I am sympathetic to them; we are all trying to do our best to do right by our constituents at this difficult time. I pay tribute to the work of all those across the House who have persevered despite the limitations of lockdown to help individuals and businesses in their constituencies. The right hon. Gentleman rightly said that Members of Parliament have been exceptionally busy in their constituencies, with a workload that for many has been higher than they have been expecting in ordinary time, but this is not an ordinary time.

**Jonathan Gullis:** My right hon. Friend refers to the work that we have done, but it is no different from—in fact, it is probably less than—the work done by our key workers, such as school teachers, police officers, nurses and social care workers, in places such as Stoke-on-Trent.

**Mr Rees-Mogg:** My hon. Friend is absolutely right on that, which is one reason why I argue that we should try to lead by example. People who have been at the frontline have been working exceptionally hard and have been doing so in a way that is brave and deserves our commendation.

**Patricia Gibson (North Ayrshire and Arran) (SNP):** Does the Leader of the House not agree that not allowing MPs who are shielding to participate fully in this House is disenfranchising them and it is cruel and unnecessary? For shielding MPs, in particular, this needs to be rethought, reviewed and fixed.

**Mr Rees-Mogg:** I think the hon. Lady is not looking fully at what shielded MPs will be able to do. They will be able to have a proxy and to participate in the interrogative parts of Parliament's activities. We have to get the balance right between what can be done by shielding MPs and what allows Parliament to carry on doing its job. I fear that that is the key point, and I hope Members will understand that although their contributions have reflected their experiences and those of their party, it is our responsibility to consider Parliament's work as a whole—not just the duties of individual MPs, but the duties of our Parliament to the British people.



**Christine Jardine** (Edinburgh West) (LD): Listening to the Leader of the House, I am curious to know whether he could give us an example of a way in which this Parliament failed in its duty to our constituents and to our countries while we were operating a hybrid system. Where did it go wrong such that he felt it had to end?

**Mr Rees-Mogg:** Even the right hon. Member for Orkney and Shetland, who applied for and received this debate, has said that it was a sub-optimal system, and that has been the view of the Procedure Committee and it has been mentioned widely in debates. The legislative programme was running at a snail's pace comparatively. We were not delivering on our promises to British voters, and that is the point: the most important way in which Parliament makes a real difference to the lives of our constituents is through legislation. Our democracy could not function without this essential work. It is how we translate the results of general elections into tangible change.

**Several hon. Members** *rose*—

**Mr Rees-Mogg:** I give way to my neighbour, the Member for Bath.

**Wera Hobhouse:** On the subject of snail pace, was the voting we were doing last week not much slower than the virtual voting we did online, which worked perfectly well?

**Mr Rees-Mogg:** Snails do not go anything like as fast as we went in that queue, and I really do not think Members should be too smart to feel that they cannot queue when our constituents are. I think we have to recognise that.

**Jo Gideon** (Stoke-on-Trent Central) (Con): My constituents in Stoke-on-Trent Central are getting back to work, and they are worried about job losses and their future. I feel that what we are doing in this debate is a bit self-indulgent. Does my right hon. Friend agree?

**Mr Rees-Mogg:** My hon. Friend makes a good point. There is a great deal going on in the world and, thanks to the right hon. Member for Orkney and Shetland, we are debating ourselves—a subject that is of course of great interest to us.

**Mr Perkins:** The right hon. Gentleman's concern was that virtual debates were preventing the Government from getting on with their business, but the way in which debates took place was just one aspect; another was whether we needed to be here to vote. Even if we had wanted to get rid of virtual contributions to debates, surely we could still have had electronic voting, which would have been much quicker than queuing 45 minutes for a Division, as we did last week.

**Mr Rees-Mogg:** I am grateful to the hon. Gentleman, who is an assiduous attender of Parliament and very thoughtful in his contributions. Where I disagree with him is in my understanding of what a Parliament is. Parliament is a coming together from across the nation to one place; therefore, we cannot carry out our role as parliamentarians properly and fully when we are absent.

**Alexander Stafford** (Rother Valley) (Con): I thank my right hon. Friend for giving way to an intervention—something that could not be done in the virtual Parliament, thereby disenfranchising the people of Rother Valley. I therefore thank him for allowing me to participate fully in Parliament once more.

**Mr Rees-Mogg:** I am grateful to my hon. Friend, because that is a crucial point. Even with the social distancing requirements and a Chamber that is not as full as it would otherwise be, we have proper debates and ensure that the Government are properly held to account. That is unquestionably an advance on a virtual Parliament.

Legislation is how we translate the results of a general election into tangible change. In the Queen's Speech, the Government unveiled 36 Bills—an ambitious agenda that aims to help the whole country level up. People across the United Kingdom will be affected by the laws we pass, so this House must play its part in working to ensure that these Bills are the best they can possibly be. While it is natural that Opposition Members may be less enthusiastic about the programme as a whole, because as Disraeli said, it is after all the job of the Opposition is to oppose, my point to them today—[*Interruption.*] If the hon. Member for Rhondda (Chris Bryant) is seeking to intervene, I will give way. It is always such a pleasure to hear from him.

**Chris Bryant:** I think Disraeli also said that a Conservative Government were an “organised hypocrisy”, as I am sure the right hon. Gentleman well knows. If he is so keen on making sure that stuff can proceed swiftly, would it not be better to have a swift means of voting? I do not understand his addiction to queuing—unless it is from his regular queuing in Lidl. A former Archbishop of Canterbury said of reading the *Church Times*:

“It's a duty to read it, but a sin to enjoy it”.

Is it not the same with queuing?

**Mr Rees-Mogg:** If we are batting back and forth Disraelian quotations, he also said:

“A sophisticated rhetorician, inebriated with the exuberance of his own verbosity”,

but I would hate to apply that to the hon. Gentleman. [*Interruption.*] My hon. Friends think I should, but I will not, because he is a distinguished parliamentarian-historian and Chairman of the Standards Committee. In answer to his point about queuing, we have to use the methods necessary to proceed with Government business, which is the point I am making today. It can only be done by meeting physically.

**Stuart Anderson** (Wolverhampton South West) (Con): We are talking about swiftness and queuing. The people of Wolverhampton have been queuing for their essentials for the last three months. Are we not wasting time in this debate, and should we not be getting on with something more important?

**Mr Rees-Mogg:** I have a great deal of sympathy with that view, but the right hon. Member for Orkney and Shetland called for this debate and was successful in his application, therefore clearly Parliament has a desire to

[Mr Rees-Mogg]

talk about itself. That was not my choice, but I am here to participate and to do so fully, in a real and physical Parliament.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): I am sure that most of us appreciate that we are not here to talk about Parliament. We are here to talk about the fact that representatives who are unable to be here are representing constituents who are not represented by this Parliament, and that is wrong.

**Mr Rees-Mogg:** I am a bit puzzled as to why the right hon. Lady is contributing to the debate if she does not want to talk about Parliament. It seems to me that that is what the motion is about, but there we go. We are talking about how the House of Commons is operating under the covid-19 requirements. That is the topic of the debate.

What we are looking at is the essential work that can only be done by meeting physically. If we look at the progress we were able to make just last week on our legislative programme, and at what a contrast that was with the limited steps possible under the hybrid proceedings—[*Interruption.*] Does the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) wish to intervene?

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): No, keep going.

**Mr Rees-Mogg:** That is very gracious, but customarily, if Members sit on the Benches chuntering, they might give the impression that they wish to contribute more formally, so that our friends in *Hansard* may hear their wise words. May I suggest that the hon. Gentleman think through his intervention, and I shall be delighted, nay, honoured to hear from him later. [*Interruption.*] Does the hon. Member for Rhondda also wish me to give way?

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. Just because the hon. Member for Brighton, Kemptown was doing something wrong does not mean that that the hon. Member for Rhondda has to copy him.

**Mr Rees-Mogg:** Thank heavens, Madam Deputy Speaker, that we have you as Chairman of Ways and Means, to keep us in order in all our ways and many of our means.

The Zoom Parliament allowed some scrutiny to take place, and I was an enthusiastic advocate of having it. On 21 April, the choice was a Zoom Parliament, or no Parliament. Not only did we see Ministers coming to the Dispatch Box, but we were able to examine people's homes and their bookcases. However, we also recognised its inadequacy. Hybridity was not sufficient.

**Jonathan Gullis:** My right hon. Friend talked about the Zoom Parliament being inadequate. In education—I am former teacher—we know that Zoom has only been able to go so far, and that kids being physically back in the classroom means that they can get a better education. Surely our being physically back in the Chamber means that we can get on with the work that we need to deliver.

**Mr Rees-Mogg:** I entirely agree, and my hon. Friend makes the right comparison all ways round. I have noticed with my own children that remote education has been a good stopgap when other things have not been possible, but it is in no way as good as a real education in school, with all that that entails. The comparison works very well with Parliament. Indeed, the right hon. Member for Orkney and Shetland accepted that there are real difficulties with the hybrid process and the stilted nature of the debate that we had in the virtual Parliament. He said that himself, so it is not as if I am the only one who thinks it did not work.

**Mr Carmichael:** I absolutely accept that it is not a system I would want to use indefinitely, but it is right for the here and now. On the question of progress in legislation, will the Leader of the House confirm that the Constitution Unit at UCL is right in its assessment that the refusal to use hybrid proceedings for Committee and other stages of legislation is a matter of Government choice, not a question of possibility?

**Mr Rees-Mogg:** I am afraid I thought the right hon. Gentleman was in error when made that point in his introductory remarks, and I think UCL is also in error. The idea that Her Majesty's Government did not want to have Bill Committees so that we could get on with our legislative programme is patently absurd. Of course the Government wanted to get on with that, and to use whatever measures were available. However, the measures that were available were not sufficient; they were not enough to provide the number of Bill Committees we need for the work we have to do. The right hon. Gentleman is not the only hon. Member who found the hybrid proceedings unsatisfactory. My shadow from the SNP, the hon. Member for Edinburgh East (Tommy Sheppard), recognised the essential deficiencies of contributing virtually, and suggested that it created two classes of MP, and that a level playing field is needed. He would want the level playing field to be entirely virtual; I want to be primarily physical.

**Lloyd Russell-Moyle:** The right hon. Gentleman says that he wants a level playing field, but he has agreed to have virtual participation from people who are shielding. Does that not undermine his whole premise? All that is being asked is for him to allow those people who cannot participate because they are shielding, or helping to shield relatives, to be able to vote. Yes, they will not have full participation as that will be reserved for here, but at least they will not be denied their vote. What is the problem with that? He is allowing some virtual participation.

**Mr Rees-Mogg:** I am not sure that that point was worth waiting for. [*Laughter.*] I do not wish to be unkind—it is a matter for debate, perhaps on another occasion, as to whether it was worth waiting for or not. The motion last week that was tabled in my name allowed those who are shielding to vote by proxy, which meets the majority of the hon. Gentleman's concerns.

**Chris Bryant:** One of the problems with the two motions that the Leader of the House tabled last week is that they create two different categories of people who can self-certify. I hope he will return to that issue,

because it is a matter of concern to those who are in one category, but feel that they are excluded from another. That bit surely needs tidying up.

**Mr Rees-Mogg:** The hon. Gentleman makes a very good point, and I can assure him that it is under consideration. May I say that his second intervention was worth waiting for? I just want to continue—

**Lloyd Russell-Moyle:** Will the right hon. Gentleman give way?

**Mr Rees-Mogg:** If the hon. Gentleman wishes me to.

**Lloyd Russell-Moyle:** I remember the debates only a few years ago when the right hon. Gentleman and others were very sceptical about moving to a proxy system, because of the dangers of the Whips holding handfuls of proxies that they could effectively just walk through and of not being able to have dissent. Surely he recognises that those were his arguments. Why can we not now look for an electronic option that removes that potential danger?

**Mr Rees-Mogg:** I am grateful to the hon. Gentleman for that point. The Chief Whip is not in his normal seat, so I will whisper it very quietly in the hope that he does not hear, but I would still be concerned about the Whips exercising a very large number of votes. Even as a member of the Government, to go to the point of the right hon. Member for Orkney and Shetland about the Leader of the House having a broader responsibility, I do not think that would be ideal. I think it is preferable that the awarder of the proxy can decide the Member who will bear the proxy. I think that is a better system, but I think Members in the generality ought to come here physically to vote because that is bringing Parliament to one place.

I was just talking about the hon. Member for Edinburgh East, who said that

“the final link in the digital chain is a domestic broadband connection that often fails, leaving Members unable to participate fully or at all.”—[*Official Report*, 12 May 2020; Vol. 676, c. 216.]

We certainly saw that with the hybrid proceedings. MPs are not able to conduct all aspects of their job from home, because it misses the responsibility we have as lawmakers.

**Patricia Gibson:** I thank the Leader of the House for once again giving way. He is very generous with his time. I have been a bit reluctant to intervene on him, because BBC Parliament continues to misgender me by calling me “Peter Gibson” and by referring to me as a Conservative, which will not go down well with many of my constituents. On the point about voting—regardless of covid, although it is very important in this debate—does he not agree that taking 30-odd minutes in ordinary times to carry out a vote is not a good use of this Parliament’s time? It would be much better if we could vote electronically and take two or three minutes, as happens in the Scottish Parliament, and therefore get on with our work more efficiently.

**Mr Rees-Mogg:** I believe it is fair to say that the Scottish Parliament has not got remote voting. The voting still has to be done physically, within the Scottish

Parliament, and that is an important point to bear in mind. Voting is still done within the Parliament. If people look in the Division Lobbies, they may get an indication of the way Mr Speaker’s mind is working in making the Division system more effective. That, of course, is part of the process—that things improve and evolve as we work our way through this crisis.

Let me now turn to why scrutiny actually matters from the point of view of the Government, as well as of Back Benchers. By the time a Bill reaches the Floor of the House, many hundreds, sometimes thousands of hours have been dedicated to working up its policy details and drafting its clauses and schedules, yet it is only when parliamentarians are able to consider those clauses and schedules that our process of lawmaking begins in earnest. The Minister responsible for the Bill naturally wants to know what all Members think the legislation will mean for their constituents. Those views can be heard on Second Reading, upstairs in Committee and on Report.

Under the hybrid proceedings, we were only sitting for three days a week, which would never be enough for us to make progress on our legislative priorities. On the days when we were able to debate a Bill, the limited time for debate—cut by two thirds compared with a normal timetable—would have been deeply frustrating. In the fairly typical week commencing 2 March, there were 648 minutes of debate in the Chamber and Committees on primary legislation, compared with just 216 minutes in the hybrid week commencing 11 May. On secondary legislation, there was an additional 165 minutes of debate.

During my years sat in my old spot over there—I think it is a spot that still has a tick on it, so it is reserved—I became accustomed to Back-Bench MPs complaining about the limitations on the time for debate, so it comes as something of a surprise to me, now that I am standing here as Leader of the House, that it falls to me to make the case for more scrutiny against many of those same voices who actually want less time for scrutiny. For a Minister, these exchanges are not an adjunct to our democracy—they are our democracy in action. On any given day in Parliament, there is not only one issue considered; the issues are legion.

**Mr Carmichael:** If scrutiny of the Government is as important to the Leader of the House as he tells us, does he agree that the Prime Minister should have made the statement to Parliament before he made the broadcast on television?

**Mr Rees-Mogg:** The Prime Minister has made many announcements to Parliament, and the ministerial code is absolutely clear that Ministers must make their announcements to Parliament when Parliament is sitting, but the Prime Minister’s speech was on a Sunday, when the House was not sitting. I feel that one is slightly caught in the right hon Gentleman’s mind between Scylla and Charybdis. On the one hand, he wants everything to be done here, but on the other hand, he does not want us to be here. I am not sure which is winning—Scylla or Charybdis. However, Ministers want meaningful engagement.

**Ms Angela Eagle (Wallasey) (Lab):** Will the right hon. Gentleman give way?

**Mr Rees-Mogg:** It would be a particular pleasure to give way to the hon. Lady.

**Ms Eagle:** The right hon. Gentleman really should not caricature people worried about the exclusion of MPs who are shielding or have vulnerable family members as somehow not wanting to be here. It does no credit him at all. He really must be more generous in the way in which he deals with these arguments.

**Mr Rees-Mogg:** I am sorry that the hon. Lady does not want people to be caricatured, because I have a feeling that she quite likes caricaturing people from time to time. Pots and kettles come to mind. I should like to be very clear on people who are shielding. They will be able to appear remotely in interrogative proceedings, and they will have proxy votes if they want them, or if they prefer, they will be able to pair; it will be a choice for them to make. This is really important, and for the hon. Lady to suggest I am trying to do anything else indicates the level of confusion about this debate. *[Interruption.]* I heard a noise as if somebody wanted me to give way.

**Chris Stephens** (Glasgow South West) (SNP): Those who are shielding cannot participate in this debate because it is an emergency debate, in which only physical participation is allowed. Why should those who are shielding not participate in this debate?

**Mr Rees-Mogg:** It is a very good point, and a fair point for the hon. Gentleman to make, but you will see, Madam—Mr Deputy Speaker. A sort of transformation has taken place. Even without haircuts, Mr Deputy Speaker's hairstyle is not as lustrous as Madam Deputy Speaker's, and it is a different colour, as the right hon. Member for Walsall South (Valerie Vaz) helpfully points out.

However, look at what has been happening in this debate—this is happening as a debate. Questions are coming in at all angles, testing the Government's view. Why? Because we are here physically. I am not closed minded as Leader of the House. If it could work, with people who are shielded and cannot be here zooming in and making interventions, I would not seek to stop that out of stubbornness, but I do not yet see how it is possible to make a debate like this, with a vibrant exchange of views. I have not counted how many interventions I have taken, but how would this debate have flowed? How could we have got the exchange of opinion with people randomly popping up? How would they have come in? Would there have been a tower of Babel as they shouted over each other? Would they have to be on mute or off mute, and how would we know when they came on? Would a list have to be prepared in advance? Would someone have to apply to Mr Speaker in advance to get on the list to intervene on what I was going to say before they knew what I was going to say? It is really difficult to make a debate work with virtual interventions.

**Christine Jardine** *rose—*

**Andrew Griffith** (Arundel and South Downs) (Con) *rose—*

**Mr Rees-Mogg:** Of course I give way to the hon. Member for Edinburgh West (Christine Jardine), and then I will come to my hon. Friend the Member for Arundel and South Downs (Andrew Griffith).

**Christine Jardine:** I thank the right hon. Member for giving way, but does he understand the frustration of so many of us in this place? This is not about the process of government or debate or scrutiny, important though they are. It is about public health. We are in the middle of a pandemic and we are having to travel, from nearby or far away, coming into contact with members of the public, potentially taking the virus from here to our constituencies and from our constituencies to here, dropping it off with various people along the way. That is why we are concerned, and to myself and many others, that is far more important than the process by which we scrutinise the Government.

**Mr Rees-Mogg:** I am not unsympathetic to the concerns that the hon. Lady expresses. That is why the House authorities have set the House out as it is—to maintain social distancing to minimise the risk. I am sure that she paid attention to the report in *The Lancet* last week that showed that if we maintain the social distancing distance, which initially the Government quoted as 6 feet but is now correct at 6.5 feet, the risk of transmission—of being infected by somebody who is already infectious—halves, in comparison with half that distance, to a 1.3% chance of infection from somebody who is already infected. That is the importance of following these public health guidelines, onerous as they may be.

I would also say to the hon. Lady that we as Members of Parliament have our burden to bear in this process along with our constituents. Many of our constituents are doing things that put them at greater risk than we are at, and have carried on doing them throughout. We are classified as key workers. Why? Because democracy is important and our physical presence here is important to make democracy work.

**Andrew Griffith:** Does my right hon. Friend share my frustration and that of my constituents that at a time when the Government are making unprecedented interventions in our liberty, when our economy is in real crisis and potentially bleeding out every day, and when some of our citizens are still struggling to get the healthcare that they need, the danger is that this House looks, with the greatest respect, a little bit self-indulgent in that we are once again this evening debating the conduct of our own affairs and not devoting this time to the affairs of those we are sent here to represent?

**Mr Rees-Mogg:** My hon. Friend makes an extraordinarily good point. The right hon. Member for Orkney and Shetland asked for an emergency debate; perhaps others will ask for emergency debates on other subjects.

**Jonathan Gullis:** I do not pretend to be a historian like my right hon. Friend, but I am sure that during the blitz of 1940, Parliament would sit in the morning, obviously not at a time specified in the press so that it could avoid being attacked. So in this fight with coronavirus, is it not right that we come and sit in this House and do our duty?

**Mr Rees-Mogg:** I am entirely in agreement. We must lead by example because we are leaders in our community.

**Mr Carmichael:** The point to which I am yet to hear an answer from the Leader of the House is that he has promoted arrangements which for my hon. Friend the

Member for Caithness, Sutherland and Easter Ross (Jamie Stone) allow him to participate virtually in debates or questions because he is looking after a wife who is vulnerable and requires his care and attention, but do not allow him a vote, unlike other hon. Members who are attending virtually. That is a principle of equality. If Conservative Members do not understand the importance of that principle, then they might do a lot worse than to spend a little bit of time reading the constitutional textbooks.

**Mr Rees-Mogg:** The right hon. Gentleman makes a point with which I have a great deal of sympathy. I would remind hon. and right hon. Members that the formal advice from the Government is that those who are living with people who are shielding do not themselves need to shield, but I understand why many people who are living with people who have to shield want to shield as well for the safety of the member of their family. As I said to the hon. Member for Rhondda, I am listening very carefully to that point.

**Mr Perkins:** Like Conservative Members, I do not think that Parliament is at its greatest when we spend our time debating our own affairs, but if they feel so strongly that a debate about what happens here is a waste of time, could they not help this debate to finish quicker by not constantly interrupting the Leader of the House to tell him that we should not be discussing the damn thing?

**Mr Rees-Mogg:** The hon. Gentleman has now made two interventions, so I wonder why he is suddenly so concerned about other people's interventions. I can see that we should perhaps have a Standing Order to say that he may intervene but no other hon. or right hon. Members may do so.

**Chris Stephens:** The Leader of the House talks at great length about responsibilities. As Members of this House, we have responsibilities also to those who are employed here and work in this building, so why are the trade unions so concerned about some of these arrangements and deem this place an unsafe workplace?

**Mr Rees-Mogg:** The hon. Gentleman allows me to pay tribute to Marianne Cwynarski, who is in charge of these affairs for the House. She has worked incredibly hard to ensure that the people who work in the House are kept safe, that the best practices are ensured and that the numbers required for the physical return of the House are not that much greater than were required before we were back sitting physically. The hon. Gentleman makes a fair point, but the House authorities deserve genuine credit for dealing with that.

A true Parliament of the people, in which our elected representatives come together to discuss fully and debate the Government's agenda and their response to the events of the day, is what we need. That covers what we are doing to fulfil the promises that we made at the general election and on which we were elected. I now turn to the question of how we conduct our proceedings in ways that lead by example.

**Ms Angela Eagle:** It has been 30 minutes now.

**Mr Rees-Mogg:** The hon. Lady complains that I have been speaking for 30 minutes. I have a very happy memory from shortly after I was elected to the House when she managed to speak for well over an hour, so I go back to the point I made to her earlier about pots and kettles.

**Karl McCartney:** I hear plenty of chuntering from the Opposition Benches, and I would like to point out that many of us on the Government Benches have not made any interventions. If we were to total it up so far, the Leader of the House has taken far more interventions from Opposition Members than Government Members. So less of it, yeah? Have an open mind, not an open mouth.

**Mr Rees-Mogg:** I reiterate the point that a debate is about interventions. It is how we test the argument of the Government.

Members of Parliament are no different from others who are unable to perform their jobs fully from home and are now returning to their workplaces. I understand that many Members will feel concerned about their particular circumstances, but they can be reassured by the significant changes made to make the parliamentary estate covid-19-secure. It is clear to anyone in Westminster that, while we have emerged from the initial stage of lockdown, we are by no means back to normal. That is why I made it clear before the Whitsun recess that I would work with the House authorities to explore ways in which those unable to come here can continue to contribute.

I have every sympathy with Members who feel that the constraints of the pandemic prevent them from being able to attend in Westminster. The work of scrutiny is so important that it is right that we have brought forward a motion to allow those affected to have their say during scrutiny proceedings, but I remain conscious of how important it is that Members who participate in the decision-making process of the House ought and need to do so in person. As we saw last week, the decision on whether to vote Aye or No is a public one, for which individual Members can often find themselves held to account. It is a decision that should only ever be taken after the kind of serious consideration and engagement which is only possible when all those concerned are in Westminster. By the time Members are asked to vote, Ministers want to have had the chance to talk through fully any specific concerns of individuals or groups. That remains my strong view.

I am grateful to the Procedure Committee for its willingness to support the Government's desire to extend proxy voting. Last week, the House unanimously agreed to make this available to Members who are unable to attend at Westminster because they are at high risk from coronavirus because they are either clinically extremely vulnerable or clinically vulnerable. In making judgments of this kind, I have sought to balance the competing priorities of this place in a way that looks at Parliament as a whole. As I have maintained throughout, the Government are listening to Members across the House. I am—I hope this will please the hon. Member for Rhondda and the right hon. Member for Orkney and Shetland—giving thought to bringing forward a motion that extends proxy voting beyond what has already been agreed by the House, to include Members who are more widely affected by the pandemic.

[Mr Rees-Mogg]

Parliament must send a clear message to the country: we are getting on with our work as best we can during a period of great challenge, just like everyone else. That is the spirit in which I encourage all Members to view our proceedings during the pandemic. We recognise that there are difficulties, but we are showing leadership to the nation in persisting in our purpose. We are doing our duty in leading the way. Our constituents will not entertain the notion that we should ask parents to send their children back to school while we choose to remain at home.

Fortunately, that is not our approach. Rather than suffering the depredations of the muted hybrid Parliament, we are once again talking to each other in ways that were impossible when we were scattered to the four winds. Rather than wading through the treacle of the hybrid proceedings, which even the right hon. Member for Orkney and Shetland said were far from perfect, we are once again fleet of foot and dancing a legislative quickstep.

I have enjoyed the formalised interventions in this speech just as much as I enjoy the informal interventions of Members putting their socially distanced heads around my door. Rather like the school swot secretly delighted by extra homework, I must confess that my appetite for the opportunity of today's debate is very great, even though some may think—and some of my hon. Friends have indicated that they do think—that talking about ourselves under the current circumstances is a little self-indulgent. For there is more to our democracy than general elections. Between polling days, it is in Parliament where the interplay between Ministers and MPs comes alive. I am delighted that that interplay, as we see today, is being restored, allowing our Parliament to scrutinise legislation properly and to get on with its core business of delivering for the British people.

**Mr Deputy Speaker (Mr Nigel Evans):** Before I call Valerie Vaz, may I say that there are a lot of people who wish to participate in this debate? I ask people to perhaps temper interventions and take some of the heat out of the debate.

6.46 pm

**Valerie Vaz (Walsall South) (Lab):** I thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for applying for the Standing Order No. 24 debate, and I thank the Speaker for granting it. It is important, because we are trying to persuade the Leader of the House that he is wrong. We need to restore a way for all right hon. and hon. Members to participate as equals, instead of having a two-tier or two-class membership of this Parliament.

I want to address some of the arguments, myths and legends that the Leader of the House has perpetuated. Myth No. 1—he said that we have more effective scrutiny by being here. We are in the middle of a pandemic, and we can have only 50 Members in the Chamber. We had effective scrutiny, where every Member could take part in the same way: by applying for and being called to ask questions, and by being called to speak in a debate.

Myth No. 2—the Leader of the House said that we were returning safely. There were 400 in the Division queue, queueing for hours. That is not the same as

queueing for food. Actually, it has never taken me 45 minutes to queue for food, but it has taken us longer than that to vote.

Myth No. 3—the House does not work effectively on behalf of our constituents. I say it again, and I am glad to see that the Leader of the House has conceded this: we do, and we are. Whether it concerns constituents stranded abroad, furloughing or businesses, we have been working here, and we have debated and voted like we always do.

Myth No. 4—line-by-line scrutiny of Bills. We are in the middle of a pandemic, and we have only just set up this system. Our House staff have done a fantastic job to get us into the position of being able to take part in debates and vote remotely. By the way, all Select Committees have been able to participate in Zoom rooms. We could still have Bill Committees doing that.

Myth No. 5—we arranged only business that would be non-contentious. Yes, we all agreed, because we were in the middle of a pandemic. It was agreed by all parties to allow the system to get up and running and so that the staff who worked overtime on the new system would be able to get it into place.

Myth No. 6—time limits on scrutiny. There have always been time limits on scrutiny. If the Leader of the House really wants scrutiny, why have the weekend press conferences been cancelled? What steps is he taking to ensure that all written questions are replied to in an appropriate way? That is a tool for scrutinising the Government.

Myth No. 7—no one is banned. Yes, we are. If someone physically cannot get here or wants to protect people, whoever it may be—even strangers on a train—they cannot vote. The Leader of the House said that the measures were temporary. Yes, they are temporary measures while this pandemic is in progress. I am not sure whether he has read the accounts that were published in the newspapers at the weekend of members of the public who are still trying to recover from the disease, but he should do so. We know that the R number has increased in the north-west. The Leader of the House, the hon. Member for Edinburgh East (Tommy Sheppard) and I have worked together and signed motions to enable business to take place, until the Leader of the house dictatorially decided to end it.

Myth No. 8—it might take a bit longer. Previously we voted in 15 minutes, so that was an understatement—it took 45 minutes, or nearly an hour. Will the right hon. Gentleman update the House, perhaps by placing a letter in the Library, on how long the votes took from the start to the announcement of the results. I would like to know that, because the way we voted on Tuesday was not in the interests of Parliament or our constituents.

Myth No. 9—getting it done. The Leader of the House referred to 216 hours of parliamentary legislation. This is not normal—we are not in normal times. It is not normal for people to be working from home and educating their children. We were only back for three days during the height of the pandemic. It is changing now. It is not normal for there to be excess deaths in care homes, and that has not even been addressed.

Myth No. 10—on the system clogging up so that we cannot pass Bills. I do not know where the Leader of the House was, but we voted on the Agriculture Bill and the Trade Bill, and those went through.

Myth No. 11—we need to vote in person. We were all voting individually, on our phones. I was able to sit here while other hon. Members were able to vote somewhere else, but everyone took part equally.

Myth No. 12—we have complied with social distancing. We did not. Anybody who saw the way we stood in that queue on Tuesday knew that we did not, and the Leader of the House did not do that himself either. I know because I was watching from the top of the steps in Westminster Hall.

Myth No. 13—there is no accountability unless we are here in person. The Leader of the House then said that the Liaison Committee, which was done in a virtual proceeding, was successful. Every time the Chair of a Select Committee tried to question the Prime Minister and he did not want to answer, they were interrupted and told, “Move on, move on.” That is not accountability.

Myth No. 14—let me take on the Leader of the House’s point about interventions. Those are not a right; it is just a parliamentary tradition. It is up to the Member to allow interventions. Obviously, he was trying to prove his point, so many Government Members tried to intervene, but parliamentary tradition changes, as he knows—just as we do not wear top hats when we make points of order, and just as women are now allowed on the Floor of the Chamber, when previously, we were up there.

Myth No. 15—the Leader of the House said, “Let’s listen to what comes forth from the Procedure Committee”, yet he completely ignores the fact that the Procedure Committee are now undertaking a consultation on proxy voting. That is exactly why we have these Committees of the House—so that we do not make all these new rules and procedures on the hoof. We listen to people and we make sure that it works, just as we have done on its previous, very timely reports, which have informed debates in the House.

Myth No. 16—we have a duty to the country and voters to fulfil both our collective constitutional function and our individual roles. Why is he denying other right hon. and hon. Members their right to vote without a sick note? I am sure that the Leader of the House will have seen the letter that the right hon. Member for Orkney and Shetland referred to in *The Times*—I am sure the Leader of the House reads *The Times*; his father used to edit it—from the University College London Constitution Unit. It also said that Members are being denied their constitutional right. As my right hon. Friend the Member for Barking (Dame Margaret Hodge) said in a tweet—this was very timely—she has been disenfranchised from voting for her own disenfranchisement.

The Leader of the House has created a two-class membership of Members. He has driven away the right of everyone to take part. He has exposed the personal circumstances of right hon. and hon. Members. We have a duty to stop the deaths. We have a duty to keep people safe. Going back to the hybrid system, with remote voting, is the right thing to do for hon. Members and our constituents.

**Mr Deputy Speaker (Mr Nigel Evans):** The Chairman of Ways and Means announced a five-minute limit on contributions from Back Benchers, but if Members can take less than that, please do, just to allow other colleagues to get in.

6.54 pm

**Karen Bradley** (Staffordshire Moorlands) (Con): If I may say, as Chair of the Procedure Committee, I always relish the opportunity to discuss procedure in this place.

I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing the debate. It is very important that this House is able to scrutinise, to represent and to ensure that the legislation that the Government bring forward is fit for purpose and right for our constituents. I make no apology for our taking some time to ensure that we get that right.

The point was made earlier about the arrangements that this Parliament had before the Whitsun recess, and I am on the record as saying that those arrangements were sub-optimal. I turned up in person. I participated twice physically and tried to participate virtually, but was not able to do so due to the internet, so I can quite safely say that the virtual Parliament was very difficult for me. I personally prefer being here in person; I am a traditionalist in that respect. However, I also feel that it is incredibly important that those who cannot be here must be allowed to participate, to have their voices heard and to represent their constituents. They were elected in exactly the same way as those of us who can be here physically, and they need to be heard.

Although I am clear that the arrangements before Whitsun were sub-optimal, this situation is far from optimal. We do not have a full Chamber. Yes, we can make interventions, which does make for a much more interesting and fulfilling debate. I would be very much in favour of continuing those interventions for those of us who are in the Chamber, but not for those who are participating virtually because there is a problem with participating and making interventions virtually; Members need to be teed up, they need the tech to work and they need to get around very many problems. As Chair of the Procedure Committee, I fully support the end that we now have to the full parity of treatment between those who can participate physically and those who can participate virtually, but that does not mean that we should prevent virtual participation.

I did a little totting up of what I thought had gone well and what we could perhaps do better on, because it is important that Parliament reflects on these things. What went well? The fact that Parliament met was a great achievement. We should pay great tribute to all the people who gave up their Easter recess to work. We have said before that our staff and the staff of this House use the recess to not work quite as hard as they do when the House is sitting because we ask so much of them when the House is sitting. Well, they did not get that break over Easter and they certainly did not get that break over Whitsun. We should pay tribute to them for the fact that we were able to meet at all.

The fact that we did have physical participation during that period was also a great achievement. This was the most visible place for social distancing. The whole world can see social distancing in action. It can see it today; it can see us all sat here, spaced out and properly observing social distancing. That is something in which we should take great pride.

The tech actually worked very well for most people. Despite the fact that my Committee said on 8 April that we did not believe that it was possible to develop a system of remote voting, we were able to do it. We did

[Karen Bradley]

have remote voting and it was quick, which meant that we could continue to spend all those hours and hours working on behalf of our constituents, and participating in the debates. We could listen to the debate and we could vote, and that was a real achievement.

I am glad that my right hon. Friend the Leader of the House made the point about how hard we have all been working. This has been an unprecedented time. I have been a Member of Parliament for just over 10 years, and I have never seen the volume of casework in that 10-year period that we have all been seeing. It has been individual, complicated casework. I remember spending one Friday night on the phone to the Foreign Office trying to get my constituent back from China. I remember the times I spent lobbying on behalf of constituents to get furlough arrangements in place—and great credit to the Government for managing to do that.

**Andrew Griffith:** I pay tribute to the Chair of the Procedure Committee. I think that both sides of the House would recognise that she has gone above and beyond to ensure that this House can continue to function. I also thank her for her recognition that any of these arrangements—those made in the past and those that we are making in the present—must remain firmly temporary, for the duration of this pandemic. She has been very consistent on that, as has the Committee.

**Karen Bradley:** I thank my hon. Friend, who is a member of the Committee, for his kind words and his point about the temporary nature of the arrangements. It is incredibly important that decisions that we take on our procedure during this pandemic are temporary, because, when we return to some form of normality, this House will have to decide how we proceed with our processes, procedures and rules and regulations.

My final thing that went well is Select Committees, which have been referred to already. Select Committees have met and scrutiny is carrying on. They have operated very successfully, and continue to operate, in a virtual world.

What could we have done better? Well, we could have been better at dealing with some of the uncertainty. My right hon. Friend the Leader of the House and I have already disagreed on this matter during an earlier debate in the Procedure Committee when he was kind enough to give evidence. The Government should have extended the motion that allowed for virtual participation until after the Whitsun recess, so that the House could have met without a recall of Parliament and made a decision about how we wanted to proceed without disenfranchising any Members.

We should have tested the voting system that we implemented last week. I urge my right hon. Friend to make sure that, whatever comes next for voting, we have a chance to test it, because this House needs to be happy and comfortable with it. The point was made about the Division Lobbies. I want to get back in those Division Lobbies as quickly as we can. They are a very valuable asset, but we have to make sure that they are safe. I urge my right hon. Friend to use deferred Divisions more. It is incredibly useful if we can vote, socially distanced, on deferred Divisions. On Public Bill Committees, there

was nothing to stop them meeting before the Whitsun recess, and I urge him to ensure that they meet, and meet for longer—

**Mr Deputy Speaker (Mr Nigel Evans):** Order. I call Patrick Grady.

7.1 pm

**Patrick Grady (Glasgow North) (SNP):** I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing the debate. It is important that we have the opportunity to consider these matters in the round, but, of course, the irony remains that those who are most affected—those with the most need to contribute remotely—are unable to do so in this debate. That is much the same as the unedifying scenes that we saw in the House last week when those most likely to be disenfranchised by the removal of virtual participation were excluded from those discussions and votes. That includes my hon. Friend the Member for Edinburgh East (Tommy Sheppard), who, I can assure the Leader of the House, is very much looking forward to leading for the SNP at business questions on Thursday virtually, as is his right and his responsibility. He is not here to respond directly to the references that the Leader of the House made to him in the debate.

It is very clear, as other Members have said, that if there had been a free vote of the House last week, or, indeed, if those who are currently shielding or are in a shielding household had been able to travel, the House would have supported the continuation of the full hybrid arrangements that had been in place before the Whitsun recess. The SNP's position remains that the hybrid arrangements should be restored in full. All Members should have equality of opportunity to participate in questions and debates and to vote using remote technology. What we have instead right now is a hybrid of the hybrid arrangements, and there are many questions that still need to be answered, particularly around the resolution of the House regarding proxy voting.

There are, as other Members have suggested, three categories of Members in place: those of us who can attend physically; those who are participating virtually in scrutiny proceedings due to medical or public health reasons; and those entitled to a proxy vote because they are clinically vulnerable, or extremely clinically vulnerable, to covid-19. That, as I think the Leader of the House has accepted, is not sustainable for any length of time. There must be one widely cast definition for remote participation that takes account not just of the Member's personal circumstances, but of those of the Member's household and, indeed, of their community. There needs to be equality of participation, the ability to join in both questions and debates and the ability for all Members to vote remotely, and those arrangements need to last for as long as is required.

We have heard today that shielding arrangements in Scotland will continue until at least 31 July, and Mr Speaker has extended virtual arrangements for Select Committees into September. The Leader of the House must confirm that arrangements for remote participation of Members will continue for as long as it is needed while the pandemic remains a threat, and for at least as long as any part of the United Kingdom has worked from home, guidance in place. That is the key part of the argument here. Government advice across the UK remains



to work from home where possible, and MPs, of course, already frequently work in their home constituencies as it is, but we demonstrated during the hybrid sittings that we could effectively and easily conduct parliamentary business using remote technology and work safely from home, in line with Government guidance. If this House and the Government want to show real leadership, as the Leader of the House says that he wants us to do, they should be making it easier for Members to continue to work remotely and not put strain on House staff or on the transport system and reduce our risk of becoming vectors for disease in London and in our constituencies.

The proxy voting system that has been in place for parental leave has worked well, but it is sub-optimal—which seems to be the expression of the day—in the current situation, especially as some of us may be asked by a significant number of our colleagues to act as a proxy for them. How will that work if the House is asked to divide on a matter of conscience or another issue designated as a free vote? What if the proxy voter themselves becomes ill and has to self-isolate at short notice?

We need more clarity in general about how test, trace, isolate and protect is supposed to work on the parliamentary estate. The staff of the House have been under enormous pressure since the beginning of the pandemic, and I join in all the tributes that have been paid to them. It is not good enough blithely to suggest, as the Leader of the House did last week, that some of them would be here anyway. The more Members who are present on the estate, the more staff are needed to support us in our work. I understand that the number of staff physically present on the estate has had to double to cope with the return of full physical sittings.

What contingency plans do the Government have in place for if Westminster becomes the source of an outbreak? Has the Leader of the House made plans for continuity of House and Government business if large numbers of Members or staff take ill? I am still waiting for advice on what individual Members should do if they take ill and develop symptoms while on the estate—do they self-isolate in London, or should they return to their constituencies with the risk that that entails?

On 21 April, in making the case for a return to physical proceedings, the Leader of the House told the Chamber:

“What we do in this House is not something that it is nice to do—a frippery or a bauble on the British constitution. It is the British constitution.”—[*Official Report*, 21 April 2020; Vol. 675, c. 8.]

Surely he cannot be proud that the British constitution has been reduced to the laughing-stock of the conga line that we saw last week, and I assure him that it is doing absolutely no good for the cause of the precious Union.

The Leader of the House carved out a reputation on the Back Benches as a champion of procedures and the right of ordinary Members to scrutinise the Government, but as things stand, that right is being denied to many Members affected by the pandemic. There is an old Vulcan saying, “Only Nixon could go to China”; well, only the right hon. Member for North East Somerset (Mr Rees-Mogg), the Leader of the House of Commons and Lord President of Her Majesty’s most honourable Privy Council, could introduce electronic voting. It worked, and it should be restored.

The Home Secretary said earlier in her statement, without a hint of irony, that mass gatherings in the current situation remain unlawful. What is this House and the estate today if it is not a mass gathering? With 50 of us in the Chamber at any one time and hundreds of us around the estate and potentially in any Division queue, that is not showing leadership.

The majority of my SNP colleagues will continue to work from home, in line with the Government guidance, in Committees, tabling written questions and early-day motions, holding virtual surgeries and now through virtual participation, if they qualify. Those of us who do travel will do so as safely, carefully and minimally as possible. We are moving out of the pandemic into a new normal: whether it is in the economy, the health service or the procedures of this House, there is no going back to old traditions. If the Government want the public and the House to recognise that, they must continue to work on a cross-party basis to restore equality of participation and remote participation for all Members of this House.

7.7 pm

**Mr Mark Harper** (Forest of Dean) (Con): I broadly support the return of Parliament in person, but a balance has to be struck between our setting an example to the country and making sure that those Members of Parliament who cannot be here—not those who have chosen not to be here, but those who cannot be here—are properly facilitated to participate. I do not agree with colleagues of mine who think that this debate is self-indulgent, because we do set an example, and in the coming days, weeks and months there will be workplaces throughout the country where decisions will have to be taken by employers about how to deal with members of staff who are shielding or have caring or childcare responsibilities, and how they are to be enabled to continue at work. Our job as parliamentarians is to do the right thing and set an example for the country.

Let me deal with several of the issues that have come up in the debate. On Members who are shielding themselves because they are vulnerable, I welcomed the motions that the Leader of the House tabled and the House passed last week to enable them to participate virtually in scrutiny procedures and to vote by proxy. I would like the Leader of the House to go further, as he hinted he might, because I do not see why those Members cannot participate in legislative procedures. I accept that it may be too complicated and simply not possible to enable them to intervene, and they may have to accept that their participation is not quite as it would be if they were here, but I do think it is important that they are at least able to speak in debate, on behalf of their constituents. I hope my right hon. Friend will take that away and bring some motions before the House in good order.

I also agree with the right hon. Member for Orkney and Shetland (Mr Carmichael) about those with caring responsibilities. The Leader of the House is quite right—I looked at the guidance in some detail—that those caring for those who are shielding do not have to shield themselves; but if a member of my family faced a very high risk of death or serious consequences if they contracted covid, I would not want to take the chance of coming here. I can see why the needs of Members in that position need

[Mr Mark Harper]

to be facilitated, and I think my right hon. Friend the Leader of the House hinted that he was considering bringing forward motions to deal with that.

**Mr Carmichael:** There is a practical consideration here. Many of those with an immediate family member who is vulnerable will find that they do not have access to carers, because carers are not able to come any more, so the caring duty falls automatically on to them.

**Mr Harper:** I am pleased that the right hon. Gentleman makes that point, which I believe is true, because it leads to my next point, which is about childcare.

In normal circumstances, Members of Parliament need to be careful when they complain about childcare. Compared with most of our constituents, we are very well paid; we are in the top 5% of income earners, so sometimes when I hear Members of Parliament complain about the difficulties of balancing working here with childcare—I accept that there are difficulties—I think that some of our constituents who have to manage working and childcare on considerably less generous salaries probably regard such complaints as self-indulgent. However, at the moment, it is difficult for people to get paid childcare, and many Members have children who are being educated at home, so it simply is not possible for them to get here and deal with those childcare responsibilities. Indeed, in his press conference on Wednesday 3 June, the Prime Minister, in answer to a public question from a lady called Toni, I think, accepted that lack of childcare was a perfectly valid reason for not being able to attend the workplace, and any good employer would recognise that in making decisions on whether an employee needed to report to work.

**Karen Bradley:** My right hon. Friend is correct, but there is another issue to do with childcare. As we are key workers, our children can go school, but there is a practical problem there: how do you get your children to and from school if you are in this place, doing your job as a parliamentarian, in the absence of the background childcare that you would normally have and the availability of grandparents and other relatives?

**Mr Harper:** My right hon. Friend is exactly right and makes that point very well. What is unique to us is that, even if a Member can send their children to school as a key worker, the children may go to school in the constituency, so if they cannot access paid childcare or family, the Member cannot perform their duties here. As I said, the Prime Minister himself accepts that that is a perfectly valid reason for not being able to attend. Such Members need to be able to participate in this House virtually and to vote by proxy.

The last point I wanted to draw to the attention of the Leader of the House is about legislation—the coronavirus regulations, which are the greatest restriction on liberty that we have seen in this country outside wartime, and perhaps ever. I accept that the first set of regulations were made by the Secretary of State using emergency powers under public health legislation and were not voted on by this House before coming into force, but those regulations have now been amended three times, and I do not think the urgency provision

can really be brought into force, although the Secretary of State says it can. We have the absurd situation now where there have been two sets of amendments and the regulations have been amended a third time before this House has even had the opportunity to vote on the second set of amendments.

The importance of that is illustrated by the events of the weekend. Under the third set of amendments, which have not yet been debated and voted on by this House, any gathering of more than six people is unlawful—it is against the law. So every single person who attended one of those demonstrations at the weekend was committing a criminal offence. The point about the debate in this House is important because I suspect many of those people were not aware that they were committing a criminal offence and this House has not had the opportunity to decide whether restrictions on protest are acceptable—

**Mr David Davis** (Haltemprice and Howden) (Con): Will my right hon. Friend give way?

**Mr Harper:** I will not, because I have only 30 seconds left. The House has not had the opportunity to decide whether the restrictions on protest are a proportionate mechanism for dealing with the coronavirus. So I ask the Leader of the House to make sure that these two sets of regulations are debated and voted on by this House at the earliest possible opportunity. May I also suggest that, if the Secretary of State makes any further amendments, he does not use the power to do so without this House having had the opportunity to take that decision itself?

7.15 pm

**Clive Efford** (Eltham) (Lab): It is clear that the return to Parliament last week was chaotic, rushed and ill-thought-through. Members did not know where they were voting. We were told to go down to Westminster Hall to join the end of the queue, so I went down there to join it but by the time it had started moving people were queueing right out the door. For the next vote, I went down to Westminster Hall, but I was ushered out of the building and I had to queue on the green outside the Members' entrance. I do not know who thought it was a good idea to have Members zig-zagging across the green outside, but whoever was in charge of security must have had kittens. When we voted later that evening, we did not queue out there, but instead queued around the car park. Who planned that? Who thought that through? Clearly the Leader of the House rushed us back and there was not time to sort that out. We were told that voting would take 30 minutes, but two thirds of us voted last week and it took 43 minutes. So this was ill-thought-out and ill-planned, and it disenfranchised Members of this House and their constituents.

Ironically, on that same day, we had a debate on the Parliamentary Constituencies Bill, in which the Leader of the House—I have read his speech—spoke eloquently about the need for constituents to have equal representation in this House. On the very same day, he voted for something that disenfranchises millions of voters. I have not totted up how many MPs were unable to participate and were excluded, but that must have resulted in millions of constituents being disenfranchised. I am delighted to be back here. I love this Chamber and being able to come in to participate in these debates, but

the biggest honour of all is representing constituents. Under the current arrangements, too many Members of this House are disenfranchised, and that is not acceptable.

The Leader of the House tells us that it is important that we have proper scrutiny, but I was here last year when he went all the way to Balmoral to tell the Queen we were proroguing Parliament. That was deemed illegal because we were not talking about five days, as is normal for proroguing; he wanted to shut Parliament down for five weeks. So where is this sudden conversion to parliamentary scrutiny that we have from the Leader of the House? We came back far too soon. They had 75 days to plan for the return of Parliament. We had virtual participation, which, although not perfect, allowed everyone to participate. We got rid of that and excluded Members of Parliament, but within 24 hours of being back we are reviewing the process and we are letting people vote by proxy. We have now got virtual participation back and, miracle upon miracles, we have electronic voting in the Lobby now. The right hon. Gentleman has to be commended for leaping us forward into the 21st century, but this has all changed within a week of coming back.

This has been ill-thought-out and ill-planned. We came back and disenfranchised MPs, and we got rid of virtual participation, but then we had to introduce proxy voting and now it looks like we are going for electronic voting. The Leader of the House needs to learn from this debate and from the fact that MPs are not here to debate themselves; they are debating their colleagues, and ensuring that those people are not disenfranchised and that the people they represent are not disenfranchised. It is absolutely right that Members of Parliament come here and debate that, and ensure that this place properly represents the people of this country.

So the Leader of the House needs to take this matter away. We cannot have a two-tier system for Members of Parliament—that is not the Parliament we were elected to. We need to review these procedures. We need to do that through the Procedure Committee, which has been doing excellent work but, above all, the Leader of the House needs to listen.

7.20 pm

**Mr David Davis** (Haltemprice and Howden) (Con): I will start by saying that I agreed wholeheartedly, and almost entirely, with the right hon. Member for Orkney and Shetland (Mr Carmichael), who opened the debate, and with every word of the remarks by my right hon. Friends the Members for Staffordshire Moorlands (Karen Bradley) and for Forest of Dean (Mr Harper). I agreed with the Leader of the House when he said that democracy is not an optional extra, or words to that effect, but the operation of democracy today, as we observe it in the House, is more enfeebled than I have seen it in 33 years here. That is a tragedy of the Government's making, and one that we need to fix as soon as possible.

The aim of the House is to hold the Government to account, but also to drive the direction of policy. If the Leader of the House wants to see how that is not working properly, an example was given earlier: the six-person limit on gatherings, which has not been enforced of course, and truthfully cannot be enforced in a democracy. That would never have happened had the measure had to go through the proper procedures of

this House. Similarly, the daft quarantine regulations we now have would never have survived the normal procedures of the House. Democracy is critical to good government, and that is not what we are seeing here today. I know it has always been an ambition of the Leader of the House to make the European Parliament look great. Well, he has succeeded today.

I have one controversial point to make, which comes down to this: this House has no life. It does not challenge Ministers properly. It must be the easiest thing in the world—I have done this a few times—to come to the Dispatch Box and deal with this House as it currently stands. A large part of that arises because of the 2 m rule, and the fact that we can have only 50 people in the Chamber. The atmosphere, drive, ferocity, and the mood of the House just does not exist.

We have to think about how we get back to normal, and how quickly we can do that. Clearly, we have to do it in a safe way, both for ourselves and as an example to our constituents and the country. I can think of only one way that could be done. According to Government numbers, we currently have a surplus of 80,000 tests a day. So we are not short of tests anymore. We may not be exercising them all, but we have that surplus. Austria, at Vienna airport, manages to carry out tests in two to three hours, from test to result. Will the Leader of the House consider instituting that here? Every morning between 8 am and 9.30 am, and perhaps if we start late until 12.30, every person who comes into the Chamber could be tested and then we would not need the 2 m rule anymore. Then we can suddenly have back the Parliament that was, and is, the envy of the world.

7.24 pm

**Mary Kelly Foy** (City of Durham) (Lab): That we are here today is frankly ridiculous. A lot of resources went into creating the virtual Parliament, yet the Government have abandoned it on a whim. They have not done that because we are now safe from covid-19, or with a plan in place; in fact, they still appear to be ironing out the details. Underlying this seems to be a desire to create a false sense of security for members of the public to return to work, based on the belief that, until Parliament is full, the Government cannot ask people to risk their health for the sake of the economy. However, Parliament is not full. Mr Speaker has rightly limited the number of Members in the Chamber, while the Government have finally allowed for some virtual participation.

Rather than have a primarily virtual Parliament—which, while far from ideal, was safe—we have this ridiculous system. This risks people's health. As we have heard, many MPs are shielding, vulnerable or caring for someone who is. Others fear putting their communities at risk. While I am glad that some virtual participation will continue, the Government have been clear that this involvement will be limited. In doing so, they are not just limiting the voice of a single MP; they are reducing the representation of every single one of their constituents. At a time of national crisis, we need more parliamentary scrutiny, not less. It is not just MPs who are affected. Parliament only functions due to the work of an army of House of Commons staff. This is simply not right.

We must remember that it is not just those in Parliament who are at risk. These buildings act as a hub—a place people travel to from all over the country. If someone in

[Mary Kelly Foy]

Parliament gets infected, it threatens the health of the communities we serve. While the Prime Minister's special adviser may think that the journey between London and Durham is worth the risk to my constituency, I do not. However, unlike Dominic Cummings, I have little choice but to be here.

Everything about these procedures is farcical, dangerous or both. If I thought this Government would listen to reason, I would implore them to change course. Instead, I hope that the threat to public health from these procedures remains just a risk, not a reality.

7.26 pm

**Jack Brereton** (Stoke-on-Trent South) (Con): As a member of the Procedure Committee, I am pleased to speak in this debate. When I put my name down for the Committee only a few months ago, I did not realise that it was set to be one of the busiest. I do not think my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), the Chair of the Committee and my constituency neighbour, thought so either. I would like to thank her for all the incredible work that she has done. I also thank Mr Speaker, the Leader of the House and all the House staff, who I know have been working incredibly hard to ensure that Parliament has continued throughout the pandemic and that the House can return physically.

I think it is right that we have returned to more physical proceedings. While it is important that we set an example, when we are asking more children to return to school and more people to go back to work, it is more than just symbolic. Given that the general election was only six months ago, there is a significant legislative agenda that needs time to be considered properly. Hybrid proceedings have not given anywhere near the time needed for that important legislation to be debated. Committee stages, Report stages and consideration of multiple amendments have been almost impossible. There is now a significant backlog of Government legislation to get through—according to what the Leader of the House said to the Committee when he appeared before us earlier today, it is around seven weeks' backlog.

In addition, the amount of time allowed for Back Benchers under the hybrid proceedings has been extremely limited, with strict limits on the number of speakers, no opportunity for interventions or bobbing and certainly no opportunity for spontaneity if a pressing constituency issue should arise. Scrutiny of Government has been taking place of a sort, but it has been extremely restricted, with nowhere near the usual level of opportunity for Members to ask probing questions of Ministers on the Floor of the House. I know that for many Back Benchers, the lack of opportunities to participate has been the chief argument for why we need to return to more physical proceedings, and it is important that those demands are met.

While time must, of course, be prioritised for addressing the backlog of important new Government legislation, we also need to address the continuing lack of Back-Bench debates. That is where I agree with my right hon. Friend the Chair of the Procedure Committee that the current situation is not yet entirely optimal. This is made worse by Westminster Hall debates not likely returning for the foreseeable future, due to demand on a limited number

of larger Committee Rooms for socially distanced Public Bill Committees. My constituents in Stoke-on-Trent South, like others up and down the country, will be keen to see us debating important local matters that they care about. Those debates would usually be granted coverage in Westminster Hall, and it is vital that further consideration is given to how Back Benchers can highlight important constituency matters in this place.

**Jim Shannon** (Strangford) (DUP): Will the hon. Gentleman give way?

**Jack Brereton**: I will not, because of time.

From the outset, it has been clear that more virtual proceedings are a poor substitute, but without any alternative, it was better than nothing. I commend all the work that has been put in by the House staff to make the seemingly impossible possible. However, we have now proved that we can return to some physical form, and I think it is important that we live by the fact that there was widespread agreement throughout this House that hybrid proceedings should be temporary when they were introduced. It is clear that there have been teething problems in returning physically, but we initially witnessed similar with both remote voting and hybrid proceedings. That should not be a barrier to returning physically, just as it was not a barrier to hybrid proceedings.

I can see that across the entire parliamentary estate very significant measures have been taken, in line with Public Health England advice, to ensure compliance with social distancing. I thank the staff here for their work to put the measures in place so quickly. Certainly, very large numbers of Members of this House, Members' staff and staff continue to work from home.

I hope that we can also learn some lessons from all of this. The hybrid proceedings have had some benefits, such as the improved call lists for those speaking, and better technology allowing greater functionality throughout MemberHub. As always, the procedures of this House will continue to evolve and improve. I am pleased that we are now moving forward with some limited virtual participation for those unable to get here and proxy voting for those shielding for medical reasons. I am also pleased with what the Leader of the House has mentioned today about consideration of further extending proxy voting. I believe that it is about the right balance to ensure that such Members can still take some part in proceedings.

Our constituents elected us to represent them in Parliament, and as Parliament has met here in Westminster, despite a few interruptions, since 1295, and certainly in this Palace since 1512, I think my constituents in Stoke-on-Trent South expect me to represent them here. Of course, MPs have been extremely busy throughout this time. Not only have we faced the realities everyone has—childcare and others—but we have seen a massive increase in our workload. However, the casework is not just about the things that MPs focus on, and our work here in legislating for our country is the chief reason we have been elected to represent our constituents in Parliament.

7.31 pm

**Ms Angela Eagle** (Wallasey) (Lab): We have a Leader of the House of Commons who operates by diktat, rather than by agreement or consensus, which is how he

should be doing the job. He makes little attempt to engage with others before he announces decisions, including those whom his role requires him to consult—the Procedure Committee, the usual channels, the staff unions and their representatives—especially when we are considering health and safety issues in the middle of a pandemic. We know he illegally shut down Parliament last year, with no sign of an apology and little sign of contrition when the Supreme Court found him out, and now he has been found out making arbitrary decisions to end hybrid proceedings, which he clearly despises, without the appropriate consultation, much less agreement.

The Leader of the House then proceeded to lecture everybody about doing their duty. He alone decided to let the Standing Orders lapse, and he did it before any risk assessment had been done in this place and before any equality assessment had been done in this place. I am told that there has since been some attempt to do this—but to justify a decision he made before he had done the assessments, which is precisely the wrong way around.

I am here because I am lucky enough to be able to be, but I want also to be a voice for those Members—we know how many there are after last week's farrago: hundreds of Members—who, for reasons of shielding, health vulnerabilities or caring responsibilities, at the moment, in a pandemic, cannot be here. They are watching these proceedings with frustration. They cannot vote or take part in them. They do not want to be told by some Government Members that this is a waste of our time. This is about ensuring that Members who have been elected to this House to represent millions of voters have the practical capacity to do so, without being forced to choose between their own health or risking themselves or, even more, their loved ones who might be vulnerable and shielding or their constituents to whom they do not want to pass on the virus. I am here to be a voice for them, unusually, as well as a voice for my own constituents in Wallasey.

It is about time that the Leader of the House stopped lecturing these people about doing their duty and understood the practical realities and constraints within which they have to work. It is about time that the Leader of the House accepted that in a parliamentary democracy other people's constituents have the same right as his to see their representative, whom they elected only last year, being able to participate in this place. It is about time that he understood that that has to be facilitated by agreement across this House with other, perfectly legitimate Members of Parliament and Opposition parties—Members and parties who happen not to be in a majority, but who still need to be regarded with respect. The Leader of the House shows very little. We are here to say that, although we are in opposition, our constituents deserve to be listened to. The constituents of those who cannot be here tonight deserve equal representation, and it is his duty his duty to facilitate it.

7.35 pm

**Chris Elmore** (Ogmore) (Lab): I want to focus on two points that the Leader of the House and the Prime Minister have spoken about in recent weeks. The first is the claim that Members are not in work if they are not here. Last week during PMQs, the Prime Minister said from the Dispatch Box—I am paraphrasing—that what we are doing will mean that Members get back to work. I do not think it is just my staff and me, or only Labour,

SNP, Liberal, Green and Plaid Members—I think it is every Member of this House—whose inboxes have been overwhelmed by panicked constituents after confused announcements from No. 10, statements that the Government wish to clarify several hours later, or statements not made on the Floor of the House, which means their representatives cannot make interventions or question Ministers.

It is insulting to every Member of the House that the Prime Minister and the Leader of the House says that we are going “back to work”. It is a shame that the Leader of the House does not have the grace to get up and apologise to all those Members who are having to shield or who have caring responsibilities and cannot be here to take part in these proceedings. I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael), who made the point only last week that he will not go back to his constituency because of the risk that that would pose to his constituents. This is not acceptable. If we had a genuinely hybrid procedure that involved scrutiny from all parts of the House, that would go some way to allowing every Member parity, fairness and equality and to ensure that they were representing their constituents.

Many Members have mentioned today how many members of the public are being disenfranchised by what the Leader of the House and the Government are putting forward. Interestingly, some estimates suggest that it is about 17 million—a figure that the Leader of the House is normally quite keen to quote when it comes to engaging with the electorate. Funny how he is not so keen on it now.

The second and final point that I want to raise with the Leader of the House—it is something that the hon. Member for Stoke-on-Trent Central (Jo Gideon) mentioned and was also brought up in the Procedure Committee's public evidence session this afternoon—is this nonsense that Public Bill Committees have been unable to sit because of decisions of the official Opposition, the third party or the smaller parties represented in this House. It is not for me to suggest that any Member misleads the House, intentionally or otherwise, but the reality is that the only party in this House that has stopped Public Bill Committees coming forward to scrutinise Bills is the Conservative party: the Government.

I wish to quote the Leader of the House's comments to my hon. Friend the Member for Walsall South (Valerie Vaz), the shadow Leader of the House, from *Hansard*. He makes accusations that the usual channels, or indeed the Opposition Chief Whip, have not engaged in appointing Public Bill Committee Opposition Members, but he said:

“May I conclude by thanking the shadow Leader of the House for her continually constructive approach to these matters? It is a real pleasure to be working with her in these difficult times to try to create solutions that will work for everybody. The attitude of the official Opposition has been exemplary, and I am very grateful for that.”—[*Official Report*, 22 April 2020; Vol. 675, c. 88.]

How can the Leader of the House make such a statement and then suggest, on the record in a public hearing, that the usual channels, the Opposition Chief Whip, or the smaller parties have refused to put Members on Public Bill Committees? He knows that is not correct.

I understand that the Leader of the House issued a clarification later in the Procedure Committee to qualify what he meant and went on to suggest that House staff

[Chris Elmore]

had not done what they should have to create a system. He knows that there was testing for hybrid Bill Committees and it worked. He knows that that would have allowed for more Bill Committees, but the Government chose not to do that.

The reality is that the blame rests, as my hon. Friend the Member for Eltham (Clive Efford) said, with a rushed decision that has changed week after week, and with the Leader of the House not engaging with the Procedure Committee, not working with Members across the House through the usual channels, and, frankly, making it up as he goes along.

7.40 pm

**Nadia Whittome** (Nottingham East) (Lab): When the advice to the country was, “Continue working from home if at all possible”, this Government decided that MPs should all return to this place for what we might call a mass gathering. It should not have needed a pandemic to drag this place into modern-day working practices, but thanks to your efforts, Mr Deputy Speaker, and those of the Speaker, as well as the efforts from colleagues here and the hard work of staff in Parliament, we adapted quickly to the hybrid system and we managed well.

Yet now the Government have taken backward steps, simply ditching the online system, stamping all over this fledgling innovative approach. Colleagues here have rapidly learned new working practices, setting a positive example about the value of flexible working. This is particularly relevant to people who are neurodivergent, disabled or with caring responsibilities. We need to move forward, not ditch our learning from this pandemic, so that we can be a more effective Parliament—a more inclusive Parliament leading by example on better working practices.

The Electoral Reform Society has said that Westminster should not return to “business as usual” after the outbreak without considering whether innovations adopted during the crisis should be kept. Darren Hughes, director of the Electoral Reform Society, is on record as saying:

“To cut down remote voting just as it’s bearing fruit would be reckless and wrong. We should be learning from how parliament has adapted during this crisis”.

We should return immediately to hybrid proceedings and remote voting to enable Parliament to work safely and effectively during the pandemic and make improvements from there, not be forced backwards in this way.

7.42 pm

**Mr Toby Perkins** (Chesterfield) (Lab): I have some sympathy with the comments of a couple of Conservative Members about the fact that at a moment of such importance in the nation we are once again here discussing our own affairs and our own matters. None of us enters this place in order to spend many hours having these kinds of debates, and I do not intend to spend the whole of my five minutes talking about it, but it is an important matter: we all know what these changes are about. The Government were very concerned that the Prime Minister was being exposed every Wednesday because he had not got those public schoolboys barracking behind him when he was being asked questions, and so the order

went out, “We need people back in the Chamber so that this scrutiny—this forensic approach that the Leader of the Opposition is bringing forward—can be barracked at and shouted down; we must change the way that Parliament sits.” That is a tremendous shame.

I have some sympathy with the argument that we need to be here in order to do our job. Frankly, I would probably be coming here for these debates myself anyway, although I recognise that there are colleagues who are excluded. However, there is a question about the message that we are sending. The right hon. Member for Forest of Dean (Mr Harper) said that we need to set an example to people out there. At the same time, as my hon. Friend the Member for Nottingham East (Nadia Whittome) pointed out, the Government’s own advice is, “You should work from home if you can”, and we had clearly found a way in which parliamentarians were able to make representations from home. We should have encouraged Members to come back and speak from the Chamber where possible, but allowed those Members who were excluded to continue making their contributions from home.

We should also have kept virtual voting, which is much simpler than the charade that we saw last week. I was very sad that people who had put in a tremendous amount of work to implement that system were unfairly criticised, because if we are going to have physical voting and we are going to have social distancing, then what we went through last week was probably about the best way that we were going to be able to achieve that. I do not blame those people for putting in place that great long queue that we had, but it was a ludicrous spectacle when we were walking up and down the steps of St Stephen’s Hall like marathon runners, going up one road and running back down the other, with people pushing in in front of each other because they thought they saw a chance to jump the queue. It really did not show this place in a good light. We could achieve the Leader the House’s desire to see Parliament represented and to have interventions that are only possible in this kind of Chamber while retaining online voting, so that we will not have to go through the sort of performance that we saw last week. I will leave it there.

**Mr Deputy Speaker (Mr Nigel Evans)**: I call Chris Bryant, who must finish by 7.49 pm.

7.45 pm

**Chris Bryant** (Rhondda) (Lab): Thank you, Mr Deputy Speaker. I want to be able to participate, because there are so many issues that I want to be able to raise. I want to ask why so many companies that took money from the Government for furloughing are now suddenly laying people off in my constituency. I want to be able to highlight British Airways’ appalling behaviour in completely reconfiguring its terms and conditions. I want to unpick the Government’s preposterous quarantine, which does not even last for 40 days, so could not possibly count as a quarantine. I want to ask why the UK has the highest excess death rate, and why, therefore, the Rhondda has one of the highest death rates in the world. I want to campaign for better pay for key workers when we come out of all this, and I want to make sure that pregnant women do not lose out in this period. All those things I want to be able to take part in, but my simple point is that I want all MPs to be able to take part.

Roughly, by my calculation, a third of the House of Commons is not able to take part in a fully physical way at the moment, for whatever reason. The House of Commons, to my mind, must be free or it is nothing. MPs must be free to speak their mind without fear or favour. They must be equally free, one as another, without preference and without restraint. They must be free to attend, speak, participate and vote, not for themselves but for their constituents and the communities they represent. That is our historic freedom; our ancient liberty. Even in the 14th century, as I am sure the Leader of the House remembers, the Commons forced the King to release an MP so that he could participate in Parliament.

We have managed to change some things since last week, and I am glad that the Leader of the House presented his two motions, but he admits that they are now inconsistent. Those two motions are inconsistent with what the Speaker is now allowing as well, so we need to get to a point of clarity, where there is consistency across the whole House. All Members should be able to participate not only in urgent questions, statements and questions but in all the business of the House. Some Members who are in their 70s and 80s and who are now shielding might actually have the best understanding of what we should do about matrimony. Maybe they should be allowed to participate in the second half of today's debate, rather than just the early part.

Some 45% of catering staff in Parliament are black or from the ethnic minorities, yet the House proceeded with the process of bringing everybody back, which I believe put the lives of those staff in peril, without having done a full assessment beforehand. That is not the way that we would expect any other employer in the land to behave. The Leader of the House is absolutely right: we should set an example. We should set an example by being the most courageous in looking at all our processes and seeing whether there is a better way.

We are one of the oldest Parliaments in the world. We should be the best at adapting to modern circumstances and to the difficulties of the moment, not the worst.

7.49 pm

**Mr Carmichael:** I am very grateful to all hon. and right hon. Members for their contributions to the debate. In responding, I essentially want to make one point.

This is not just about Members of Parliament. If I have learned nothing else over the years, I have learned that the market for Members of Parliament complaining about how difficult their life is, is an exceptionally niche one populated mostly by Members of Parliament and occasionally their mothers. It is not about that. It is about the very simple straightforward principle: the principle of the equality of participation and access to all who are elected to this House.

The question I sought to put to the Leader of the House was this: why is he insisting that we should abandon that principle, as important as it is, and do it so blithely? I made that point in my speech and others made it in theirs. I put it directly to him in an intervention on his speech. It will not be lost on anyone reading our proceedings now or in the future, that the Leader of the House had no answer to that simple straightforward fundamental question. This is an error of judgment of potentially catastrophic magnitude. It is a judgment, ultimately, for which the Leader of the House may have to be responsible. I hope there will be no doubt about that should this all go wrong.

*Question put and agreed to.*

*Resolved,*

That this House has considered the Conduct of House business during the pandemic.

**Mr Deputy Speaker (Mr Nigel Evans):** I am suspending the House for five minutes. Please maintain social distancing as you leave the Chamber.

*Sitting suspended.*

## Divorce, Dissolution and Separation Bill [Lords]

### *Second Reading*

7.55 pm

**The Lord Chancellor and Secretary of State for Justice (Robert Buckland):** I beg to move, That the Bill be now read a Second time.

Marriage will always be one of the most vital institutions in our society, but we also have to face the sad reality that marriages sometimes breakdown. No one sets out thinking that their marriage is going to end. No one wants their marriage to break down. None of us is therefore indifferent when a couple's lifelong commitment has sadly deteriorated. It is a very sad circumstance, but I believe that the law should reduce conflict when it arises. Where divorce is inevitable, this Bill seeks to make the legal process less painful, less traumatic. It does not, and cannot, seek to make the decision to divorce any easier. The evidence is clear that the decision to divorce is not taken lightly or impetuously. Indeed, it is typically a protracted decision based on months, if not years, of painful and difficult experience and consideration. The sad reality is that it is often too late to save a marriage, once the legal process of divorce has started. Once that decision has been reached, the parties need to move forward constructively. The Bill focuses on that very legal process.

**Jim Shannon (Strangford) (DUP):** My wife and I have been married for 33 years and my mum and dad and were married for almost 61 years. The sanctity of marriage is very important. Does the Minister not agree that more funding must be allocated to counselling services to provide trained help for those in marriage difficulties and to prioritise saving a marriage where there is still the will to do so but perhaps not the means to do so? The waiting list for free counselling with Relate stands at seven weeks in some areas of the country, and families cannot afford to pay for private counselling. Relate and counselling are so important in trying to save a marriage.

**Robert Buckland:** I am grateful to the hon. Gentleman. He cuts to one of the most important issues in the debate about divorce, and I absolutely agree with him on the merit of organisations such as Relate and the work that they do to support marriages that have run into difficulties. However, it is the sad experience that, by the time a decision to issue a divorce petition has been made, matters have gone beyond that, to a great extent—not in every case, but in my view, in the vast majority of cases.

The Government are working hard to support initiatives such as the troubled families programme and, in the last Budget, to invest more money into proper research into effective family hubs where work can be done to support families in conflict who are struggling and having difficulty keeping together. The work of the Department for Work and Pensions in the £39 million reducing parental conflict programme, even at this time of covid, is an example of the Government's strong commitment to supporting families. We believe that the family is a vital component of what it takes to be a civilised society. It is the source of stability, safety, love and all those things that we should be cherishing as a society.

**Andrew Selous (South West Bedfordshire) (Con):** We are in the final year of that £39 million, and there is no guarantee as to what will happen in the next financial year. Could the Lord Chancellor reassure us that he will be a doughty champion with the Treasury and at the Cabinet table to ensure that that programme is renewed, reinvigorated and properly funded?

**Robert Buckland:** I am grateful to my hon. Friend. I can make the assurance that I, in my position as Lord Chancellor, will do everything I can to reinforce the important messages about the values of family. As a Conservative, they are particularly important to me, but I know that Members of all parties in this House share those values and from their own experiences believe in the family.

I want to add this comment: it is because I believe in the family that I think these measures are the right approach. Some people might think that is contradictory, but I do not believe so, because I think it is our responsibility in the legal process to try to reduce conflict, because conflict leads to emotional difficulty. It can lead to damage. It can lead to serious consequences, not just for the adults in the relationship but, let us face it, the children, too. We owe it to them to minimise in our legal processes, rather than maximise, the damage that can be caused.

**Mr Jonathan Djanogly (Huntingdon) (Con):** One of the most important things for ensuring that families, when they do sadly break up, do so in an ordered way is an ordered financial process. We are one of the few countries in the world that I know about that does not have a process for pre and post-marital contracts. Does my right hon. and learned Friend not agree that this would have been the perfect opportunity to have brought in the wording that the Law Commission has already provided? It is sitting there and could be put into the Bill. Rather than leaving the courts to dictate the issue, this place should be dictating the issue. Will he consider that?

**Robert Buckland:** I am very grateful to my hon. Friend, who served for a considerable period in the Department I now have the honour of leading. He is right to talk about the financial consequences of breakdown. It is important to note the commitment made by my noble and learned Friend Lord Keen in the other place by way of a letter dated 16 March to Baroness Deech, which has now been placed in the Library of each House, that we will consider how a review of the law governing financial remedies provision on divorce may take place. I give him that undertaking.

**Sir John Hayes (South Holland and The Deepings) (Con):** I am extremely grateful to my right hon. and learned Friend for giving way. The Law Commission also recommended that rather than reducing the time that people can get divorced within from two years to six months, it should be reduced to nine months. Given his willingness to concede on the previous point, will he at least look at that again?

**Robert Buckland:** I am very grateful to my right hon. Friend. I know that he, like me, is a doughty champion not only for the family, but the need to reduce conflict. I know that he makes his point passionately, but I would



argue that the way in which this Bill is constructed makes the so-called quickie divorce a thing of the past. The minimum terms that we are talking about provide an equality of approach that will no longer discriminate in favour of those couples who perhaps have the means and the wherewithal to either separate and live separately or to employ the sort of lawyers who can, shall we say, get things done in a more expeditious way.

I stress to the right hon. Gentleman that the six-month term that has been naturally focused upon is a minimum. There will be divorces that take longer than that for reasons of complexity relating to each relationship. The point is that there will not be divorces that can take place in as quick a time as eight weeks, as is currently the case.

Reform of divorce law is supported not only by the lawyers, judges and mediators, but by the Marriage Foundation and, importantly, by evidence from academic research. It is evident that the law does not do what many people think it does. It cannot save a marriage that has broken down, nor can it determine who was responsible for that breakdown. Allegations made in a divorce petition by one spouse about the other's conduct give no advantage in any linked proceedings about arrangements for children or financial provision for a spouse, yet the current law can perversely incentivise conflict. It requires an applicant for divorce or for the dissolution of a civil partnership to provide details to the court of the respondent's unreasonable behaviour if their circumstances mean that they need to divorce before a two-year separation period. The incentive at the very start of the legal divorce process to attribute blame can only serve to antagonise parties at the most difficult time in their lives. Moreover, the court in practice has limited means by which to inquire into such alleged behaviour and must often accept what is said by one spouse at face value. This can be a source of real resentment for the other spouse.

**Mr Toby Perkins** (Chesterfield) (Lab): I congratulate the Secretary of State on what he has said so far. This is an important Bill that we look forward to supporting. Does he agree that this legislation is needed all the more because of the huge backlog in the court system right now, and that, alongside the important measures that he is introducing, we really need some Government heft to support our legal system and clear away that backlog?

**Robert Buckland:** The hon. Gentleman is right to talk about the caseload, which covid has exacerbated. He will be reassured to know that the senior judiciary and Her Majesty's Courts and Tribunals Service are working every day to expand the current capacity, to open more courts as we move away from the peak, and to look at alternative capacity in order to get as many cases running as possible and to deal with what must be an agonising wait for many families and victims. I would say—and I know that the hon. Gentleman would agree—that this Bill is not about the immediate crisis. It has been brought forward after long consideration, and has been dealt with very carefully in the other place. Indeed, it went through most of its stages in this House during the last Parliament, and represents an important milestone in the evolution of our approach to the sensitive and difficult subject of divorce.

I was talking about the perverse position whereby the current attribution of blame does not benefit anyone or serve society's wider interests. Instead, it can create long-lasting and often bitter resentment at the outset, precisely at a time when couples need to work together to agree arrangements for their children and their finances. Furthermore, the simplistic allocation of blame to meet a legal threshold does not really reflect the reality that responsibility for a marriage breakdown may be shared. Marriages sadly end for a multitude of reasons. Existing law does not reflect that reality, and the truth is that we have stretched the law for a number of years in order to set out behaviour particulars sufficient to satisfy the court and obtain a divorce—a form described by the former president of the family division, Sir James Munby, as intellectual dishonesty.

**Andrew Griffith** (Arundel and South Downs) (Con): I accept the immense good faith with which my right hon. and learned Friend brings this Bill to the House, but does he share my concern, sadness and pain for the grandparents involved in any situation where there is family separation?

**Robert Buckland:** My hon. Friend is absolutely right to remember the wider family concerns, and the difficult position that grandparents—often on both sides of the divide—face when it comes to issues of contact and the welfare of much-loved grandchildren. He is right to remind us that that is a real dimension of the situation.

**Steve Brine** (Winchester) (Con) *rose*—

**Mr Perkins** *rose*—

**Robert Buckland:** I will give way to my hon. Friend the Member for Winchester (Steve Brine) first, but I will come back to the hon. Member for Chesterfield (Mr Perkins).

**Steve Brine:** I have to be honest with the Lord Chancellor: I am troubled by his Bill, but I am not yet entirely sure why and I am listening for him to give me a reason. It almost feels as if we are trying to prevent something from pulling apart by seeking to bind it together even tighter—almost “What the law has bound together let no one put asunder.” Does he agree that, as a society, we should invest more heavily in relationships, in preparation for marriage and in conflict resolution? I remember myself and Mrs Brine doing that, which is why we are so happily married—17 years next week. If that were the case, maybe fewer relationships would fail.

**Robert Buckland:** My hon. Friend makes the point extremely eloquently that all of us are concerned about the institution of marriage. Those of us who value it and who are part of it can see its benefits, but we are concerned to see a decline in its use—a decline in committed relationships. This Bill will not solve those problems. It will not stop those problems. This is a Bill about the legal process. I do not pretend that, through this legislation, we can solve some of the sociological issues that he raises, but he is right to look through the telescope the right way. My worry is that, however well-intentioned those who are properly concerned about the details of the Bill might be, we are in danger of looking through the telescope the wrong way if we focus our attention on this process, as opposed to what might happen at the beginning.

**Mr Perkins:** The Secretary of State is right about the conflict caused by the current system. Does he agree that the old adage is true, that it is a good man who can keep a wife happy, but it is an amazing man who can keep an ex-wife happy?

**Robert Buckland:** I could not put it better myself, and the hon. Gentleman makes his point with characteristic force.

**Sir Robert Neill** (Bromley and Chislehurst) (Con): Will my right hon. and learned Friend give way?

**Robert Buckland:** I give way to the Chairman of the Justice Committee.

**Sir Robert Neill:** I am grateful to the Lord Chancellor, and I support the Bill. Is it not an important argument, which I hope my hon. Friend the Member for Winchester (Steve Brine) will take on board, that it is clear from research by practitioners and academics that the requirement to allege fault does nothing to protect the institution of marriage or alter the divorce rate or the breakdown rate? That is exactly why it is right to look through the right end of the telescope, not the wrong one.

**Robert Buckland:** My hon. Friend will recall his Court of Appeal appearances, where the tribunal might have said, “Mr Neill, that’s your best point. You needn’t go any further.” He makes an important point on the issue of blame; it does not help anybody when it comes to these issues.

The clear purpose of the Bill is to reduce conflict, because conflict does not help when it comes to the legal end of a marriage. That can only be to the advantage of divorcing couples and their children, because children’s best interests are most clearly served by the reduction of conflict and the co-operation of divorcing parents who work together to ensure that they co-parent effectively. The Bill will help couples to focus on a more constructive way of collaborating in making future arrangements that are best for their family—in essence, looking forward rather than backward.

**Sir John Hayes:** I am grateful to my right hon. and learned Friend for giving way a second time. The acid test is: as a result of this legislation, will there be more divorces or fewer? It is my contention that if we make something easier, people are more likely to do it.

**Robert Buckland:** I understand entirely my right hon. Friend’s concerns. The number of divorces has declined in recent years, but that perhaps goes back to the point made by my hon. Friend the Member for Winchester about the beginning of it, because the number of marriages has declined in proportion since 1972, just under 50 years ago. Taking the long view, one should focus upon the beginning of the process—the nature of the commitment, the solemnity of that commitment and the importance of that relationship and that commitment—rather than the detail of the end process.

This Government’s proposals will apply equally to married couples and civil partners. While I conveniently refer to the concept of marriage and divorce, the principles and effects apply equally to civil partnerships and their

dissolution. Husbands, wives and civil partners will no longer need to produce or face a real or perceived catalogue of failings in respect of their most intimate relationship. There is a strong common view underlying the proposals in the Bill, built upon the foundation of a significant evidence base.

**Sir Edward Leigh** (Gainsborough) (Con): Of course, it is not necessary to make any allegation under the present law—people do not have to prove fault if they rely on separation. In addition to the present grounds for divorce, why do we not go down the Scottish route of having a no-fault provision, perhaps of a year? In Scotland, all but 5% of divorces are no-fault. Why do we not have a moderate measure such as the one in Scotland?

**Robert Buckland:** As ever, I am grateful to my right hon. Friend for his constructive approach. He quite properly seeks to make a comparison with a nearby jurisdiction—a next-door jurisdiction—but I believe that taking a more comprehensive approach will cure problems for the long term. Rather than encouraging a piecemeal approach to divorce reform—in other words, coming back to it in very short order—we are creating a Bill that will, I believe, endure for a considerable period of time.

Let us remember that the evolution of divorce law has involved significant moments in parliamentary history: there was the Matrimonial Causes Act 1857 and the Divorce Reform Act 1969, which of course led to the Matrimonial Causes Act 1973, which brought together a lot of the legislation on such issues. These things are not done, and I do not think they should be done, from Parliament to Parliament; they should have a longer shelf life, bearing in mind the gradual evolution of the law in this area.

**Martin Vickers** (Cleethorpes) (Con): Will my right hon. and learned Friend give way?

**Robert Buckland:** I will just make some progress. I will of course allow for interventions in a proportionate way, remembering the time pressures that we are all under.

The Bill purposefully does not seek to change the other aspects of divorce law for financial provision—I dealt with that issue in my response to an intervention from my hon. Friend the Member for Huntingdon (Mr Djanogly). It is more than half a century since the Divorce Reform Act 1969 gave rise to the current law. There is only one legal ground for divorce or dissolution—namely that the marriage has broken down irretrievably—but existing law requires that the petitioner must satisfy the court of at least one of five facts before the court will hold that the marriage has broken down irretrievably. Three of those facts—unreasonable behaviour; adultery, which does not apply in respect of civil partnerships; and desertion—rely on the conduct of the respondent. Two of those facts rely on the parties’ separation—namely two years, if both parties consent, and otherwise on the basis of five years’ separation.

Around two out of five divorces in England and Wales currently rely on the two years’ separation fact. The parties must have been separated for at least two years before the presentation of the divorce petition.

However, that route to divorce can be used only if the respondent consents; if the respondent does not agree, it is a five-year wait before the divorce can be granted.

Around three out of five petitioners for divorce rely on the conduct facts—that is, unreasonable behaviour, adultery or, in rare cases, desertion. In only around 2% of cases does a respondent indicate an initial wish to contest a petition. Such initial opposition can often be driven by strong disagreement with what has been said about them by the other spouse in the petition. Of those contested petitions, each year a mere handful proceed to a trial at which the respondent's case is heard. It is abundantly clear that marriages are not saved by the ability of a respondent to contest a divorce, because marriage is—has to be—above all things a consensual union.

I set out at the beginning that the current law incentivises many divorcing couples to engage in proceedings that quickly become acrimonious, even if it had been the intention to divorce amicably. Research shows that spouses are often surprised when told by a solicitor that they must either choose to wait a minimum of two years to divorce or be prepared to make allegations about the other spouse's conduct. Although this is no longer the world of the staged scene of adultery in a hotel so criticised by the great A. P. Herbert, former Member of Parliament in this House and the author of the Matrimonial Causes Act 1937, it is right that we pause for thought about a situation wherein the law and circumstances are stretched in a way that does not help anybody, least of all the lawmakers themselves. It is a great poetic irony that A. P. Herbert went on to write the smash-hit musical “Bless the Bride” some years after he helped to author that major reform to the law of divorce, but perhaps that story itself makes an eloquent point: those of us who seek to make changes in this sensitive area of the law can, in the same breath, absolutely celebrate the institution of marriage and the values that surround it.

**Steve Brine:** I have found the reason I referred to. I think the unease that many feel about this legislation is the timing of it—the so-called lockdown break-ups. I can understand why that is a sensitive issue at a sensitive time on what the Lord Chancellor rightly says is a sensitive matter. What would he say to those who oppose this legislation on the grounds that it is a difficult time to be introducing so-called quickie divorces?

**Robert Buckland:** First of all, no time is an easy time. This is a sensitive matter at all times. Secondly, these are not quickie divorces. We are regularising the position to end the so-called quickie and to equalise the position with regard to minimum terms. We must, I believe, accept that divorce is a sad and unhappy consequence of relationship breakdown, not a driver for it.

**Martin Vickers:** I thank my right and learned hon. Friend for giving way. I am listening hard to what he is saying in the hope that he might be able to persuade me to support his Bill. I know that he brings it forward with exactly the right motives. He talks about the evolution of our divorce laws and the long-term view and so on, but will he accept that over the past 30 or 40 years, each time that we have made a change, we have said that we are putting in safeguards and putting additional support into mediation or whatever it had to be, but the trend

has continued in the same direction? This Bill has been labelled, for better or worse, the quickie divorce Bill and labels stick. Will he accept that that gives the wrong signal to society?

**Robert Buckland:** I entirely agree with my hon. Friend on his last point.

This is not—I repeat not—a quickie divorce bill, and he is right to say that we in this House owe it to all our constituents to send the right message. Let me put it straight—this is a matter that he might not agree with: I do not believe that issues of reform of the process of divorce are germane to the issue of marriage itself. The question that was posed by my hon. Friend the Member for Winchester (Steve Brine) is indeed the right one, about society's attitudes to relationships, the values that are inculcated in young people, and the level of understanding and insight into the nature, degree and complexity of the commitment to join in union, whether it is marriage or civil partnership. All of those are actually the relevant issues to the future of marriage and this Bill will not, should not, and does not have a consequence for those issues.

**Jonathan Gullis** (Stoke-on-Trent North) (Con): As someone who is tragically going through the divorce process and has had to put blame on my partner when I would have preferred to have had a no-fault divorce, I ask my right hon. and learned Friend to reaffirm the message that this is, in no way, a quick decision. As someone going through this process, I can say how painful it is. It was not a decision that I came to easily, but this type of legislation would not require the burden of guilt to be applied to one person or the other.

**Robert Buckland:** My hon. Friend has shared a difficult and sensitive experience with the House, for which we are grateful, and he puts it extremely powerfully. This is not about blame or guilt; it is about acknowledging the fact that the causes of divorce are very complex and will evolve often over a long period of time. I am grateful to him for his powerful contribution. No one benefits, least of all the children of the relationship, from the requirement for parties to dredge up the past in order to end a legal relationship that is no longer beneficial or functioning. It is not in the public interest and cannot be right that the law would encourage one parent to be pitted against the other, when we all know the deeply damaging impact that parental conflict has on children.

Indeed, the limitations of the court process are not particularly well understood by the public. Under existing law, the legal fact that many people choose as their route to divorce bears little resemblance, as my hon. Friend says, to the reality of why a marriage has broken down. A respondent may have behaved despicably, yet a petitioner may reluctantly decide to rely on two years' separation through fear of abusive repercussions should he or she allege unreasonable behaviour. Likewise, a petitioner may, from a desire not to have to wait for two years, feel compelled to embellish the unreasonable behaviour of a respondent beyond what one might ordinarily expect in normal marital discord. The concept of unreasonable behaviour is also purely subjective, so that what is unreasonable to one spouse in a marriage may not be at all unreasonable to another spouse in a different marriage.

**Alexander Stafford** (Rother Valley) (Con): Will my right hon. and learned Friend give way?

**Robert Buckland:** I need to make some progress, because I am conscious of time.

The lack of transparency and objectivity means that a spouse who is trying not to cause unnecessary hurt risks not meeting the legal threshold. That has consequences, for example, for victims of domestic abuse and can lead to the manufacture of blame between couples who might have grown apart entirely amicably.

What we are creating is a level playing field. Our equal-handed approach will allow all couples to use the same legal process and will not favour couples who can afford to live apart before their divorce. Vulnerable parties will no longer have to work out whether they can afford to be separated for two years, or face the danger of presenting conduct particulars in respect of an abusive spouse. Our proposals remove many obstacles currently faced by victims of domestic abuse in the legal process of divorce. Victims will not have to place themselves in danger by detailing their abuser's conduct; they will not have to remain in a legal relationship for a further two or more years in order to rely on a separation fact; and they will not have to fear an abusive spouse exerting their control by contesting the divorce. This position has to be changed, and divorcing couples must be given every opportunity to avoid conflict.

In developing our proposals, we have reflected on a wide range of views, including from the profession, the judiciary and couples themselves, that emerged during our consultation process and from evidence given during consideration of the Bill in the previous Session of Parliament. We have also considered and continue to consider carefully the views of those who oppose reform, although, with respect, I think that there is something of a disconnection between what some think the current law does and what it actually does.

With all that in mind, I will talk briefly about the measures in the Bill. The two stages of divorce and dissolution are maintained. The current decree nisi and decree absolute become a conditional order and then the final order. Always, the intention is to make the process more understandable and more accessible to everyone who seeks to use it, but we have retained the two-stage process because it ensures that a divorce is never automatic; rather, the decision should be considered and intentional at each stage. The reform will retain irretrievable breakdown as the sole legal ground for divorce and dissolution, but replace the current requirement to evidence that with a conduct or separation fact, as outlined in the statement of irretrievable breakdown. Indeed, the statement itself will be conclusive evidence that the marriage or civil partnership has irretrievably broken down; it therefore removes the possibility of contesting the decision to end that relationship, which currently only 2% of spouses do. Importantly, and for the first time, couples will be able to make a joint application where the decision to divorce is mutual. That will create a level playing field for joint applicants and encourage them to work together from the very beginning of the process.

As I have said, the new minimum period of 20 weeks is all part of the drive to create an equal, level approach. It ends any suggestion of so-called quickie divorce. In addition to the 20-week minimum period, the current

six-week minimum period between conditional and final orders will remain, so six months is a minimum, not a maximum or absolute time limit. As is currently the case, a conditional order may not be pronounced unless the court is satisfied in relation to service on the respondent.

We are aware of the concerns of hon. and right hon. Members and the Law Society about the question of delayed service where this is done by the applicant's spouse, and we will of course work with the Family Procedure Rule Committee on that point, and indeed on the point about making sure that divorce does not end up being a complete surprise to a respondent who perhaps knew nothing about service. We will, through the Family Procedure Rule Committee, make sure that those important concerns are dealt with.

Our proposals allow time for the applicant to consider the practical implications of the important decision to divorce. We estimate that, under the new law, the legal process of divorce will take longer for about four fifths—80%—of couples, after taking account of the projected impact of the take-up of the streamlined, digitised divorce service. That means that the question of quickie divorce is one that is wholly refuted, I believe, by the provisions and, indeed, the evidence that underlies this new reform.

The Under-Secretary of State for Justice, my hon. Friend the Member for Cheltenham (Alex Chalk), will, in his summing up, deal with other points that arise through the Bill. I know hon. Members will have read its provisions and it would perhaps be idle of me to go through all of them in order. This is not a long Bill, but it is, I concede, a significant one—no, I do not concede; I make no apology for the fact that it is a significant Bill, because we are talking about the lives of people we represent, and about making this sensitive and difficult process an easier one.

Importantly, apart from maintaining the balance, we will retain the existing triple lock that requires an applicant to confirm the decision to proceed with the divorce at each of the three stages, meaning that divorce will never be, to coin a phrase, automatic. First, the applicant must apply for the divorce; secondly, they must, after the end of the minimum 20-week period, confirm to the court that it should make the conditional order; and, thirdly, following the expiration of a further minimum six-week period, the applicant must apply for the final order of divorce.

This, I believe, is a measured Bill, which we shall implement in a measured way. I pray in aid the spirit of one of my predecessors, the great Tory Lord Lyndhurst, who, as my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) will know, was no lover of reform. But at the end of his long and distinguished parliamentary career in the other place, he spoke passionately about the rights of women and the abandoned party in Victorian marriages, and paved the way, as a Tory, for the Matrimonial Causes Act 1857. He is a predecessor whom I invoke today, and in whose spirit I move the Second Reading of this Bill.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. Before I call the shadow Secretary of State, I need to inform hon. and right hon. Members that I will need to impose a time limit because the debate has to

finish by 10 o'clock. I will start the time limit at five minutes for Back Benchers. In the meantime, I call David Lammy.

8.33 pm

**Mr David Lammy** (Tottenham) (Lab): I thank the Secretary of State for his speech introducing this important piece of legislation. Labour welcomes this Bill, which offers a common-sense approach that continues to respect the institution of marriage and civil partnerships, but avoids unnecessary antagonism and costs for people dealing with an often incredibly difficult time in their lives.

Sir James Munby, the former eminent president of the family division, has described the current divorce laws and procedures as “hypocritical” and based on “intellectual dishonesty”. As Sir James pointed out in his damning judgment in the infamous case of *Owens v. Owens*, the requirement of many couples to evidence unreasonable behaviour can lead to farce.

It was 30 years ago now that I studied Evelyn Waugh’s “A Handful of Dust” for A-level English, and as the Secretary of State might recall, in the case in Waugh’s novel, the character Tony is forced to spend a platonic weekend in Brighton with a sex worker to fake evidence to allow his divorce. That, of course, was set in the early period of the 20th century. It is surprising that it has taken that long to update these laws.

Divorce is an unhappy event in the lives of many. It has a profound effect on families, and on children in particular. It is important that the law does not force couples into an adversarial contest when a breakdown in a relationship occurs, but allows and encourages them to resolve matters in a constructive way. The Bill modernises the law, which has been fundamentally unchanged for more than half a century, so that it better reflects the realities of a breakdown in a relationship, better protecting the most vulnerable who attempt to come out of an abusive relationship and simplifying the process of ending a marriage or civil partnership without undermining its social and cultural importance.

The divorce process today is archaic and confusing to most people as they enter into an emotionally fraught process. The law forces parties who are going through a divorce to choose between evidencing one of the three fault-based facts about their partner: unreasonable behaviour, adultery or, less commonly, desertion. If neither party is willing to make such an application, the parties must separate but remain married for a period of two years, or five years if one party disputes the divorce. The option for couples today is entering into a lengthy and costly adversarial legal proceeding, or delay and legal limbo.

Both routes lead to difficulties for all and a real risk of harm to others. Couples who enter the process amicably can be quickly pulled apart by the law. There is an incentive for each party to make accusations about the other’s conduct, and that cannot be right. Some couples can easily live apart and bide their time, but for others, moving into separate accommodation without a finalised divorce and any financial settlement is impossible. That is why so many charities and campaign organisations that work with victims of domestic abuse have called for reform in this area for many years.

The new law will allow and promote conciliation and compromise. That will be of real help for families and children of broken relationships. Importantly, it will reduce legal costs that can quickly reach eye-watering sums, quite unnecessarily.

**Sir John Hayes:** I am so pleased to see the right hon. Gentleman back on the Opposition Front Bench. He is a dear old friend, but he is quite wrong about this. These provisions declare at the outset that the marriage is irreconcilable. If that happened at the end of the process rather than the beginning, he would be right; an opportunity for reconciliation, and perhaps rethinking, as a result of counselling might be possible. That is not the case with the proposals we have before us tonight.

**Mr Lammy:** I am grateful to the right hon. Gentleman. Ever since I first came into this House, it is true: we have had a sort of friendship across the aisle. I say that with a degree of humour, to which I know he is disposed himself. He raises an important issue, but I think the point is that the Bill allows for a period in which couples can reflect, and for mutuality between partners. We in this country are taking an important step, whereby two adults contemplating the breakdown of their relationship can reflect and pause, or come to a mutual agreement and step away from some of the antagonism that the system used to create.

First, the new law does not force couples into an adversarial dispute, but allows for an account of the breakdown in the relationship to reflect nuanced reasoning. That is provided by a simple statement. Importantly, for the first time couples will be able to make this statement jointly. In many circumstances, this will help couples to work together constructively to put a legal end to a relationship that is already broken. Indeed, the new law means that couples will now have the option of a joint application for divorce—a welcome and sensible new provision that must be good for children in particular.

This approach strikes the right balance between respecting the profound role marriage and civil partnerships play in our society, while also allowing for amicable resolution to relationships ending. This is not the introduction of shotgun divorces. The process will still take time, providing for reflection and perhaps a reunion. The new law has been welcomed by many relationship and family charities, such as Relate, which has long called for reform in this area. The minimum time for the application to a final divorce will be 26 weeks, which Relate has welcomed as providing the time to reflect, to give things another go if appropriate, and to access counselling and mediation. In reality, of course, couples have often contemplated and discussed separation for a long time before legal proceedings begin.

Secondly, the Bill ends a reliance for amicable couples unwilling or unable to make allegations about one another to separate and remain married for a further two or sometimes five years. This leaves couples in limbo, married but unable to make other arrangements. The current law is often counterproductive to any hope of reconciliation, as it can put off couples from moving back in with one another for fear of having to start the separation process once more. This can also be incredibly dangerous. Women’s Aid has highlighted the barrier for many women leaving abusive relationships, which is compounded by current divorce law. With over half of

[*Mr Lammy*]

survivors of abuse shown to be unable to afford to leave the family home and with the decline of refuge accommodation, women are forced to rely on fault-based facts in any divorce proceedings, making accusations in litigation that can often increase their risk of harm. Indeed, figures show that 77% of women killed by their partners are killed in the year following separation. The current law also drags out the process of separation, which can affect the vulnerable in society. Many women have reported that lengthy divorce proceedings, and the adversarial nature of them, have given an opportunity to abusers to continue to torment them. It may be claims of a lost marriage certificate, not attending court or issuing spurious cross-allegations, but a perpetrator can prolong proceedings, causing more harm. Some people's circumstances require a faster conclusion to the legal relationship. The Bill will go some way to helping them.

More broadly, the law as it stands discriminates against those on low incomes. For some who can afford to live separately, a no-fault divorce is perfectly viable, but others must make accusations of the other's behaviour if they cannot afford such an arrangement. The Law Commission recognised that all the way back in 1990, stating:

"It is unjust and discriminatory of the law to provide for civilised 'no-fault' ground for divorce, which, in practice, is denied to a large section of the population."

This Bill rights that wrong and it is long overdue.

Thirdly, the Bill removes the opportunity to contest a divorce. However, in reality, even now a party cannot simply argue that they want to remain in the marriage, but must identify a legal reason why the divorce must be refused. The law as it stands does not prevent disputes or help to bring about reconciliation, but instead only serves to aggravate a conflict that can be manipulated by perpetrators of domestic violence to further torment a partner. The Bill safeguards important procedural challenges—jurisdiction, fraud, coercion—but it will prevent the unnecessary dragging out of traumatic proceedings.

Finally, the Bill modernises the language of divorce. While a modest reform, many family practitioners in this area speak of their clients' bewilderment at terms such as decree nisi and decree absolute. More accessible phrasing is important. It is a reminder that the law must serve all people, not just those who are legally trained.

Therefore, Labour welcomes this Bill, but these reforms must be put into context. The cuts to legal aid over the past decade mean that parties do not receive any support—none at all—in divorce proceedings, whatever their financial circumstances. In the year immediately preceding the Legal Aid, Sentencing and Punishment of Offenders Act 2012, 58% of parties were recorded as having legal representation in family cases that had at least one hearing, but that has reduced to just 36%, which means more people are acting as litigants in person during the divorce process. If a separation is acrimonious, the lack of legal advice can make an already stressful situation even worse. In courts across the country the effects of that are being felt: hearings take longer; more are emotionally heated without a focus on the law, because there are no lawyers representing the parties; and the process is more burdensome and stressful for all

concerned—the judiciary, who have to hand-hold the parties through the process, and the parties who have to represent themselves.

The lack of legal advice can also lead to delay. Despite the Government introducing online divorce applications, the average time from the first stage to completing the divorce was 58 weeks last year, an increase of three weeks. The delays have effects on the couples, who often want to get on with their lives but are held back by a lack of early legal advice. Without such professional advice, the process for the parties, their families and, in particular, children, is inevitably emotionally strenuous. As Baroness Hale said, upon leaving the bench:

"It's unreasonable to expect a husband and wife or mother and father who are in crisis in their personal relationship to make their own arrangements without help".

She has also highlighted something else that is not fair, which is the potential for an imbalance in resources because of the lack of access if, for example, there is a wealthy applicant and a respondent without access to funds. Some studies suggest that legal fees for divorces can cost £8,000, on average. That is simply unaffordable for large groups in the population, but there is no legal aid provision at all. Ironically, the legal aid system introduced by the Attlee Government with the aim of guaranteeing access to justice was initially focused on divorces, where numbers rose exponentially after the war; after a decade of a Conservative Government, it is not provided for at all in these circumstances. The Bill will certainly help couples going through this process, but further investment in legal aid is necessary to ensure that justice is being done fairly for all. I hope that the Secretary of State might say something about the position on legal aid during the course of this Bill, but Labour supports this Bill and will support the Government in the Lobby.

8.48 pm

**Sir Robert Neill** (Bromley and Chislehurst) (Con): This is an important Bill and I support it, because I am a practising Anglican and because I take marriage seriously. If I thought it undermined marriage, I would not support it, but I genuinely do not think it does. I do not believe that anyone embarks upon a marriage intending it to break up—I did not with my first marriage, but it did. As my wife and I were both people of faith, that created heartbreak for us, as it would create concern for many of my right hon. and hon. Friends who have concerns about the Bill, but the sad reality is that divorce often comes at the end of a lengthy period of breakdown and is not, of itself, the catalyst.

It behoves those of us who wish to have a civilised justice system to make it possible for that sad reality to be dealt with in as civilised, compassionate, swift, and humane way as possible, not least if there happen to be children from the marriage, or where one of the parties might be vulnerable, financially or in other ways.

The requirement to prove fault as one of the facts to show irretrievable breakdown unhappily does not help that process—hence my intervention on the Lord Chancellor—and regrettably it imports, at the very beginning, a degree of antagonism into a legal process. Indeed, it goes further than that, as Sir James Munby, a distinguished former president of the Family Division observed, because it almost encourages people to be intellectually dishonest

and to game the system. It cannot be right that all too often—I say this having spoken to many practitioners in the field—the first discussions between the two parties’ solicitors will be along the lines of, “What is the minimum allegation that my client can make against your client, that will meet the test but will not cause undue offence?” That is a pretty painful, and rather sad and dishonest process for people to have to go through, and it detracts from what ought to be the real point of saying, “Can we make sure that the parties are left in the best possible position, either financially or in terms of the children?” Removing that degree of antagonism, delay, and cost seems to me a civilised thing to do.

It is neither humane nor particularly Christian to trap people in an unhappy marriage, particularly if one of the parties is unable to move out of the matrimonial home and that prolongs matters. I therefore welcome the Bill, and it is significant that it is supported by Resolution, which represents 6,500 family law practitioners. The Bill is also supported by every senior member of the judiciary with experience in the family field, and it chimes with my experience as a young barrister, when I did some family work before moving on to other spheres of activity.

Finally in support of the reasons for the Bill, I say this. If there is to be protection, it is important that the Lord Chancellor retains the protection in paragraph 10 of the schedule for the financially vulnerable claimant, given that under the Bill, conduct can be taken to the courts when assessing the appropriate measures to take. The right place for any conduct to be considered is when working out arrangements thereafter; we should not be creating an antagonistic start to recognising the breakdown of the marriage, yet that has happened. If conduct is relevant—often it is not—let us consider it in the right place, and that is what the Bill does.

Finally, I will pray in aid someone whom I quoted in an earlier debate on a Bill almost exactly like this one during the previous Parliament. That Bill was not opposed at Second Reading, and I hope that my right hon. and hon. Friends will reflect before opposing this Bill tonight. Sir Paul Coleridge, chairman of the Marriage Foundation, and a former High Court judge of the Family Division, practised family law throughout the whole of his career—again, he happens to be a practising Christian. His conclusion was that the current situation is an intolerable block on people’s ability to move on with their lives. Waiting for the five or two-year period of consent does not reflect the fact that if there has been a lengthy breakdown, people may already have met other partners or be hoping to have new families and move on. Indeed, he went further than that and said that we now have a system that drives people to lie to the court if they are not prepared to wait for two years or longer. That is wrong—we cannot have a justice system that encourages that. Sir Paul Coleridge said:

“An intelligent process to end unsustainable marriage is good for the reinvigoration of the most important social arrangement yet devised for mankind.”

That is a broad and humane view, and I endorse it in the House.

8.53 pm

**Stella Creasy** (Walthamstow) (Lab/Co-op): I rise to join my colleagues on the Front Bench in supporting the Bill, which recognises the tragedy that happens

when a relationship breaks down. The last thing anybody wants is for the state to be a barrier to people being able to move forward from that. I also rise on behalf of a small number of young people—indeed, Ministers could be advocates for them—who are those affected by their parents’ status of divorce, and the way that we see marriage within broader public policy making. We do not often get legislation on marriage, so I hope the Minister will forgive me for taking the opportunity to make this plea when discussing the Bill. He talked about sending signals. I think we are quick to jump to send signals to the parents and we must not, at the expense of the children, damage the children’s lives.

I am talking about, in particular, the group of children who may not only face their parents becoming divorced but then might also lose a parent—and, in particular, their entitlement to support under our current system through the bereavement support system. There are 2,000 families every single year who face the horror of losing a parent, whether through a terminal illness or a sudden death. Indeed, in our current circumstances, there may be families right now who are facing this situation through the horror of the virus that has taken over this country. Those families discover that because of their status under our current legislation, they are not entitled to support, so the children face destitution.

Many of us will have seen these families in our constituencies, given the 3.5 million people who choose to have children and decide not to get married. I know that marriage is something people feel very strongly about in this debate. There are also families where, when the parent gets divorced, those same entitlements are lost to the child. We are unusual as a country in attaching the entitlement to support to the parent rather than the child. When we talk tonight about the financial situation that divorce might create and how we might support families, I ask Ministers please not to forget these children and not to forget the opportunity that we might have through this Bill to learn from other countries which have what they call orphans’ pensions.

Five families every single day find, when a family member dies, that their child cannot seek to benefit from the entitlements built up through the state pension. It is the same for children of divorced parents if a divorced parent dies; the child loses that entitlement. I think of families such as the family of Laura Rudd. She was not married to her partner, who went out for a jog and did not come home, and her son Noah has been left destitute as a result. Children in my constituency also face that experience.

It would be very easy simply to reflect that when we want to support marriage we do that with the parents—with the consenting adults—but the way in which our financial system works serves to penalise children for the choices that their parents may make. I know from listening to this debate that that is not the intention of Ministers, but it is the outcome of the way in which we see marriage, and thereby the laws around divorce.

Ministers talk about supporting families, so will the Secretary of State work on this with his colleagues in the Department for Work and Pensions? Will he use the opportunity of legislation that looks at divorce, families and the entitlements that parents might have with their children and not miss the chance to right a historical wrong? Indeed, when he talks to his colleagues in the DWP, they will tell him of legal cases—human rights

[Stella Creasy]

cases—that have recognised the discrimination as a result of bereavement support allowance against children of parents who are not married, or who have divorced. The Government have been asked to address this issue for over a year now, and yet we have not had a resolution to it. That is because of the way in which we construct marriage within our public policy making.

This Bill will help to support people in that terrible moment when they find that their relationship cannot continue any longer. That is a tragedy for all concerned. It is a tragedy whether people have spent many years together and decided not to marry, or have married and decided that their marriage should break down. But in all of this, we all have a concern for the children. It surely cannot be the intention of any decent Government to put into destitution children who suffer through no fault of their own the double tragedy of a parent dying and a relationship breaking up. I therefore ask Ministers: please do not miss this opportunity finally to do something about bereavement support allowance and to make sure that we support every child in every family so that no child is penalised for the choices of their parents.

8.58 pm

**Andrew Selous** (South West Bedfordshire) (Con): This Bill is aimed at minimising conflict between separated couples to make divorce not easier, but kinder. Divorce will take a minimum of six months, with an average of four out of five divorces taking longer than under the existing law.

The Family Law Act 1996 identified funding for relationship support services as a necessary part of divorce reform—an approach that has been sustained by successive Governments since the Denning report of 1947. In 1999, the then Lord Chancellor, Lord Irvine, said that the three objectives of the 1996 Act were, first, supporting marriage; secondly, saving saveable marriages; and, thirdly, where marriages had sadly broken down, bringing them to an end with minimum distress. I will always stand up and fight for people, whether they are married, never married or divorced. I also passionately believe that marriage is one of our most important and valued institutions, which we neglect at our peril. The benefits of a couple pooling their resources, time and energy are fantastic.

On the first objective of supporting marriage, marriage rates are at their lowest level since records began in 1862. Even more worryingly, the Marriage Foundation points out that 87% of mothers from higher income groups are married, compared with only 24% of mothers at the bottom of the income scale, so the marriage gap is widening, which is a social justice disaster. We need marriage for the many, not the few.

The Bill is silent on marriage and relationship support, which is not good enough, given that there is no assurance of funding for this work after the end of this financial year. We know from research concluded after the 1996 Act that one in 10 marriages was saved at the point of divorce by offering counselling, and that half those offered counselling took it up and better managed the divorce process. Much greater provision of the separated parents information programme is something that we owe children, to reduce the distress that many will

experience when the divorce process is badly managed. Prevention is always better than cure, which is why the provision of marriage and relationship support services is so vital. We should celebrate much more the work of the Relationships Alliance and its constituent members—Relate, Marriage Care, OnePlusOne and Tavistock Relationships. They are all on the frontline, battling for social justice and a better society.

Local authorities such as Rochdale, with its relationships champions programme, which I visited, lead the way among local authorities. Charities, voluntary groups and faith groups, such as Toucan, with its “build a happier, healthier life together” work; the inspirational Nicky and Sila Lee, with their marriage preparation course and marriage coursework; and Soulmates Academy, run by the redoubtable Jonathan and Andrea Taylor-Cummings, all do brilliant work and should be commended.

The Government need a cross-departmental programme to bring the work of the brilliant antenatal charity Dads to Be into every NHS hospital, not only the three that it operates in at the moment. We should ensure that marriage registrars provide signposting to the very best marriage preparation; that all GPs are as good as the very best in signposting to relationship support; and that brilliant charities such as Explore, which does such excellent work in our schools in giving children good role models for what healthy, happy, committed and respectful relationships and marriages look like, are supported. All these individuals, groups, churches and other faith organisations are doing brilliant work on the frontline and deserve our thanks and support.

As we look to rebuild our economy after the ravages of covid-19, it is not only economic matters that need our attention but the fractured and hurting relationships that we need to repair to a healthier, more respectful and more committed state. Next month, it will be 19 years since I made my maiden speech in the House. On that occasion, I spoke of the importance of the family and of strengthening family relationships, and it grieves me that the situation has got worse, not better, in those 19 years. I stand here saying the same as I said to Labour Governments in those first nine years and to coalition and Conservative Governments since: we need the political will—together across this House, from all our political traditions—to put this issue higher up the political agenda. It is a social justice matter, and it is for everyone. I implore the Government to take it seriously, and to remember that we stood on a manifesto that said strong families are the key to a strong society.

9.3 pm

**Mr Toby Perkins** (Chesterfield) (Lab): I very much enjoyed the speech by the hon. Member for South West Bedfordshire (Andrew Selous), who gave us all food for thought, and I welcome entirely the spirit in which this debate has taken place so far. I do not know whether I ought to declare an interest, because after 21 years of marriage, I am sadly in the process of going through a divorce.

The primary concern of everyone who has children and is going through such an unhappy incident is the impact that it will have on their children. I think that the current legislation does lead to unnecessary additional conflict and blame, so the Government are right to pursue this important legislation at a time when they are extremely busy.



In speaking in this debate, I am carrying on in the family way, because my great-grandfather, A. P. Herbert, was the original author of the Matrimonial Causes Act 1937. Some unkind remarks may be made to the Minister in Committee, but A. P. Herbert would have thought of that as a very easy ride, compared with what was said in 1937 when he brought that legislation through. The Secretary of State was right to stress that wanting to assist couples to split in as amicable and blame-free a fashion as possible does not in any way undermine what marriage is all about, or fail to recognise the crucial role that that institution plays in our society.

It is important to recognise what the current process does. It not only moves couples down the route of having to find blame and conflict, but includes the role of the court—the state—in deciding whether or not people should be married. The state does not consider that it has anything like the same level of responsibility for deciding whether a couple get married in the first place—if they meet at 4 o'clock and decide at 8 o'clock that night that they want to be married, the state considers that none of its business. So why, if a couple come to the conclusion that they should no longer be together, should the state consider that it is its business to investigate whether they are right?

I will leave it there, but I welcome what the Government and my right hon. Friend the Member for Tottenham (Mr Lammy) said and the spirit in which this debate is taking place. I hope that we will all keep in mind the need to ensure that couples who sadly reach the conclusion that they must separate are able to do so in as amicable a fashion as possible.

9.7 pm

**Sir Desmond Swayne** (New Forest West) (Con): The law should have majesty; it should be awesome. May I ask the Secretary of State to resist this fetish for translating everything into newspeak?

There is fault in divorce. We all know that. It is a question not just of unreasonable behaviour, but of abominable, disgraceful and outrageous behaviour. But I accept the principle of the Bill—namely, that by trying to attribute fault, we vastly magnify the bitterness and unpleasantness of the conflict that divorce creates. We have all experienced in our surgeries those parents who continue to use their children as weapons in prosecuting a continuing war against their former partners. The removal of fault will not remove that entirely, but I am confident that it will certainly diminish it.

My problem with the Bill is with respect to the streamlining and potential shortening of the process. The difficulty I have is this: by making divorce more straightforward and easier, it becomes the first resort, rather than the last. It becomes the easy and quicker way out, vastly reducing the potential for counselling and reconciliation. We should remember that divorce is the swiftest route to poverty. Of the people who might come through the door during one of my morning surgeries, if you scratch the surface of their problem—whether the problem presents as debt, housing, education or access to children—nine times out of 10, divorce and family breakdown are the root cause. And the easier we make divorce, the more we shall have of it.

9.9 pm

**Sir Edward Leigh** (Gainsborough) (Con): I have been married to the Conservative party for a very long time, and I have no intention of divorcing her, but I have to say that she drives me to distraction. I do not know why I do not have a calm partner who can get on with doing the things we do best, such as providing a smaller state, lower taxes and strong defence. Why do we always think that we have to adopt an extreme liberal agenda? This Bill is part of a liberal agenda, because it is saying that we can remove the ultimate pain by making things easier, but that simply does not happen very often in life.

We could have brought in a moderate measure. No one has to allege fault under our present law. If there is a separation, no fault is alleged. As I said in my intervention on the Secretary of State, we could have done what the Scots do—how sensible they are—and brought in a provision that, in addition to the existing provisions, someone would simply have a no-fault divorce after, say, a year. But no, we are rushing this through. We are saying that people can get their divorce after six months. They will not even have to prove proper service. They could be divorced within a matter of weeks. Really, the Secretary of State has to do better in reassuring us, because the message we are sending out tonight is that we are engaged in making quickie divorces easier, and I am not sure that that is the right message for us to be sending out, particularly at this time of family stress during lockdown.

In the last Parliament, this Bill was promoted by David Gauke. How much we all miss him! He carried out a consultation, but he ignored what the consultation said. We know that 80% of the people who were consulted opposed this measure. In another poll, 72% said that if we were to bring in compulsory no-fault divorce, people would get more blasé about divorce. I return to the point made by my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes): it is obvious that if we make something easier, it will happen more often. That point was also made by my right hon. Friend the Member for New Forest West (Sir Desmond Swayne). I assure you, Madam Deputy Speaker, that this is the lesson of history. If we bring in compulsory no-fault divorce in a six-month time frame, the result will be more divorces. And, as my right hon. Friend the Member for New Forest West said, the best way to propel women into poverty is through family breakdown and divorce. We already have one of the highest levels of family breakdown in the world, and now, rather than putting more money into supporting marriage and sending a message that we support marriage, we are sending a message that we want to make divorce even easier. Is that the sort of message that we want to send out to people?

Hon. Members might think that this is an obsession of the right, but listen to Hillary Clinton. She said:

“For much of the 1970s and 1980s, many believed that a bad marriage was worse than a good divorce. Now, however, we know that children bear the brunt of failed marriages...Divorce has become too easy because of our permissive laws and attitudes.”

That is not me speaking; that is Hillary Clinton, hardly an icon of the socially conservative right. But how wise she is! I assure you, Madam Deputy Speaker, that the result of this Bill will be more pain, more suffering, children seeing less of—usually—their fathers and more

[*Sir Edward Leigh*]

women propelled into poverty. Is this really what we want to achieve? The Secretary of State could have given some concessions. He could have said to my right hon. Friend, “I hear what you say, and I think perhaps I will be prepared to look again at the provision of six months.” He could have said that he was prepared to do what the Law Society suggested or to do what the Government were going to do 25 years ago, when I opposed a similar Bill, and have a one-year provision. But no, he is ploughing ahead. Everybody will get their divorce in six months. He could have told me, when I intervened on him, that he was prepared to think again about keeping some of the existing provisions. After all, there are many religious people—and maybe many who are not so religious—who would like to be given a reason why they are being divorced. Many people feel that marriage is a most important thing in their life. But no, the Secretary of State is ploughing ahead with the most extreme and most radical measure he could dream of. This is one of the most radical and most extreme divorce laws in the whole of the European continent. Why are we doing this now? Why are we not prepared to compromise? Why are we not prepared to give an unequivocal message that we believe in marriage and will support it to the hilt?

9.14 pm

**Danny Kruger** (Devizes) (Con): I accept the virtue of this Bill on its own terms. The Lord Chancellor has said that the Bill is concerned only with divorce, and if we are concerned only to make divorce smoother and less painful, I accept the Government’s case. However, I do not judge the Bill just on its own terms. It is not just about divorce, it is about marriage, and that is the crucial difference that I have with the Government.

What will this Bill do? Its practical effect is simply that couples will not have to wait for two years for a no-fault divorce, but will have to wait for only six months. I can appreciate that two years must feel like an eternity for someone who wants to move on with their life, but I suggest that the damage done to society and future generations by this Bill will be far greater than the distress of some people waiting 18 months longer, because what is really proposed is not just the speeding up of no-fault divorce, but the effective abolition of the marriage vow.

What is the difference between marriage and any other romantic relationship? It is this: people promise, in front of their friends and family and in a legally binding commitment, not to walk out. That is basically what it is, and it is an enormous promise. It is why the wedding service has these portentous words: marriage is “a solemn, public and life-long covenant...No one should enter into it lightly or”

unadvisedly but reverently and soberly. This Bill proposes to abolish all of that—centuries upon centuries of precedent, upon which our society has been built—to say instead that the vows do not have to be kept; that it is not solemn, public and lifelong, but trivial, private and as long or short as people want it.

At the moment, a marriage can end only when the facts—the word “facts” is in our current law—show that the marriage is really over, either because of fault or a separation of at least two years.

**Ian Paisley** (North Antrim) (DUP): If it is six months in 2020, is the hon. Gentleman concerned that in 2025 or 2030 it could be a handful of months?

**Danny Kruger**: The hon. Gentleman makes a good point. Indeed, there is already provision in the Bill to reduce the six months in exceptional circumstances, and we know where that could tend in future.

The reliance on objective facts is now being abolished in favour of a subjective declaration that one party wants out of the marriage, and that effectively means that the vows made at the beginning have no legal force and no moral value. That is why the Bill is about more than divorce.

Much has been made of the hypocrisy that fault-based divorce involves, with people claiming all sorts of things to prove the breakdown, but in trying to remove hypocrisy at the end of the marriage, we are introducing hypocrisy at the start. In the attempt to improve the integrity of the law, the Government are undermining the integrity of marriage.

I fear that this Bill is a great surrender. There were other ways to achieve the ends that the Government seek, namely to let people move on with their lives sooner than two years. We could have judicial separation after six months, so that people can settle their affairs before a divorce, including moving out of the family home. We could have the Scottish system, which is the same as ours, but with shorter periods—one-year separation for no-fault divorce by consent, two years for unilateral divorce. If we really want to reduce the conflict at the end of marriages, we should reform the law around financial provisions, as one of my hon. Friends said earlier, and improve child custody arrangements. These are really the sources of conflict, not the terms of the divorce.

All that said, I accept that this Bill is going to pass, although I hope the Government will consider some changes. They include extending the notification period from six months to 12 months; only starting that period once both parties are aware of it; making the declaration of irretrievable breakdown come at the end, not the beginning of the notification period, so that it is a meaningful period in which people can change their mind and reconciliation can be effected; and, to that end, agreeing proper funding of family hubs and couple counselling, which hon. Members have raised, including once an application has been made, because, contrary to myth, counselling can be effective, even at this late stage. I appreciate that the Bill reflects changing attitudes to marriage. I regret those changing attitudes, and I think my right hon. and learned Friend regrets them. Indeed, I think everybody does. In this place we need to lead the culture, not to follow. I hope that Ministers will reflect on the cultural effect of the Bill and think again.

9.19 pm

**David Simmonds** (Ruislip, Northwood and Pinner) (Con): I very much agree with many of the sentiments that have been expressed in the Chamber tonight, but I wholeheartedly support my right hon. and learned Friend the Lord Chancellor in bringing this legislation forward. I want to explain why, with particular reference to the impact that conflict in relationships has on children. It seems to me that it is a fundamental tenet of the rule of

law that it intends to ensure fair dealings between people, and where that is absent, that conflict is clearly going to have a much wider impact.

Department for Work and Pensions estimates show that currently 12% of all children, and as many as 21% of children in workless families, have parents who are in a distressed relationship. The Government's national programme on reducing parental conflict has given many organisations, including some of those mentioned by my hon. Friend the Member for South West Bedfordshire (Andrew Selous), and the Early Intervention Foundation, the Association of Directors of Children's Services and the Local Government Association, the opportunity to assess the impact on children of parental conflict—something hitherto little researched, but of increasing interest to local authorities that are the lead agency in supporting children in family breakdown situations.

When we look at the evidence garnered from this research, it is clear that the country's divorce hotspots are not obviously linked to any other form of persistent social issue that we recognise. Those divorce hotspots across the country are represented by politicians of all colours, and they are areas both of great affluence and great poverty. That research demonstrates consistently, however, that the co-parenting relationships of the two adults are incredibly important for children's outcomes in life. Whatever measures we can take in this House to support those co-parenting relationships, such as support for families and counselling where difficulties strike, are really significant.

The research also identifies that it is the conflict between the parents, rather than the break-up itself, that is most significant in the child's experience and development. That is a crucial reason to support this Bill; when that decision is made, regardless of the issues that have been highlighted about the duration and the context of a relationship, the Bill makes it possible for separation to occur in a more civilised manner. That will enable the co-parenting relationship that supports those children's life chances to be preserved intact as far as possible, and that should be a key concern for Members who are looking at the interests of future generations.

9.22 pm

**Fiona Bruce** (Congleton) (Con): "Can't we just talk about it? Can I just know why?" Silence. Silence because there is no one to answer the young woman with a baby in her arms and a toddler at her feet, who has just received a notice in the post—a notice that says, "I am divorcing you. I am divorcing you in a few short weeks, and I do not have to give you a reason. I am giving you notice to quit on our relationship." Of course, he could not do this to an employee. Well, certainly not after two years. That would be called unfair dismissal. He would have to give them a reason. He would have to talk. But this is not an employment relationship. It is a marriage, so unfair dismissal does not apply—a marriage entered into with the words, "For richer, for poorer, in sickness and in health, to love and to cherish, till death us do part".

I cannot support this Bill. Legislation sends out a message, and the message that this Bill sends out is that divorce will be quicker and easier, regardless of what the Minister has said. This Bill will undermine an important understanding of the assumed permanence of marriage. I want to associate myself with the comments

made in the excellent speeches by my right hon. Friends the Members for New Forest West (Sir Desmond Swayne) and for Gainsborough (Sir Edward Leigh) and my hon. Friend the Member for Devizes (Danny Kruger), because there is so much more I would like to say tonight that I cannot.

Of course, Government should be investing much more in relationship support—many of us have argued that for years, and this Bill should not be silent on that. The six-month period is simply too short, even as a minimum. I note what the Lord Chancellor says about the Family Procedure Rule Committee, but we need the Bill to be amended to provide for a longer period. There is no requirement, as there is now in divorce proceedings, for proof of service of the statement that the marriage has broken down before the 20-week clock starts ticking. That cannot be right. Technically, as I read the Bill, there could be a divorce shorter than eight weeks. The Secretary of State kept saying that these are not quickie divorces; I disagree. The Bill needs amending in that respect.

Ministers argue that the Bill will "remove the conflict flashpoints" inherent within the current legal process and

"minimise the potential for couples to entrench positions against each other".

That simply fails to address the fact that conflict exists and is frequently exacerbated during negotiations relating to financial settlements and childcare arrangements, which the Bill does nothing to address. Ask any family lawyer, and they will tell you so. I spoke with one only today, who told me that he knows of no practising family lawyer enthusing about the Bill.

The Government make great play of the fact that removing any reason for a marriage breakdown will improve children's life chances. This simply does not acknowledge that it is the very fact of parental separation which can be, and often is, an adverse childhood experience with long-term consequences. Moreover, the break-up of a low-conflict family can be just as, if not more, harmful to a child than a high-conflict one. Children who do not see conflict played out in front of them can be more likely to blame themselves when parents separate or assume they cannot rely on relationships, as they are likely to end for no apparent reason, and that family breakdown is more or less inevitable, with the sad consequence of their repeating that behaviour in their own lives.

There is likely to be an immediate increase in divorces—a spike that could last for a decade or more. People experiencing marital difficulties in the coronavirus crisis may be more likely to bail out following the introduction of no-fault divorce, under the impression that divorce is being made easier. Some of those marriages may well be saveable.

Citing fault on a divorce petition is unpleasant, and what is stated may, in some cases, not bear a resemblance to what has gone on. The Secretary of State said that such statements bear very little resemblance to reality. However, the Nuffield Foundation report, on which the Government rely, does not bear that out.

9.27 pm

**Sir John Hayes** (South Holland and The Deepings) (Con): When my party won an 80-seat majority in the election, I knew that it was about much more than

[*Sir John Hayes*]

getting Brexit done; it was also about responding to the working-class community's desire for an alternative to the liberal agenda which has dominated politics for so long. So it is with deep regret that I see this Bill brought to the House tonight. We need a Government prepared to back communities, build families and cement social solidarity, and this Bill is injurious to all those objectives.

The biggest shake-up of divorce law in half a century is based on a misunderstanding of what marriage is and the human ideals from which marriage derives its meaning. This Bill reduces marriage to the legal status of a tenancy contract—one that can be dissolved at minimal notice by either party, without any expectation of permanence or any explanation.

Hegel said that marriage is a “substantial tie” that “begins in contract” to “transcend” contract, by abolishing the separation between the parties. Hegel's point can be put more simply: essentially, a marriage is not a contract but, as my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) said, a vow. That is why it has such great significance to us and why it is traditionally surrounded by so much ceremony. Roger Scruton put it this way:

“That we can make vows is one part of the great miracle of human freedom; and when we cease to make them, we impoverish our lives by stripping them of lasting commitment.”

It is through our ability to limit and constrain ourselves that we express our true freedom.

Life is not a dreary succession of consumer choices, but a journey marked by moments of transcendental significance, and marriage is one such commitment.

Our existing law is founded on the ancient understanding of what marriage is: a vow. Progressive activists for the Bill, such as the Lord Chancellor's old ally, David Gauke, say that alleging fault increases acrimony in a divorce, but that notion is based on a misunderstanding of marriage. Changing the law may cheapen marriage, but it cannot change the idealism in which the commitment of one human being to another is founded. Acrimony is almost bound to follow the breaking of such a vow. Regardless of what the law may say, enmity is not a product of the process, but a characteristic of human relations when they break down, and to pretend otherwise is to attempt to deceive this House and the people who vote for us. The current law reflects these facts of life and reflects the significance of the vow that has been made. Fault necessitates expectation.

**Sir Edward Leigh:** It is said by the supporters of this Bill that the divorce process can damage children, but that is only if parents seek to involve children. One thing that is absolutely certain is that divorce itself damages children, and if we make something easier, it will happen more often.

**Sir John Hayes:** I agree, and the Bill essentially turns divorce into an administrative formality, removing the breathing space that allows around 10% of divorces that are initiated to be averted. About one in 10 divorces that are started are never actually completed, and that is because of the time available for counselling, for reconciliation, for reconsideration and for trying again. The Bill removes that opportunity. It removes protections for individuals whose spouses seek to terminate their marriage in times of hardship or illness. For many, the

changes could mean that faithful, committed husbands lose access to their children, while women cruelly abandoned by errant husbands will have no way of marking that betrayal and no reason offered for why their marriage has ended.

What is most disappointing is that the Government ignored their own consultation. Some 83% of public respondents opposed change. The Bill provides a 20-week period at the start of proceedings, which Ministers say will allow time for reflection, but 20 weeks is not long enough to settle the matters of property or to secure the welfare of children. In any event, the Law Society points out that most of the 20-week period could pass without one respondent to the divorce even knowing about it. Unbelievably, the Bill does not require the applicant to serve a notice on the respondent at the start of the 20 weeks. When that matter was raised in the House of Lords, Lord Keen gave a lukewarm response. He is never the most persuasive Minister. I say it is a basic injustice that must be remedied, not by the Family Procedure Rule Committee, as he suggested, but on the face of this Bill.

We are in perhaps the most challenging time that anyone can remember, yet we bring forward a Bill with such insensitivity that we challenge not only the stability of families, but the very nature of marriage itself. Divorce marks the end of a partnership—the death of a love. As a family ends, all of society is a little weaker. The Lord Chancellor will come to regret this Bill because it is fundamentally un-Conservative. As it makes divorce easier, it makes marriage less significant and will make it less valued, and that is a price that no one here can afford to pay.

9.33 pm

**Duncan Baker** (North Norfolk) (Con): One of the greatest assets of becoming a Member of Parliament is that you can speak on matters that you have experienced first-hand and matters that have affected you deeply. For those who have actually experienced a long, protracted and acrimonious divorce, it leaves an indelible mark on them and, in many cases, on their families and children forever.

I want to speak today on this Bill because it resonates with me personally. I have wrestled, as many Members have, with the potentially difficult connotations that this law has specifically around the devaluing of marriage, which I absolutely do not want to see happen at all. However, as the Lord Chancellor set out, the Government have brought the Bill before us with a specific aim: to ease the unnecessary conflict for couples and children.

Growing up, I experienced my family going through divorce not once but twice: once when I was a toddler and again in my final years of school. This is not the arena to open up those experiences, but this is none the less a policy area in which I am passionate to see the law improve. I am able to speak on behalf of so many people who are affected by the current system, and for the children and families affected by the deep and lasting trauma that a difficult divorce leaves, and I am fully supportive of the ability to change the law and make it better.

I am 100% committed to the values of marriage. Perhaps witnessing that painful divorce was the driving force behind my wanting to have such a happy and fulfilling marriage with my wife and my children. That

is one of my proudest achievements and even my wife, who disagrees with me many times, would probably say that it is one of my better achievements. It has been going for 10 and a half years—I know I do not look old enough to have a 10-and-a-half-year marriage. For so many people, that is not the case. To continue to bind people together for years in an irretrievable situation just exacerbates the pain for the parties.

It is a good decision to deal with the consequences. Any ability to remove some of the outdated requirements to allege fault or show evidence of separation will promote a less antagonistic process. However, as some people have said, although removing the ability to lay blame may expediate the process when one party will not accept that there is a problem, we have to balance that carefully with the values of marriage.

As many Members have said, all marriages are worth fighting for. We must not make them overridingly easy to exit, so I am pleased with the measure that ensures that there will be a minimum of 20 weeks from the start of proceedings before someone can give confirmation to the court that the conditional order may be made. Together with the existing six-week period, that will mean that the legal process for obtaining a divorce under the new process will take a minimum of six months. That comforts some of the concerns that I had.

In the breakdown of a marriage, the accompanying ancillary relief procedures are often the bitter and acrimonious parts of the divorce. Like many Members, I would welcome some kind of compulsory marriage guidance within the six-month window to act as a brake—to provide reflection and, indeed, evidence that a marriage has irreversibly broken down.

**Ian Paisley:** Given that the Government carried out a consultation and more than 70% of respondents indicated a concern about where Government policy was going, is the hon. Gentleman as concerned as I am that when it comes to practice the reassurances being given by the Government will be cast aside as casually as the consultation process was?

**Duncan Baker:** I take the hon. Gentleman's concerns into consideration but, as has been set out, the overriding ambition in all this is not to quicken up the divorce process but to take away some of the exacerbating issues that cause pain and suffering in the breakdown of a marriage. That is the essence of the legislation that the Lord Chancellor has brought to us.

At the very core of the legislation is the goal of minimising conflict and promoting a more amicable resolution. I do not believe that, given the consideration necessary to get married, the measures before us will end up culminating in a speedier divorce process. I think of the absolute difficulty of going through that pain to end up in such a position. It will do more good to help to alleviate the deep conflict that can arise. Above all, if implementing the Bill can do anything to significantly lessen the damage to children's life chances, I will wholeheartedly support the Government.

9.39 pm

**Jonathan Gullis** (Stoke-on-Trent North) (Con): I welcome hearing the wide-ranging views from across the House, but I absolutely wholeheartedly support the Government and my right hon. and learned Friend the Lord Chancellor. When I say that it is time to modernise, I am not doing

down marriage in any way whatever. When a person enters into a marriage, they do so thinking about the lifelong impact that it will have on them. The same applies when they take the tragic decision to divorce. They come to realise and understand the pain and suffering that it will cause them, their partner, and, obviously, any children that they may have. The decision is not taken lightly in any shape or form.

It is important that we move away from the blame culture. I have heard many comments in this Chamber tonight that, somehow, divorce is damaging to children. As someone who was six months old when their parents divorced, I do not feel damaged. I was very lucky and appreciate that, while some had acrimonious relationships, I was able to access my mother and my father equally. I am aware that that is not always the case for others, but to use the word "damage" is quite extreme and it can be easily thrown around. I do not like to see that word being used so lightly.

The Bill is an important step forward. One of my hon. Friends made a really good point when they said that we were moving with the times.

**Alexander Stafford:** My hon. Friend talks about moving with the times, but does he not believe that, as marriage has been with us since time immemorial, it is something that we need to keep precious? We cannot just let it go.

**Jonathan Gullis:** Like my hon. Friend, I would call myself a strong social conservative, but who is arguing from a socially liberal perspective. He puts me in a difficult spot. What I would say is that although marriage is indeed ancient and should be treated with respect, courtesy and recognition, we also have to understand that we are in a very different cultural time. There does not always need to be infidelity. There does not always need to be one person to blame over another. Sometimes, tragically, the relationship simply does not work. In such instances, it should be for the individuals to make a decision that allows them both to part ways in a non-acrimonious way, without causing harm.

On the length of the proceedings, for people to be going through a divorce beyond 12 months, and in some cases for two years, does not allow either party to move on. It is keeping them trapped in something that they fundamentally no longer wish to be a part of. Therefore, we must understand that, with this law, six months is a positive step forward, because it allows those who, on a personal level, wish to take a step in a new direction to do so. Although I understand that this measure is contentious, and that, for some, it will be seen as challenging the institution of marriage, I also think that it will create less acrimony and mean that we have a more harmonious society, which, ultimately, means that the impact on children will be more positive.

9.44 pm

**Alex Cunningham** (Stockton North) (Lab): Having listened intently to the contributions made by colleagues today, I can say that this Bill has proved to be a little more contentious than I personally was expecting. It is clear that the Government have more problems with their own Back Benchers than they have with ours. We agree that this is a good Bill. It must be, because it is directly in line with Labour party policy.

[Alex Cunningham]

We have had a good debate with some really excellent interventions and speeches. In answer to my hon. Friend the Member for Chesterfield (Mr Perkins), who was concerned about court delays, the Secretary of State spoke of expanding capacity. Given the current backlog, I would be interested to hear a little more about that, so that the benefits of this Bill can be realised. My hon. Friend also spoke about his pride in his grandfather, A. P. Herbert, author of the Matrimonial Causes Act 1937. I am sure that his grandfather would be as proud of him today.

The hon. Member for Winchester (Steve Brine) spoke about the values of marriage and expressed concerns about the timing of the Bill, given the potential for lockdown break-ups. The hon. Member for Bromley and Chislehurst (Sir Robert Neill), the Chair of the Justice Committee, spoke as an Anglican, a person of faith, who was supporting the Bill because he believes in marriage. He spoke of other organisations, church and secular, that do likewise.

My hon. Friend the Member for Walthamstow (Stella Creasy) talked about how the last thing that families need is the state being a barrier. She went on to speak about children, as many others did—in her case, children who lost a parent but, because of our current system, lose out on the support available to those whose parents were married. I will come back to that subject later. Several Members spoke at great length about children and the impact of divorce on children, but it was the right hon. Member for New Forest West (Sir Desmond Swayne) who spoke of children being used as weapons by their parents in a war against each other. He felt that making divorce easier would lead to more poverty in our society.

This Parliament has a duty to ensure that the decisions we make here and the laws that we create are laws of the real world. In an ideal world, marriage would be the result of two people falling in love and wanting to be together forever and to have that recognised in law. It is a lovely image and it does happen. My own parents have already been married for 66 years, and Evaline and I for 43. In fact, my right hon. Friend the Member for Tottenham (Mr Lammy), the shadow Secretary of State, could have been a four-year-old page boy at our wedding. However, it would be naive of the House to think that it happens like this all the time, and it would be ignorant of the House to assume there is always a fault when it comes to the breakdown of a marriage. People change over time and can be very different, apart from the physical signs of older age, from how they were 10, 20 or more years ago. There should not have to be blame on one of the two consenting adults wishing to end their marriage, and as we have heard, it is significantly better for any children involved that their parents are not embroiled in a nasty split.

This Bill is a common-sense approach to the reality of people's lives and how they choose to live them. The option of not having to lay the blame at the door of one of the parties also means that obtaining a divorce can be simpler for those who are vulnerable or the victims of abuse. Many married couples are close friends and can continue to be friends after a divorce, but a divorce process that requires pointing fingers and blame can

cause irreparable damage and prevent a co-operative and constructive relationship that could have been a positive thing, particularly where children are involved.

It is also not good enough that the current law says that, if a couple agree mutually to have a divorce, they have to be separated for a minimum of two years. As others have said, the very fact that one person can lock the other person in a marriage against their wishes for five years from separation by prolonging the process is nonsense. I do not believe that the decision to divorce comes lightly for either spouse. I do not believe that people simply wake up one day and both parties opt for a divorce. This is a deliberate, delicate and difficult decision, born out of months, perhaps years, of anguish before they decide to take the route to divorce.

Yes, I agree with people who have stood up today and said that they think support and counselling services should be stronger, and I believe that, but the law simply should not be forcing people to remain tied to each other for two years just to make sure that divorce is what they really want. If a couple do want to reconcile, that is their private business to do so, and I would certainly wish them well in their search for happiness. However, reconciliation is made even more difficult if they have to blame each other in order to start the divorce process. What must run through our divorce procedures is the aim of encouraging co-operation, and what we have now is a system that encourages conflict. When there are issues to do with financial support and childcare, the last thing we should want for that family is more conflict and unnecessary hurt.

The academic study called “Finding Fault?” found that 43% of those identified by their spouse as being at fault for the marriage breakdown disagreed with the reasons cited in the divorce petition. This is not a fair system and it is certainly not a decent one either. It can also be costly, with thousands of pounds spent on legal costs that could have been retained by the individuals and used to help them to get on with their lives. My right hon. Friend the Member for Tottenham outlined in great detail other financial issues that show disadvantage for people at the lower end of the income scale and, of course, the lack of legal aid.

The changes made in the Bill are ones backed by policy makers, judges, stakeholders and the public, but there is more the Government can do to ensure protection for families that are modern in their image. For example, my hon. Friend the Member for Walthamstow spoke in detail about bereavement support for children where one parent dies and the parents were not married. When I wrote to the Government about this, I received a reply saying that

“A key principle of the National Insurance system is that all rights to benefits derived from another person's contributions are based on the concept of legal marriage or civil partnership.”

But why? Can the Government explain their rationale further? What impact does this have on families where the parents are divorced? If they are no longer married, is that support lost? I would appreciate it if the Minister who winds up clarified the Government's position on financial support for families where the parents are divorced, to which they would be entitled were they married.

Families do not look like they did 50 or even 10 years ago. We have moved forward in so many ways. People can marry whoever they love, irrespective of gender.

Many children have been given permanent, safe and stable homes by same-sex parents; others have been brought up by unmarried parents who then split up. Why does the system not fully recognise modern families when it comes to these relationships ending? The world has changed for the good, but we need to keep going. How are the Government going to change other areas of family law to ensure that reality is reflected in our laws, and we embrace the many ways that a modern family can be? I know the Bill may not be the vehicle to deliver these particular changes, but I think it is time we did the best for our families.

9.51 pm

**The Parliamentary Under-Secretary of State for Justice (Alex Chalk):** I am grateful to all Members who have contributed to this debate with such powerful speeches. A wealth of insight and poignant personal experience has been brought to bear, and this debate on such an important issue has been enriched by it. I thank my hon. Friends the Members for Stoke-on-Trent North (Jonathan Gullis) and for North Norfolk (Duncan Baker) and the hon. Member for Chesterfield (Mr Perkins) for sharing their experiences with the House.

Before responding to the points raised, let me make some brief introductory remarks. Marriages and civil partnerships are vital to society as a way in which couples can formally express their commitment to each other. I support marriage. The Government support marriage. This Bill is not anti-marriage; rather, it is anti-bitterness. In those sad cases where a marriage has irretrievably broken down, the Bill removes unnecessary and artificial flashpoints to reduce the scope for pain, recrimination and, crucially, harmful impact on children. We must accept the reality that some marriages do end. The Bill replaces a broken system which for decades has not operated as its framers intended. I note that it is supported by Resolution, which represents over 6,000 family justice professionals in England and Wales who have to grapple with the current framework every day.

One of the principal problems of the current statute is that it incentivises conflict. It does so in relation to those who wish to divorce before a two-year separation period because of the specific need to particularise the respondent's unreasonable behaviour and to do so in a way that fits a 50-year-old statute's prescriptive categories. The trouble is that words have consequences; they can do damage, so that where once there was grief, anger comes; where once there was sadness, bitter resentment follows. The academic study, "Finding Fault?" found that 43% of those identified by their spouse as being at fault disagreed with the reasons cited in the petition. That resentment is not just damaging for the parties themselves; others, particularly children, can be harmed by it too, because it toxifies the atmosphere in which a couple then approach negotiations over arrangements for children and finances. No wonder the president of the Law Society has said:

"For separating parents, it can be much more difficult to focus on the needs of their children when they have to prove a fault-based fact against their former partner... Introducing a 'no-fault' divorce... will change the way couples obtain a divorce—for the better."

**Sir John Hayes:** Leaving aside the issue of fault, will my hon. Friend commit to looking, during the passage of this legislation, at increasing the six-month period, at dealing with the issue of both parties being notified at

the outset of the divorce, and at ensuring that there is properly funded counselling and support for reconciliation? If he looks at those things, I think he will satisfy some of the critics of this Bill.

**Alex Chalk:** I thank my right hon. Friend for his question, and I pay tribute to the characteristic clarity and eloquence with which he made his representations. Although I cannot give any commitment to specific points, he has made powerful points. On behalf of the Government, I commit to continuing the conversation in Committee.

Part of the problem is that the court has limited means to investigate the circumstances. Having marched the parties up to the top of the hill by requiring petitioners to make allegations, the system rarely inquires into whether those allegations are true. It simply does not have the means to do so. In fact, just 2% of cases are contested, and only a handful progress to a contested court hearing. For more than 40 years, English and Welsh courts have not routinely held divorce trials to prove the allegations set out. That is because most people nowadays recognise that marriage is a voluntary union. When consent disappears, so, too, does its legitimacy.

That lack of inquiry is a problem because allegations may bear little resemblance to reality, but they are presented as established facts. The scope for injustice is obvious. To satisfy the statutory provisions, minor incidents may have to be dredged up and artificially repackaged as a pattern of behaviour. A respondent who, in truth, is a perfectly reasonable individual will have their behaviour branded unreasonable. Conversely, a respondent may have behaved despicably—a point made by the Lord Chancellor—but because of the fear of repercussions, a petitioner may seek to rely on two years' separation instead. At the end of it all, in the eyes of the law, the culpable respondent will never have been publicly rebuked, and will exit the relationship apparently blameless.

All too often, the law does not do what people think it does. That is not just the Government's view. Sir Paul Coleridge, a former family judge and chair of the Marriage Foundation, no less, said that the current system

"is, and always has been, a sham".

I think I may be the fifth person to quote him this evening, but Sir James Munby, former president of the family division, criticised the current law for being

"based on hypocrisy and lack of intellectual honesty"—

a point powerfully made by the Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill). The same is true of academia. Professor Liz Trinder, who has conducted extensive research on the divorce process, has branded the current arrangements "a meaningless charade".

I want to address the points that have been made with great force by my hon. Friends the Members for Cleethorpes (Martin Vickers) and for Devizes (Danny Kruger), and my right hon. Friends the Members for Gainsborough (Sir Edward Leigh), for New Forest West (Sir Desmond Swayne) and for South Holland and The Deepings (Sir John Hayes). To paraphrase—I will not do justice to the way in which they expressed it—the concern that they have raised is that the Bill will undermine the institution of marriage by making divorce more attractive. That is an important argument, and it has to be addressed.

[Alex Chalk]

The point is that it is a very sad circumstance indeed when a marriage breaks down, but some marriages do end. The legal process of divorce is not the driver for a marriage breaking down; it is the consequence. That is the point that my right hon. and learned Friend the Lord Chancellor was making about the telescope. Petitioners do not issue speculative applications for divorce. In the overwhelming majority of cases, they take that step only after reaching a settled conclusion. In those circumstances, we must do all we can to mitigate the pain experienced by the couple and their family, especially the children. We cannot have a system where the legal process works to exacerbate acrimony and suffering where divorce is simply the process of bringing a legal end to a personal relationship that has ceased to function for both parties.

The point that is so often made by practitioners is that very often, individuals are surprised by the convoluted and artificial process that they are presented with. International evidence shows that long-term divorce rates are not increased by removing fault from the process of obtaining a divorce. In short, divorce and dissolution are a sad reality, but one that is sometimes unavoidable. This Bill prevents hardship and misery, and it will help people at a vulnerable time. I commend this Bill to the House.

**Madam Deputy Speaker (Dame Rosie Winterton):**

Hon. Members should now be familiar with the Division process, but I ask all hon. Members other than Front Benchers and Tellers to leave the Chamber by the doors behind me. I will not give the instruction to lock the doors earlier than probably 28 minutes after I call the Division.

*Question put.* That the Bill be now read a Second time.

*The House divided:* Ayes 231, Noes 16.

**Division No. 54]**

**[10 pm**

**AYES**

Adams, Nigel	Bradley, rh Karen
Afolami, Bim	Brennan, Kevin
Afriyie, Adam	Brereton, Jack
Ahmad Khan, Imran	Bridgen, Andrew
Aiken, Nickie	Brine, Steve
Aldous, Peter	Bristow, Paul
Allan, Lucy	Britcliffe, Sara
Anderson, Lee	Browne, Anthony
Anderson, Stuart	Buchan, Felicity
Andrew, Stuart	Buckland, rh Robert
Antoniazzi, Tonia	Butler, Rob
Argar, Edward	Cadbury, Ruth
Atherton, Sarah	Cairns, rh Alun
Bacon, Gareth	Carter, Andy
Bailey, Shaun	Cartledge, James
Baillie, Siobhan ( <i>Proxy vote cast by Eddie Hughes</i> )	Chalk, Alex
Baker, Duncan	Chamberlain, Wendy
Baker, Mr Steve	Charalambous, Bambos
Baynes, Simon	Churchill, Jo
Bell, Aaron	Clark, rh Greg
Benton, Scott	Clarke, Mr Simon
Bhatti, Saqib	Clarke, Theo
Blake, Olivia	Clarke-Smith, Brendan
Blunt, Crispin	Clarkson, Chris
	Cleverly, rh James

Clifton-Brown, Sir Geoffrey	Hunt, Jane
Coffey, rh Dr Thérèse	Hunt, Tom
Colburn, Elliot	Jack, rh Mr Alister
Costa, Alberto	Jenkinson, Mark
Courts, Robert	Johnston, David
Coutinho, Claire	Jones, Andrew
Creasy, Stella	Jones, rh Mr David
Crosbie, Virginia	Jones, Fay
Crouch, Tracey	Jones, rh Mr Kevan
Cunningham, Alex	Jones, Ruth
Daly, James	Jupp, Simon
Davies, David T. C.	Kawczynski, Daniel
Davies, Gareth	Keegan, Gillian
Davies, Dr James	Kyle, Peter
Davies, Mims	Lammy, rh Mr David
Davies-Jones, Alex	Largan, Robert
Davison, Dehenna	Levy, Ian
Dines, Miss Sarah	Lewis, rh Dr Julian
Djanogly, Mr Jonathan	Loder, Chris
Docherty, Leo	Longhi, Marco
Doyle-Price, Jackie	Loughton, Tim
Drummond, Mrs Flick	Mackrory, Cherilyn
Duguid, David	Malthouse, Kit
Eastwood, Mark	Mangnall, Anthony
Ellis, rh Michael	Mann, Scott
Elphicke, Mrs Natalie	Marson, Julie
Eustice, rh George	Mayhew, Jerome
Everitt, Ben	Maynard, Paul
Farris, Laura	McCartney, Jason
Fell, Simon	Milling, rh Amanda
Fletcher, Katherine	Mills, Nigel ( <i>Proxy vote cast by David Rutley</i> )
Fletcher, Mark	Mohindra, Mr Gagan
Ford, Vicky	Moore, Robbie
Foster, Kevin	Moran, Layla
Francois, rh Mr Mark	Mordaunt, rh Penny
Frazer, Lucy	Morden, Jessica
Freer, Mike	Morris, Anne Marie
Fuller, Richard	Morris, James
Ghani, Ms Nusrat	Morrissey, Joy
Gibson, Peter	Morton, Wendy
Gideon, Jo	Mumby-Croft, Holly
Glen, John	Murray, Mrs Sheryll
Goodwill, rh Mr Robert	Neill, Sir Robert
Graham, Richard	Nichols, Charlotte
Green, Chris	Nici, Lia
Griffith, Andrew	Nokes, rh Caroline
Griffith, Nia	O'Brien, Neil
Grundy, James	Parish, Neil
Gullis, Jonathan	Pawsey, Mark
Hall, Luke	Penrose, John
Hammond, Stephen	Percy, Andrew
Harper, rh Mr Mark	Perkins, Mr Toby
Harris, Rebecca	Philp, Chris
Harrison, Trudy	Pow, Rebecca
Hart, rh Simon	Prentis, Victoria
Heald, rh Sir Oliver	Pursglove, Tom
Healey, rh John	Quin, Jeremy
Heapey, James	Randall, Tom
Heaton-Harris, Chris	Redwood, rh John
Henderson, Gordon	Rees-Mogg, rh Mr Jacob
Henry, Darren	Richards, Nicola
Higginbotham, Antony	Richardson, Angela
Hobhouse, Wera	Roberts, Rob
Holden, Mr Richard	Hollinrake, Kevin
Hollinrake, Kevin	Hollobone, Mr Philip
Hollobone, Mr Philip	Holmes, Paul
Holmes, Paul	Hopkins, Rachel
Hopkins, Rachel	Howell, John
Howell, John	Howell, Paul
Howell, Paul	Huddleston, Nigel
Huddleston, Nigel	Hughes, Eddie
Hughes, Eddie	



Shelbrooke, rh Alec  
 Simmonds, David  
 Smith, Chloe  
 Smith, Greg  
 Spencer, Dr Ben  
 Spencer, rh Mark  
 Stafford, Alexander  
 Stewart, Bob  
 Stewart, Iain  
 Sturdy, Julian  
 Sunderland, James  
 Syms, Sir Robert  
 Thomas, Derek  
 Throup, Maggie  
 Timpson, Edward  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Trevelyan, rh Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom

Twist, Liz  
 Vickers, Matt  
 Villiers, rh Theresa  
 Wakeford, Christian  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warman, Matt  
 Watling, Giles  
 Webb, Suzanne  
 Western, Matt  
 Whittome, Nadia  
 Wiggin, Bill  
 Wild, James  
 Williams, Craig  
 Wood, Mike  
 Wright, rh Jeremy  
 Young, Jacob  
 Zahawi, Nadhim

**Tellers for the Ayes:**  
 Mr Marcus Jones and  
 David Rutley

#### NOES

Amess, Sir David  
 Bruce, Fiona  
 Davies, Philip  
 Donaldson, rh Sir Jeffrey M.  
 Hart, Sally-Ann  
 Hayes, rh Sir John  
 Kruger, Danny  
 Leigh, rh Sir Edward  
 Lockhart, Carla  
 McCartney, Karl

Millar, Robin  
 Paisley, Ian  
 Rosindell, Andrew  
 Shannon, Jim  
 Swayne, rh Sir Desmond  
 Vickers, Martin

**Tellers for the Noes:**  
 Sir Christopher Chope and  
 Mr Peter Bone

*Question accordingly agreed to.*  
*Bill read a Second time.*

#### DIVORCE, DISSOLUTION AND SEPARATION BILL [LORDS] (PROGRAMME)

*Motion made, and Question put forthwith (Standing Order No. 83A(7)),*

That the following provisions shall apply to the Divorce, Dissolution and Separation Bill [Lords]:

##### *Committal*

(1) The Bill shall be committed to a Committee of the whole House.

##### *Proceedings in Committee, on Consideration and up to and including Third Reading*

(2) Proceedings in Committee, any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings in Committee of the whole House are commenced.

(3) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(4) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

##### *Other proceedings*

(5) Any other proceedings on the Bill may be programmed.—  
*(Leo Docherty.)*

*Question agreed to.*

#### DIVORCE, DISSOLUTION AND SEPARATION BILL [LORDS] (MONEY)

*Queen's recommendation signified.*

*Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),*

That, for the purposes of any Act resulting from the Divorce, Dissolution and Separation Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred under or by virtue of the Act by the Lord Chancellor or the Secretary of State.—*(Leo Docherty.)*

*Question agreed to.*

#### Business without Debate

#### DELEGATED LEGISLATION

**Madam Deputy Speaker (Dame Rosie Winterton):**  
 With the leave of the House, we shall take motions 6 and 7 together.

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

#### WEIGHTS AND MEASURES

That the draft Weights and Measures Act 1985 (Definitions of “Metre” and “Kilogram”) (Amendment) Order 2020, which was laid before this House on 16 March, be approved.

#### AGRICULTURE

That the Direct Payments to Farmers (Crop Diversification Derogation) (England) Regulations 2020 (S.I. 2020 No. 475), dated 30 April 2020, a copy of which was laid before this House on 30 April, be approved.—*(Leo Docherty.)*

*Question agreed to.*

#### COMMITTEES

**Madam Deputy Speaker (Dame Rosie Winterton):**  
 With the leave of the House, we shall take motions 8 to 12 together.

*Ordered,*

#### ENVIRONMENTAL AUDIT COMMITTEE

That Kerry McCarthy be discharged from the Environmental Audit Committee and Barry Gardiner be added.

#### ENVIRONMENT, FOOD AND RURAL AFFAIRS COMMITTEE

That Mary Glendon be discharged from the Environment, Food and Rural Affairs Committee and Barry Gardiner be added.

#### INTERNATIONAL TRADE COMMITTEE

That Gareth Thomas be discharged from the International Trade Committee and Taiwo Owatemi be added.

#### NORTHERN IRELAND AFFAIRS COMMITTEE

That Karin Smyth be discharged from the Northern Ireland Affairs Committee and Mary Kelly Foy be added.

#### PETITIONS COMMITTEE

That Kerry McCarthy be discharged from the Petitions Committee and Tonia Antoniazzi be added.—*(Bill Wiggin, on behalf of the Committee of Selection.)*

## Electoral Reform

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

10.32 pm

**Wendy Chamberlain** (North East Fife) (LD): It seems that debates on potential electoral reform are a bit like buses: wait a long time for a chance to discuss it, and then, with the Parliamentary Constituencies Bill last week, two opportunities come along at once. I welcome the opportunity to engage with the Minister on this topic, as I indicated on Second Reading of the Bill last week. I believe that this is the first debate on positive reform to our electoral system in this Chamber since 2016. As we reflect on last year's general election and the challenges that the UK faces in relation to the covid-19 pandemic, I believe that revisiting this topic and the impact that the current first-past-the-post system has on democracy is valid.

During that Second Reading debate last week, I mentioned a statistic: for every one vote it took to elect an SNP MP at the last election, it took 33 votes to elect a Green one. The Green party polled over 800,000 votes and ended up with only one Member of Parliament: the hon. Member for Brighton, Pavilion (Caroline Lucas). The Brexit Party, polling over 600,000 votes, got no MP at all. Its biggest impact as a party was in standing down in seats, effectively preventing those who wish to vote for it in those seats from being able to do so.

I do not want to drown Members in statistics—I know that the Government have been in trouble with the Office for National Statistics recently—but I do want to highlight the following. The Government have an 80-seat majority in this House, but they did not receive the majority of votes—far from it, in fact. They got 43.6% of the votes, but due to first past the post, they now hold 56% of the seats. I do not know what is more remarkable: the fact that the Government have a majority in Parliament, despite not having a majority of votes from this country, or the fact that we have grown so used to this disproportionality that we rarely comment on how remarkable it is.

If Government Members—were they here—to say, “Well, at least the largest party in the Commons is the one with the most votes,” I would agree. After all, in 1951 and 1974, the party with the most votes did not end up with the most seats. The electoral maths is very clear. First past the post does not do a good job at all of representing voters' preferences or the will of the people, as some like to call it.

One of the arguments in support of first past the post is—to quote a previous Conservative general election slogan—that it provides strong and stable governance. The last 10 years have demonstrated that this is far from the case. We have a broken system. It is unfair, unrepresentative, and undermines the legitimacy of our democracy and, indeed, the UK itself. We often take pride in the fact that this Parliament is the mother of Parliaments, but we should not let our pride in our heritage blind us to the areas in which it needs improvements. We should not uphold tradition at all costs, particularly when it prevents us from making the progressive changes that will have a positive impact on people's lives, or prevents Members from properly representing their constituents. Every election that we

hold under first past the post runs the risk that we end up with a Government who did not win a majority of votes, impacting on the legitimacy of our whole democratic process. This is a scenario that should worry anyone and which we should be acting pre-emptively to avoid.

Although I take pride in our heritage, the reality is that the vast majority of democratic countries have chosen not to follow our system. Exactly the scenario that I have been talking about—the party with the most votes not becoming the Government—happened in New Zealand in 1978 and again in 1981, and it set that country on the road to changing first past the post in 1997. It was abandoned in Ireland, Australia, Malta, South Africa and Cyprus. Across Europe, 40 out of 43 countries carry out elections using some form of proportional representation.

The Scottish and Welsh Parliaments, and the Northern Ireland Assembly, use forms of proportional representation in their elections to those bodies. When we have the chance to start from scratch, first past the post is never anyone's first choice. Surely now, following two divisive referendums in the past decade—again resulting in winner takes all—and with the challenges facing us going forward, we require a different kind of politics from the adversarial two-party politics that is the natural result of first past the post. Last week, the Prime Minister criticised the Leader of the Opposition for not working in a constructive way, but this is exactly the way in which our system forces politicians to operate—across the Dispatch Box, two sword lengths apart.

As the Scottish National party's vote is concentrated in the 59 Scottish seats, the situation that first past the post creates there is even more serious. In December, 45% of the vote for the SNP equated to 80% of the seats. The adversarial nature of things becomes even more stark when two parties each claim to be the voice of their people, and I am pleased that the SNP is in agreement with me that we need a more proportional system and we need it to be found soon.

As we seek to recover from the impact of covid-19, other challenges—most crucially, our response to the climate emergency—remain. Such challenges will not be solved by one side or way of thinking. They require co-operation, mutual trust, welcoming a diversity of thinking, and an ability to set aside our differences and work together for the common good.

Some commentators have observed that states with the perceived best response to coronavirus so far are those with women leaders. The underlying factor is that these are countries with proportional systems and a focus on pluralistic decision making, such as New Zealand and Germany. Every single country with more than 40% of female representatives in its legislature has a proportional system. The current system is inhibiting the progress that both the Government and the official Opposition say they want to make.

It is not only our governance that is weakened by first past the post. Our voting system results in the permanent disenfranchisement of millions of voters, creating persistent minorities, and a real and legitimate sense of anger alongside the harm to the regions and the devolved nations. How depressing is it that, for a great number of people in this country, being represented here in this place by someone they actually voted for feels like a treat?

In last week's debate, many MPs spoke about how much they love their constituencies and the pride that they take in representing them. I have personally enjoyed the tradition of the maiden speech, referring to my constituency and its attractions as well as acknowledging the work of my predecessor. But as Members of Parliament, we do not actually represent our constituencies; we represent the people in it. In my constituency of North East Fife, the majority of people did not vote for me in December. Tactical voting probably played a part in the result, but my job now is to represent everyone in my constituency, and we must acknowledge that many feel unrepresented as a result of our system.

Surely we should all like to be elected on the basis of a positive voter choice, as opposed to being the least worst option on the ballot paper, as is often the case. Surely the proliferation of tactical voting websites and electoral pacts at the last general election suggests there is something fundamentally wrong with the way we elect people to this place. We talk about the collapse of Labour's red wall without critically asking whether it is right for any party to believe it has the right to any seat or its electorate. We do however comment on the extra attention that these seats and their new Conservative representatives expect to get from the Government. That suggests that, as previously safe Labour seats, where the same party had won every election, people's votes there were worth very little and the parties could therefore ignore them. Only when a seat becomes marginal does it seem to matter.

As I pointed out last week, it is strange that the Conservative manifesto recognised that votes mattering equally is a "cornerstone of democracy", yet is blind to the huge disparities in our current system. It was pointed out to me by the right hon. Member for Basingstoke (Mrs Miller) that she has more than 20,000 more electors in her constituency than I have in mine, but this unfairness is because our system is based on defining boundaries and areas for a single Member to represent under first past the post. Some of the criteria being set out in relation to boundary changes undermine the arguments for single-Member constituencies by diluting the identified community links that many argue are the main benefit of first past the post and risking further disenfranchisement in an already broken system.

One other promise in the Conservative manifesto was to have a constitution, democracy and rights commission in the first year of the Government. Will the Minister update us on the plans for that commission, including its scope and potential membership? Fair votes are just one spoke on the wheel of reforming our broken politics and there is lots more to be done; I have not touched on the House of Lords or the fact that England needs to follow the reforms of the other devolved nations, including Wales, where, from last week, 16 and 17-year-olds are now eligible to vote. I find it strange that only in England are 16 and 17-year-olds felt to be incapable of exercising their democratic rights.

**Layla Moran** (Oxford West and Abingdon) (LD): My hon. Friend is giving an incredibly powerful speech, at an important time in our democracy. I used to be a teacher and I can say from experience that 16 and 17-year-olds are just as capable of understanding the complexities of the political landscape as anyone else and quite often ask very insightful questions. From her

experience as a Scottish MP, does she agree that it is time England followed suit and gave 16 and 17-year-olds the vote?

**Wendy Chamberlain:** I thank my hon. Friend for her intervention and entirely agree with her. As I say, only one of our four nations seems to feel that its young people do not have that insight, and we should absolutely be giving them that opportunity.

Countries around the world are moving forward beyond fair votes, with democratic innovations such as citizens' assemblies or participatory budgeting programmes. We need to look at participatory democracy better empowering local communities and groups. We have seen multiple marches and demonstrations in the past few years, including, most recently, this weekend. People protest when they feel they have no other option in terms of making their voices heard to demand change. It is tempting to be comfortable with the current system—after all, every Member here has benefited from first past the post—and I understand the reverence in which Members hold this place, but we best revere it when we acknowledge that its practices are letting down the very people who elected us to represent them. We should not let warm feelings get in the way of cold, hard reality.

**Wera Hobhouse** (Bath) (LD): Does my hon. Friend agree that we are creating a very divisive politics in this country, where we are persistently looking for argument, rather than consensus, and that that completely overshadows our political culture and we need to change it?

**Wendy Chamberlain:** Again, I entirely agree with what my hon. Friend says; this has created our two-party politics and divisiveness, and, as a result, there is not the opportunity to work in consensus.

**Jim Shannon** (Strangford) (DUP): In my political career, I have been a councillor on Ards Borough Council, elected under a proportional representation system; I was also in the Northern Ireland Assembly, to which I was again elected under a PR system; and I was fortunate to have the opportunity to come here in 2010, under a straight first-past-the-post system. I understand the benefits of both systems, and why in Northern Ireland we needed an Assembly that could bring the parties together. There is a reason for using the proportional system where it is used, but does the hon. Lady agree that the first-past-the-post system sits here as well?

**Wendy Chamberlain:** I cannot agree that first past the post has a place, because I believe that we can use other ways and methodologies to represent constituencies, such as the single transferrable vote, which would give us the same result but would be more representative of the way people voted. I thank the hon. Gentleman for his intervention.

We should not let warm feelings get in the way of cold hard reality. I urge Members and the Government to reflect on whether there is an unfairness here. Will a change benefit people's lives across the UK and the devolved nations? Indeed, would what we are talking about actually work better across the four nations, when three of our four nations, as the hon. Member for Strangford (Jim Shannon) said, actually have some

[Wendy Chamberlain]

form of proportional representation in how they elect Members to their Parliaments and Assemblies? I believe there is only one answer. Now really is time that we should consider electoral reform.

10.46 pm

**The Minister of State, Cabinet Office (Chloe Smith):**

It is a pleasure to serve under your chairmanship, Madam Deputy Speaker, and to welcome the hon. Member for North East Fife (Wendy Chamberlain) to her place as her party's spokesperson on these issues. I look forward to working with her in that role, and as such, I thank her for raising these important issues in this Adjournment debate. I will take the time available to me to address as many of the issues she raised as I can. She clearly spent most of her time focusing on the method of counting votes in the first-past-the-post system, so that is what I will focus on in my remarks.

If I may, I will just set the scene with a few additional things that we are also focusing on in this Parliament that we think are important in stewarding our electoral system and our democracy. I certainly think that how people cast their vote goes to the heart of our democracy, and it is from that that the Government made an absolute priority in our manifesto, and through much of the action I take when I have the privilege to speak from this Dispatch Box, of protecting and upholding our democracy and our elections by means of electoral integrity. We are taking forward a programme of work that seeks to make our elections secure but also fit for the modern age. Importantly, one of those points is the need to bring our electoral laws up to date for the digital age, which I think the hon. Lady and I both agree is a necessary move. I want to help citizens to make informed decisions by increasing transparency in online political campaigning, and with that I also seek to make sure that rules on campaign donations and spending are effective.

I really look forward to working with the hon. Lady on the forthcoming policy of putting imprints on digital electoral material, which I think will help to strengthen trust and will help people to be informed about who is behind a campaign, so that they can choose and decide. She will be aware of my intention to introduce further measures to reduce fraud in elections, including by introducing identification requirements to vote and by tackling postal vote harvesting and potential proxy fraud.

The hon. Lady already mentioned updated and equal parliamentary boundaries, so I will not dwell on that—we will have plenty of time to do that in Committee sessions in the next while—but it is linked to tonight's subject matter. It is important, because every voter needs to know that their vote carries equal weight, no matter where it is cast in the UK. I start at this point, because it came up in the debate last week on Second Reading. There is simply a difference of view here. She would say that, for example, an STV system or a PR system would be better than a fixed-term—[*Interruption.*] I have too many acronyms with F, T and P in them; I meant to say first past the post. She will support one; I will support the other. However, that said, it is possible for us both to agree that, whichever system is used, voters' voices ought to have the greatest possible equality within that

system. From the perspective of first past the post I argue that, within that system, we should ensure that every vote has a chance for its voice to carry equal weight wherever it is cast.

Let me turn more specifically to the first-past-the-post electoral system. I understand the points raised by the hon. Member for North East Fife. She gave a good run down of the principal arguments that are often given against the first-past-the-post system, and I suspect that underlines the point for other hon. Members—we are kept company tonight by a few, including, no less, the hon. Member for Strangford (Jim Shannon) who attends every Adjournment debate. As he, and others, will know, this debate is not perhaps new, so I will run through some of the principal arguments in favour of first past the post, to balance the discussion.

For me, the first point is always the constituency link. There is something important to be said about the politics of place, and it is harder to achieve that in some designs for a proportional representation system. The politics of place are important. For example, the hon. Member for North East Fife speaks for Fife; I speak for Norwich. The hon. Member for Strangford speaks for Strangford, and my hon. Friend the Member for Walsall North (Eddie Hughes) speaks for parts of Walsall. All those places have different needs that can be well represented by a Member who speaks when grounded in those communities.

**Christine Jardine** (Edinburgh West) (LD): As a Scottish MP, like the hon. Member for North East Fife (Wendy Chamberlain), I have experience of both systems. We both share constituencies with MSPs who are connected to the constituency. We have a separate top-up list. I do not think it fair always to depict proportional representation as removing the connection with the constituency. Sometimes, it is just as strong.

**Chloe Smith:** The hon. Lady is right. From the facts I cannot argue with that point, and I would not seek to. My point about the politics of place is part of a set of points that, in my view, fit together. My second point, which I think gives voters a better result than the one just described is—

**Wera Hobhouse:** Will the Minister give way?

**Chloe Smith:** If the hon. Lady will allow me to make my second point, I will be happy to give way. The second important feature is accountability, which with first past the post is linked to place. It can be achieved in other ways, but with first past the post we all get the kind of accountability that comes when an MP walks down the street and looks into the eyes of their constituents. It is important to seek a system that has that in its design, so that there is not some relatively difficult to understand method of apportioning the number of votes, but instead a clear method of who came first—the clue is in the name. That gives citizens, voters, a clear method of holding somebody to account. MPs can be thrown out as easily as they were voted in, and they are given the accountability to conduct that job, and to do so strictly by reporting to a place, and to people who use the same public services as they do in their constituencies. All of that links the politics of place with accountability.

**Wera Hobhouse:** There are, of course, proportional systems that do both—they are proportional and they have clear links between a particular Member of Parliament and a place. Is the Minister not defending the indefensible simply because it delivers electoral success to a particular party, or the two big parties, rather than creating a better democracy? Are we not in this place to create a better democracy?

**Chloe Smith:** We are indeed in this place to improve our democracy. That is why I took the time when opening my remarks to set out some of the ways I am doing that. I am sorry to make a partisan point, but when the hon. Lady's party was in government—it got there under a version of this system—it tried to improve the voting system, and the British people said no. That was to be my third point against making the move from the first-past-the-post system to what, in that case, was the alternative vote system. That was put fairly and squarely to people in a referendum and they declined it; they said, no, they did not want to make that change. It would not be fair to ask people that again in such short order, because it is rather an important principle that when you have a referendum you respect its results.

**Jim Shannon** *rose*—

**Chloe Smith:** I give way to the hon. Gentleman, having named him several times.

**Jim Shannon:** I thank the Minister. We were elected as the Members of Parliament for our constituencies in this House under first past the post. I know I have said this, I am sure the Minister has said it, and probably every other Member here has said it. As a member of the Democratic Unionist party, the fact of the matter is that I am everybody's MP. Does she agree that everybody is the MP for their constituency, as everybody else is here, whether people agree with our political views or not?

**Chloe Smith:** Yes, that is a very wise summary to put into this debate. It puts me back in mind of some important principles that the hon. Member for North East Fife struck in her remarks. She was keen to see that people should not be left feeling disenfranchised in a certain constituency. She was keen to see a reduction in the adversarial nature that sometimes can creep into—dare I say?—all sorts of politics, but she identified it in our politics in this country. She was keen to explore how a Member of Parliament could represent everyone in their constituency, which I think connects to the point that the hon. Member for Strangford just made.

I feel very strongly on these matters as well. It has always been a point of some passion for me, actually, that I think we can do those things within the first-past-the-post system. That goes back to my point about the politics of place and the fact that we are accountable to that particular community and that particular group of people—a relatively small group of people, in fact, on some international comparisons. We have to strive to represent all of them. It is our duty to do so, however difficult that may sometimes seem when there are opposing views, naturally, within a body of people, and only one of us. We have to do that and we have to use our judgment to do it. That is, in my view, the very rewarding job that we seek to do. If we can do it right, that can, I hope, deliver some satisfaction to our constituents as well, with the ability to say no to us if they would rather it was not us in our place.

**Christine Jardine:** One of the acknowledged problems we have in modern democracy is the lack of engagement, particularly of young people. One of the things many of us hear on the doorstep is, “Why would I bother? My vote doesn't count.” The beauty of proportional representation is that every vote counts, in the sense that people sometimes feel in a seat where there is a large majority for one party that there is no point in them voting as it will not count and they will not be represented. Would the hon. Lady accept that point—that PR gives everyone's vote some weight?

**Chloe Smith:** I do understand that point. I personally would use a similar argument to apply to one's vote getting rather lost in a national system that did not give accountability directly to a representative.

Allow me to pause in responding to the arguments about the voting system and turn to a couple of the other points that the hon. Member for North East Fife made. I will cover three manifesto commitments. First, in the Conservative manifesto, which was chosen and has been given the privilege of being turned into action, we committed to retain the first-past-the-post system. That concludes that section of my remarks.

Turning to votes at 16, and if I may, combining this with the points made by the hon. Member for Edinburgh West (Christine Jardine) about how very many young people want to be involved in politics, I am passionately in favour of young people being involved in politics. However, I do think there are many ways to do that—there is not only the question of the voting age; there are lots of ways to engage people in politics. As I have mentioned, the manifesto commitment from this Government was to retain the franchise at 18 years old. That is because of an argument of consistency within the other services and aspects of public citizenship. A person below the age of 18 is treated as a minor, for example, in both the foster care system and the criminal justice system. They cannot attend jury service, buy alcohol or be sent into action in the armed forces, and they cannot own property, gamble and so on. There is a wide range of life decisions for which Parliament has judged that 18 is the right age across the nation.

**Layla Moran:** Surely there is an inconsistency, however, in the way that 16-year-olds are treated across the four nations. Can the Minister not see the inconsistency in that position?

**Chloe Smith:** I understand and recognise the argument, but this Parliament represents the UK parliamentary voting franchise, and it is that that I am speaking about. As it happens, I also fully support the ability of the devolved Administrations to make decisions within their remits for themselves.

I have one moment to finish off on the commission on the constitution, democracy and rights. As the hon. Member for North East Fife (Wendy Chamberlain) mentioned, it is there in the Queen's Speech, it was there in our manifesto and we think it is very important to do so. I will be pleased to bring forward further details for the hon. Lady and for you, Madam Deputy Speaker, but at this point I think we adjourn.

*Question put and agreed to.*

11.1 pm

*House adjourned.*



# Written Statements

Monday 8 June 2020

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### Business Update

**The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma):** I hereby give notice of the Department for Business, Energy and Industrial Strategy's intention to seek an advance from the contingencies fund totalling £5,673,000 to enable expenditure on Covid-19 vaccines programme to be spent ahead of the passage of the Supply and Appropriation Act.

The funding is urgently required for HM Government to secure inventory which can be utilised for a number of vaccine, antibody and therapeutic candidates.

Parliamentary approval for additional resources of £5,673,000 for this new expenditure will be sought in a Main Estimate for the Department for Business, Energy and Industrial Strategy. Pending that approval, urgent expenditure estimated at £5,673,000 will be met by repayable cash advances from the Contingencies Fund.

The cash advances will be repaid upon receiving Royal Assent on the Supply and Appropriation Bill.

[HCWS274]

## CABINET OFFICE

### UK's Future Relationship with the EU: Negotiations

**The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove):** The Government have made a commitment to update Parliament on the progress of our future relationship negotiations with the EU. This statement provides an update on the fourth round of negotiations.

Negotiators from the UK and the EU held discussions through video conferencing on 2-5 June 2020 for the fourth round of negotiations on the UK-EU future relationship. This round was shorter than usual owing to a Belgian public holiday. There was no opening plenary, but there were substantive discussions on many issues, and the week closed with a plenary on 5 June chaired by the UK's Chief Negotiator, David Frost, and by the European Commission's Chief Negotiator, Michel Bamier.

Discussions covered all work streams including:

*Trade in Goods*—Market access, trade remedies, customs and SPS.

*Trade in services*—International maritime transport services, temporary entry for business purposes, professional qualifications, small and medium-sized enterprises, geographical indications (GIs).

*Fisheries*—Objectives of the agreement, consultation and co-operation procedures, access and scope, and quota sharing.

*Transport*—Aviation governance.

*Energy*—Civil nuclear, gas and electricity trading, climate change and carbon pricing.

*Mobility and social security co-ordination* - Social security co-ordination arrangements.

*Law Enforcement and Criminal Justice*—Human rights, extradition, the exchange of passenger name records (PNR) information, and Europol.

*Thematic co-operation* - A possible security of information agreement, asylum and illegal migration including unaccompanied asylum-seeking children.

*Participation in union programmes*—Discussions on the potential terms for UK participation in the following programmes Horizon Europe, Euratom, R and D, Copernicus and Erasmus+, and discussions on potential co-operation on the European geostationary navigation overlay service and EU space surveillance and tracking programmes.

*"Level playing field"*—In particular, labour and environmental standards, and trade and sustainable development.

*Horizontal issues*—Governance arrangements, territorial scope.

Discussions were constructive and positive in tone, but there was no movement on the most difficult areas where differences of principle are at their most acute— notably fisheries, governance arrangements, and the so-called "level playing field". Chief negotiators are discussing the arrangements for the next rounds of negotiation and for the high level meeting required by the political declaration to take place in June.

[HCWS271]

### Withdrawal Agreement Joint Committee: Second Meeting

**The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove):** The second meeting of the withdrawal agreement Joint Committee will take place on 12 June 2020 by video conference.

The meeting will be co-chaired by the Chancellor of the Duchy of Lancaster, right hon. Michael Gove MP and Vice President of the European Commission, Mr Maroš Šefčovič.

The agenda will include four items:

*Introduction and opening remarks from co-chairs*

Welcome and opening remarks

Stocktake of specialised Committee meetings

*Implementation of the withdrawal agreement*

Citizens' rights

Protocol on Ireland-Northern Ireland

Protocol on sovereign base areas in Cyprus

Protocol on Gibraltar

Financial provisions

*Decision on amendments to the withdrawal agreement*

*AOB*

The UK delegation will include:

Chancellor of the Duchy of Lancaster, right hon. Michael Gove MP

The Paymaster General, right hon. Penny Mordaunt MP

Representatives from the Northern Ireland Executive have also been invited to form part of the UK delegation.

[HCWS270]

## DIGITAL, CULTURE, MEDIA AND SPORT

### Immersive and Addictive Technologies: Government Response to DCMS Committee Inquiry

**The Secretary of State for Digital, Culture, Media and Sport (Oliver Dowden):** DCMS is today publishing the Government response to the DCMS Select Committee's report on Immersive and Addictive Technologies. I would like to commend the Committee for a wide ranging and detailed examination of many important issues.

The report called for improved research on the impact of video games and included extensive commentary on loot boxes (in-game purchases of virtual containers that award players with items to use in the game, based on chance).

To address the issues raised, and to ensure Government policy is based on sound evidence, the Government will set a framework for a programme of research into video games' impacts on behaviour. This process will be led by DCMS' Chief Scientific Advisor and will include a series of workshops with relevant research councils, academia and industry. These will be used to help determine the full range and detail of the questions that need to be addressed on the impacts of video games and make recommendations for a further programme of research.

We are not minded at this point to impose a levy on the games industry to pay for new research as we believe it would be likely to disproportionately impact the SMEs and microbusinesses that comprise the vast majority of games businesses in the UK. However, a range of funding approaches, including mechanisms to allow for in-game data to be used to support research, will be considered as part of this work.

The Government will also launch a call for evidence on loot boxes to assess concerns around links to gambling-like behaviour and excessive in-game spending. This will work alongside the framework for a programme of research into video games, and the wider review of the Gambling Act that includes a commitment to include a particular focus on loot boxes. In addition to a written call for evidence, we envisage holding a series of roundtables to discuss issues and solutions in detail, including the most effective approaches to protect users from any harms identified. The results from the call for evidence will be considered alongside the review of the Gambling Act. The Government stand ready to take action should the outcomes of the call for evidence support taking a new approach to ensure users, and particularly young people, are protected.

The Government recognise that immersive technologies and content offer great potential for economic, cultural and social benefits to the UK. Through increasingly compelling narratives and realistic visuals, immersive products can offer engaging experiences to audiences, not just with the aim of entertaining but with the scope to challenge, educate and inspire them.

Immersive technologies also allow the video games sector in the UK to build on already formidable strengths. Over half the UK population plays games, the vast majority engaging safely with content that allows them

to enjoy fun, exciting play, find moments of relaxation, socialise and learn new skills. The video games sector, a key part of the UK's world-leading creative industries, is also a cutting edge creator and adopter of innovative new technologies, and a provider of highly skilled creative jobs.

The Government are committed to build on these strengths by promoting inward investment, enabling the growth of exciting new games companies and encouraging innovation. Targeted support includes the video games tax relief which has supported more than 1,000 video games productions since it was introduced in 2014. Earlier this year, we also announced the extension of the UK games fund to 2021. Set up in 2015, the UK games fund targets games development talent with access to finance and business support, supporting 152 companies and 73 graduate teams to date. We are also helping to drive innovation, supporting ground-breaking projects such as the InGAME centre in Dundee. We will continue to consider further actions we can take to underpin the sector's vital contribution to the future prosperity of the UK.

However, while digital technologies are overwhelmingly a force for good, undoubtedly they also present new responsibilities to ensure that users—particularly children and vulnerable people are not exposed to harm.

I believe the actions the Government are announcing today are important steps towards ensuring we can support the further growth of an innovative and important industry while protecting users in a fast-changing space. Further details on these, and the other recommendations made by the Committee will be set out in the Government response.

I am placing copies of the response in the Libraries of the House, and it will also be available on: [www.gov.uk](http://www.gov.uk).

[HCWS272]

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Local Authority Procurement: Fraud and Corruption Risk Review

**The Minister of State, Ministry of Housing, Communities and Local Government (Mr Simon Clarke):** Today I have published a review into the risks of fraud and corruption in local government procurement in England, in collaboration with the Government's anti-corruption champion, the hon. Member for Weston-super-Mare (John Penrose). This report delivers on a commitment by the Ministry of Housing, Communities & Local Government (MHCLG) in the UK anti-corruption strategy 2017-2022 and is an important part of the wider agenda to strengthen the UK's response to the risks posed by corruption. The findings highlight the importance of continued vigilance across the whole procurement lifecycle and is particularly relevant at this time of heightened activity by councils, as they are working hard to respond to the challenges posed by covid-19.

Acknowledging and mitigating the risk of fraud and corruption is critical to sound financial management and ensuring that every pound spent by local councils supports the communities they serve. Activities to reduce



vulnerability to the risks of fraud and corruption will also have the potential to improve efficiency and identify losses resulting from error, by highlighting weaker areas within systems and processes.

The potential benefits to both councils and the local taxpayer are significant. Under “business as usual” circumstances councils in England spend around £55 billion a year on goods, works and services[1]. Estimates[2] of the losses to Government expenditure caused by fraud and error range between 0.5% and 5%[3], equating to between £275 million and £2.75 billion per year for local government procurement spend.

It is also important to emphasise that fraud and corruption are by their nature hidden, and a low level of reported cases does not necessarily indicate a lack of fraudulent or corrupt activity.

Recent cross-Government reports demonstrate that detected fraud and corruption is only a proportion of the true scale of the problem[4]. Furthermore, of the 86 councils responding to the survey as part of this review, 23% reported having experienced cases of fraud and corruption within procurement in the 2017-2018 financial year.

Although there is no silver bullet for tackling the issue of fraud and corruption within procurement, this review draws together a range of activities which collectively help identify and mitigate the risks faced by local councils. The report details anonymised examples of good practice already in place across England, providing excellent evidence of local authorities’ innovation, commitment and collaborative approach.

The case studies of incidents of fraud and corruption and examples of best practice in prevention, illustrate how risks can materialise and what can be done to mitigate them. In addition, the report includes a risk matrix, which highlights possible measures that councils can use to strengthen their resilience to the risks of fraud and corruption. I hope the report will serve as a valuable resource for councils across the country to learn from. In addition to this report, I would also encourage councils to make best use of the national fraud initiative[5], CIPFA Counter Fraud resources[6] and the case studies from the counter fraud fund pilots MHCLG funded in 2014[7], as well as the latest fighting fraud and corruption locality strategy[8].

#### *Taking forward the findings of the review*

This report sets out suggested next steps for the public sector as a whole, for local councils and for MHCLG. Those for the public sector focus on putting in place standard definitions and measurement methodologies, ensuring there is a central place to record reports of fraud and corruption and strengthening whistleblowing arrangements.

MHCLG has a key role in supporting a culture of strong governance and robust accountability within the local government sector, and the counter fraud and anti-corruption agenda are important strands within this work.

At the level of individual councils, appropriate capacity is needed to prevent, detect and respond to incidents of fraud and corruption within the procurement lifecycle. This means having in place effective fraud and corruption risk management structures and risk assessments, effective due diligence and management of gifts and hospitality and conflicts of interest.

Capacity and capability within local authority contract management and commercial activities have been identified as areas for improvement and all those involved in procurement must understand their roles and responsibilities, whenever commissioning, procuring or purchasing on behalf of their council. Councils should consider how the risks of fraud and corruption are managed in their wider networks, including local authority companies, Arms-length management organisations (ALMOS) and other special purpose vehicles.

Procurement is only one area where fraud and corruption risks are present for councils, and similar risks are present in other areas of council operations. Many of the recommendations in this report should support efforts by councils to prevent and detect fraud and corruption, and to hold perpetrators successfully to account.

[1] National Procurement Strategy for Local Government in England 2018, LGA, page 5, [https://www.local.gov.uk/sites/default/files/documents/11.122%20-%20National%20Procurement%20Strategy%202018\\_main%20report\\_V7.pdf](https://www.local.gov.uk/sites/default/files/documents/11.122%20-%20National%20Procurement%20Strategy%202018_main%20report_V7.pdf)

[2] See page 16, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf)

[3] The Fraud Measurement and Assurance Oversight Board concluded that there is an upper and lower range of likely losses: 0.5% to 5%. See page 31,

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf)

[4] Page 15, Cross-Government Fraud Landscape Annual Report 2018,

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764832/Cross-GovernmentFraudLandscapeAnnualReport2018.pdf)

[5] <https://www.gov.uk/government/collections/national-fraud-initiative>

[6] <https://www.cipfa.org/services/counter-fraud-centre>

[7] <https://www.local.gov.uk/our-support/efficiency-and-income-generation/counter-fraud-hub-outcomes-counter-fraud-fund-0>

[8] <https://www.cifas.org.uk/insight/public-affairs-policy/fighting-fraud-corruption-local-authorities>

[HCWS275]

## INTERNATIONAL DEVELOPMENT

### Global Health Security Update

**The Secretary of State for International Development (Anne-Marie Trevelyan):** The UK is leading the worldwide fightback against infectious diseases, including coronavirus.

That is why the Prime Minister hosted the global vaccine summit last week to raise funding for vaccinations that will save millions of lives in the poorest countries and protect the world from future outbreaks of infectious diseases.

Bringing together world leaders and representatives from 62 countries, private sector organisations and civil society, the Global Vaccine Summit raised an historic \$8.8 billion for Gavi, exceeding our fundraising target of \$7.4 billion.

Just as the UK is the single biggest donor to the international effort to find a coronavirus vaccine, I am incredibly proud that we are the biggest donor to Gavi, the vaccine alliance. The UK has pledged £1.65 billion over the next five years, which will vaccinate up to 75 million children from infectious diseases, saving almost 2 million lives.

The funding raised from 32 donors also included generous pledges from countries such as Germany, United States, Saudi Arabia, France, Netherlands and Sweden, \$1.6 billion from the Bill and Melinda Gates Foundation and \$61 million from the private sector.

In a great demonstration of global collaboration, the world has sufficiently invested in Gavi for the next five years. The global vaccine summit is an example of what we can accomplish when we come together.

This support for Gavi will immunise 300 million more children in the world's poorest countries against diseases like measles, polio and diphtheria by the end of 2025, will save up to 8 million lives and prevent needless child deaths.

People who are vaccinated protect themselves and the rest of the population by lowering the spread and risk of infection. Gavi's work on routine immunisation is the strongest shield against outbreaks of infectious killer diseases.

It will also help ensure our global recovery from coronavirus. By vaccinating millions of children against other deadly diseases, we are protecting fragile healthcare systems in the world's poorest countries so they can cope with rising coronavirus cases.

This will ultimately help prevent future waves of infectious diseases spreading around the world, including to the UK.

Vaccines work and this funding matters. Generous support from the British people to Gavi has already helped immunise more than 760 million children in the world's poorest countries, saving over 13 million lives.

Gavi's market shaping efforts to make life-saving vaccines more accessible and affordable have seen a 21% price reduction for fully immunising a child with

pentavalent, pneumococcal and rotavirus vaccines - from \$20.01 in 2015 to \$15.90 in 2018. The UK can be proud of the part we've played in this price reduction.

The UK has also been a founding donor of the successful advance market commitment which has so far protected the lives of over 700,000 children from deadly pneumonia infections. We welcome Gavi's leadership and offered our full support to their new coronavirus fund with a \$60 million commitment from the UK to help speed up access to a vaccine when it's ready.

But the Global Vaccine Summit was just the beginning, we can do so much more.

The World Health Organisation estimates that 80 million children under one have had routine immunisation disrupted by the pandemic. The UK's support to Gavi will make sure that routine immunisation is not interrupted as a result of the coronavirus pandemic, and that everyone has access to lifesaving vaccinations.

Gavi, with UK support, is also addressing the immediate needs triggered by coronavirus, including by providing essential medical supplies and helping to increase testing and surveillance of the disease.

To defeat coronavirus, we must focus our collective ingenuity on the search for a vaccine. And in the future, Gavi will have a crucial role in the delivery of a coronavirus vaccine. It is already working hard with partners to make sure a safe and effective coronavirus vaccine would be affordable and delivered around the world.

No one is safe from coronavirus until we are all safe.

The UK has already committed up to £764 million for the global coronavirus response. Some of the most promising research into vaccines is happening here, supported by our vaccine taskforce. And we are pioneering the innovative collaborations that will be needed to manufacture and distribute a vaccine, once found, like the partnership between AstraZeneca and the University of Oxford.

But this demands a truly global effort.

As the Prime Minister said, the global vaccine summit was a moment when the world came together to unite humanity in the fight against disease.

[HCWS273]

# Petition

Monday 8 June 2020

## OBSERVATIONS

### HEALTH AND SOCIAL CARE

#### Ladycross House Local Authority Care Home

*The petition of the residents of Erewash,*

Declares that Ladycross House Local Authority Care Home, which serves the community of Sandiacre and surrounding area, provides an excellent, caring home for residents; and notes that a decision to close this care home will have significant negative consequences for residents, their families and staff, in addition to local NHS provision.

The petitioners therefore request that the House of Commons urges the Government to press upon Derbyshire County Council to keep Ladycross House Local Authority Care Home open and, at the same time, design and implement a long-term plan for the care of elderly residents, not only in Erewash, but across the county of Derbyshire.

And the petitioners remain, etc.—*[Presented by Maggie Throup, Official Report, 29 April 2020; Vol. 675, c. 8P.]*

[P002566]

*Observations from The Minister for Care (Helen Whately):*

The Government are aware that Derbyshire County Council carried out a 12-week consultation about the closure of seven homes and the refurbishment of three other older care homes, in order to gather thoughts of residents, relatives, friends or advocates. The consultation has now concluded, and the council's cabinet will reach a decision in due course.

We understand that the proposed closure of Ladycross House Care Home is due to the need for electrical rewiring, and Derbyshire County Council is pursuing a strategy to improve the physical quality of homes in its region, as well as focusing on prevention and early intervention.

Local authorities are best placed to make decisions about commissioning the services that their local communities need, working with local people and stakeholders. High-quality, personalised care and support can only be achieved where there is a vibrant, responsive market of service providers. The role of local authorities is critical to achieving this, both through actions taken to directly commission services from providers to meet needs, and the broader understanding and interactions it facilitates with the wider market, for the benefit of all local people and communities.

Under the 2014 Care Act, local authorities have a duty to ensure continuity of care if a provider exits the market, there should never be a gap in the care that an individual receives.



# ORAL ANSWERS

Monday 8 June 2020

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Monday 8 June 2020

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# PETITION

Monday 8 June 2020

	<i>Col. No.</i>
<b>HEALTH AND SOCIAL CARE</b> .....	1P
Ladycross House Local Authority Care Home .....	1P

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Monday 15 June 2020**

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