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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 14 September 2020

HER MAJESTY'S GOVERNMENT

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

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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

SIXTH SERIES

VOLUME 680

TWELFTH VOLUME OF SESSION 2019-2021

House of Commons

Monday 14 September 2020

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

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

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

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Access to Benefits: Post Offices

Martyn Day (Linlithgow and East Falkirk) (SNP): What steps she is taking with the Secretary of State for Business, Energy and Industrial Strategy to ensure that vulnerable people have access to welfare benefits through Post Office services. [905894]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman) [V]: Ministers in the Department for Work and Pensions and the Department for Business, Energy and Industrial Strategy worked closely with the Post Office to ensure that vulnerable customers were able to access benefit payments during lockdown. It remains the case that at least 99% of customers with a bank, building society, credit union or

Post Office card account can already access their benefit or pension payments at post office branches or post office ATMs.

Martyn Day [V]: Some 1.23 million people do not have a bank account. Given the DWP's decision that new benefits or state pensions will no longer be collected using the Post Office card account, with the scheme officially closing in November next year, how will the Minister ensure that an estimated 300,000 vulnerable people can still access their benefits?

Guy Opperman: Any customer with a building society or credit union account will be able to continue to access their benefit or pension payments at a post office, even after the closure of the Post Office card account, including all bank accounts. There is also the ability to open a basic bank account, for which assistance can be given.

Welfare Benefits: Rent Arrears

Bob Blackman (Harrow East) (Con): What steps her Department is taking to ensure that welfare benefits for rent are paid to landlords to prevent rental arrears building up. [905895]

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): As my hon. Friend knows, alternative payment arrangements are already available to enable housing costs to be paid directly to the landlord. We have listened to feedback, and in May we introduced a new online system for private landlords, so that claimants who struggle with managing their money get the right support promptly. Landlords can now request that a universal credit tenant's rent is paid directly to them online, rather than by email or post.

Bob Blackman [V]: I thank my hon. Friend for his answer. As he will know, it is estimated that 125,000 people are now in rent arrears, with rent not being paid to landlords. Many of those people will be in receipt of either universal credit or housing benefit. What steps

can he take to ensure that that rent will be paid to landlords and to prevent spiralling debts that are impossible for people to repay, so that landlords are paid their rent and tenants do not fall into unnecessary rent arrears?

Will Quince: I thank my hon. Friend for that question. He is a passionate and knowledgeable advocate on housing issues, and I always listen carefully to his representations. Alternative payment arrangements such as direct payment to landlords can be requested by the tenant, landlord or work coach, but if there is more that we can do, I am happy to explore it. I regularly meet my counterpart at the Ministry of Housing, Communities and Local Government to discuss these issues, and I am happy to meet my hon. Friend.

Ms Karen Buck (Westminster North) (Lab): Direct payments to landlords can help vulnerable tenants, but the issue remains that the design flaws in universal credit leave many tenants at risk. We now know that on average, new claimants of universal credit see a net fall of 40% of their income, one in eight tenants have built up arrears and there is a £440 million gap between what landlords believe they are owed and what tenants have paid. What immediate steps can the Minister take to deal with these structural problems, particularly the waiting period for universal credit, so that when the eviction ban is lifted next week, tenants are not at risk of losing their homes?

Will Quince: First, I welcome the hon. Lady to her place. I am afraid that I have to start by disagreeing. It is wrong to attribute a rise in rent arrears solely to universal credit. We know that many tenants are arriving on universal credit with pre-existing rent arrears, which universal credit actually appears to be helping to clear over time. There is no wait for universal credit; people can get an advance immediately. We recognise that this has been a very difficult time for people on low incomes, and that is why we have injected more than £9.3 billion into our welfare system.

Terminally Ill People: Welfare Support

Cat Smith (Lancaster and Fleetwood) (Lab): When she plans to publish the findings of her Department's review of how well the welfare system supports terminally ill people, which was announced in July 2019. [905896]

The Minister for Disabled People, Health and Work (Justin Tomlinson): I would like to thank all the organisations and charities that supported the consultation, which took longer than we had hoped due to covid-19. It is clear that there are three themes: the need to change the six-month rule, to improve consistency and to raise awareness of the support. We are working at pace across government to bring forward proposals.

Cat Smith: Having supported a number of constituents with motor neurone disease, including a close friend, I have seen some of the challenges when faced with a terminal diagnosis. Can the Minister reassure me that the Government will not just replace the six-month rule with another arbitrary time limit of, say, 12 months? That would not solve the problem and would create barriers for patients and clinicians when it comes to navigating the special rules for terminal illness.

Justin Tomlinson: I pay tribute to the Motor Neurone Disease Association, which has been at the heart of this review. The Secretary of State and I are committed to delivering an improved system that raises awareness of the support, improves consistency and tackles the issue raised around the six-month rule. We are determined that this will be done as quickly as possible.

State Pension Errors: Retired Women

Dame Diana Johnson (Kingston upon Hull North) (Lab): What steps her Department is taking to (a) investigate and (b) rectify errors made in the payment of the state pension to retired women. [905897]

Paula Barker (Liverpool, Wavertree) (Lab): What steps her Department is taking to (a) investigate and (b) rectify errors made in the payment of the state pension to retired women. [905899]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman) [V]: We are aware of a number of cases in which individuals have been underpaid category BL basic state pension. We corrected our records and reimbursed those affected as soon as the underpayments were identified, and we continue to check and remedy further cases that are identified.

Dame Diana Johnson: With up to 130,000 women potentially affected, and with many of those women who have already contacted the DWP having been told, wrongly, that they are not entitled to any additional money, will the Minister say what more he is going to do, in the light of the miscommunication that affected thousands of women represented by the Women Against State Pension Inequality campaign, to ensure that the women affected are contacted and given the correct information?

Guy Opperman: As the hon. Lady knows, I cannot comment on the live litigation in respect of the WASPI women, although I can say that at the first hearing before the judicial review, notification and communication were found for on behalf of the Government—this Government, the coalition Government and the Labour Government whom she served. In respect of category BL pensions, we are improving the training and the ability of the individuals who are handling the cases.

Paula Barker: I join my hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) in paying tribute to the WASPI women. Estimates suggest that as many as 130,000 women could have been underpaid their state pensions. Will the Minister confirm the total number who have been affected by the Department's error and how he intends to ensure that they receive the full amount to which they are entitled?

Guy Opperman: This matter dates from 2008 and a Labour Government who introduced the particular changes. The Department continues to check for further cases, and if any are found, awards will be reviewed and any arrears paid in accordance with the law. We continue to encourage anyone who believes that they are being underpaid the state pension to contact the Department for Work and Pensions.

Neil Gray (Airdrie and Shotts) (SNP) [V]: This issue is in addition to the UK Government continuing to deny justice for WASPI women at a time when women are disproportionately impacted, socially and economically, by the coronavirus outbreak. The Scottish National party believes that mistakes were made in the changes to the state pension age and has repeatedly called on the UK Government to oversee a full impact assessment that considers the wide-reaching effects of the detriment felt by 1950s-born women. Will the Minister commit to a full impact assessment on both issues?

Guy Opperman: The hon. Gentleman knows that I cannot comment on live litigation, but he also knows that when the High Court heard the judicial review, it found for the Government on all the issues that he outlines. I point out that sections 24, 26 and 28 of the Scotland Act 2016 give the Scottish National party Government in Holyrood extensive powers to intervene, if they choose to do so.

Jack Dromey (Birmingham, Erdington) (Lab) [V]: Up to 130,000 women who have been denied their pension entitlements through pension underpayments are awaiting justice. An investigation is under way; when will it finally conclude so that those women, many of whom are in their twilight years, get the justice that they deserve? To make a bad situation worse, the Government pledged in their manifesto that they would honour the triple lock; we now hear that they are considering scrapping the triple lock when UK pensioner poverty is the worst in Europe. Will the Secretary of State commit today that her party will not add to its long list of U-turns by scrapping the triple lock?

Guy Opperman: I really think the hon. Gentleman needs to talk to his good lady wife, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), because she was the Secretary of State for the Labour Government who so grievously underpaid state pensions such that the coalition Government and this Government have now transformed basic state pension so that it is more than £1,900 a year higher than it was a decade ago. That is thanks to the actions of the coalition Government and this Conservative Government. The House will be aware that the matters the hon. Gentleman raises in respect of category BL state pension were a result of the changes brought in by the regulations introduced under the Labour Government in 2008.

Employment Support: Local Labour Market

Jane Stevenson (Wolverhampton North East) (Con): What steps her Department is taking to help ensure employment support is tailored to local labour market conditions. [905898]

Mary Robinson (Cheadle) (Con): What steps her Department is taking to help ensure employment support is tailored to local labour market conditions. [905911]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): We recognise that some areas and some sectors of the economy have been more affected than others by the pandemic. The DWP, along with other Government Departments, will continue to work in partnership with mayors, local government,

businesses and charities, acknowledging their expertise and links with their local labour markets. This includes working closely and at pace with regional partners during the development phase of the Government's plan for jobs, which builds on and boosts the existing support offered by our Jobcentre Plus network.

Jane Stevenson: The Government oversaw record employment at the beginning of this year, but, even in that buoyant labour market, there were areas of high unemployment, including in Wolverhampton North East. How will my hon. Friend make sure that those people struggling to find work before the pandemic are not forgotten over the difficult months ahead?

Mims Davies: Our jobcentres have remained open throughout the pandemic, making more than 250,000 calls a week to claimants to help them look for work, and supporting those vulnerable claimants face to face. This Department meanwhile is doubling the number of work coaches in our jobcentres with the first wave of adverts going live last week. I can confirm that recruitment in my hon. Friend's constituency is going live next week. Work coaches are indeed at the core of our employment offer, and this new increase will provide all claimants with the tailored local support that they need.

Mary Robinson: Manchester Airport employs more than 25,000 people on site and supports a further 45,000 jobs across the north-west, including in Cheadle. Owing to the pandemic, many of those jobs have now been lost or are at risk. Can my hon. Friend confirm that she is working with the Department for Transport, Manchester Airport and local authorities to ensure that the right employment support is in place for airport workers and for those ancillary jobs and workers whose livelihoods depend on the airport?

Mims Davies: My hon. Friend has just outlined the work that Greater Manchester jobcentre has already done with key partners to ensure that the reach of our rapid response and redundancy service is extensive, fully working and accommodating all those who she outlined need it. We demonstrated the effectiveness of this service during the demise of Thomas Cook and Flybe—when they collapsed—and the evidence is that the DWP is ready to respond and support all those to find new employment and new career opportunities.

Support for Disabled People: Covid-19

Joy Morrissey (Beaconsfield) (Con): What steps her Department is taking to support disabled people during the covid-19 outbreak. [905900]

The Minister for Disabled People, Health and Work (Justin Tomlinson): My Department has supported disabled customers during the covid outbreak by automatically extending existing personal independence payment awards and new flexible access to work support for people to work from home as well as in the workplace and ensuring that disabled people can access new support, including kickstart.

Joy Morrissey: We are heading into an important 12 months for policy development to help disabled people with the Government's new national disability

strategy. Many charities in my constituency in Beaconsfield and across Bucks are very keen to give feedback to this strategy. Can my hon. Friend reassure the House that he is meeting stakeholders from a diverse range of backgrounds to ensure the development of a disability policy that is inclusive to everyone?

Justin Tomlinson: For both the Green Paper and the national strategy for disabled people, we will be making sure that disabled people, disabled organisations and stakeholders are very much at the heart of shaping our future policies and service delivery.

We will be organising national, regional and local-led events and events in conjunction with stakeholders. I know that my hon. Friend is a strong advocate of her disability organisations in her constituency, and I encourage her to encourage them to take part in the coming months.

Vicky Foxcroft (Lewisham, Deptford) (Lab): This Government have spoken a lot about levelling up so that people are equally supported—something that people expect to be delivered. I asked the Minister on 11 May and then on 29 June how the Government were progressing with uplifting legacy benefits. As of February this year, 1.9 million people in Great Britain, many of whom are disabled, are desperate for the Government to sort this. A DWP report states that it would take four to five months to deliver this. We are now four months on. Can the Minister update us on any progress made, specifically on uplifting legacy benefits?

Justin Tomlinson: As a Government, we have provided an extra £9.3 billion-worth of support during the covid crisis, which has been very much welcomed. Specifically, in my area of disability, we will see spending increase this year from £19 billion to £20 billion, which is just shy of a 5% increase, and many disabled people will gain from the additional support provided through universal credit, through the increases in the discretionary housing payment, or through the £500 million given to local authorities as a hardship fund based on individual circumstances.

Neil Gray (Airdrie and Shotts) (SNP) [V]: But the UK Government's decision to exclude people claiming legacy benefits from the £20 per week covid uplift to universal credit, many of whom are sick or disabled people and carers, is surely untenable. Nearly 300,000 people in Scotland are missing out on the £20 per week increase as a result. Does the Minister agree that people on legacy benefits deserve the same amount of support as everybody else; and if he does, will he put his money where his mouth is and push the Chancellor to extend the uplift and make it permanent at the upcoming Budget?

Justin Tomlinson: The Government are putting money where their mouth is with the £9.3 billion-worth of support, which is pretty much unprecedented across the world. I would urge all claimants, disabled or not, to talk to their work coaches and review their circumstances to see whether they could be better off moving over to universal credit. But as I set out in the previous answer, there has been a wide range of support, and as a Government we will always target support at those most in need.

Unemployment Trends

Stephen Morgan (Portsmouth South) (Lab): What recent assessment she has made of trends in the level of unemployment. [905901]

Matt Western (Warwick and Leamington) (Lab): What recent assessment she has made of trends in the level of unemployment. [905906]

Justin Madders (Ellesmere Port and Neston) (Lab): What recent assessment she has made of trends in the level of unemployment. [905916]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): Unemployment was little changed over the second quarter, with the latest official Office for National Statistics figures showing unemployment at 1.3 million. This is due to the unprecedented package of support the Chancellor put in place, protecting millions of jobs through the coronavirus job retention scheme and the self-employment income support scheme. We do recognise there are difficult times ahead, but our ambitious £30 billion plan for jobs will support people during the next phase of our recovery, as we build back better and greener.

Stephen Morgan: Unemployment is soaring, uptake in benefits has skyrocketed and marginalised communities are bearing the brunt. Will the Minister urge the Chancellor to extend the job retention scheme to stop this vital safety net being snatched away from those struggling most in Portsmouth?

Mims Davies: I thank the hon. Gentleman for raising issues in Portsmouth, where we are actively trying to help people to get back into work and to have the hope the hon. Gentleman mentions. We are currently working with a pop-up business school in his constituency and, coming up, he may be interested to know that in his local jobcentre there is a new mentoring circle with Maritime UK Solent, which up to 20 young people will get a chance to be part of, seeing the different employer pathways that are available in Portsmouth. He will be interested to know that our work coach recruitment to help people back into work is open, and ends on Wednesday, for people locally to apply.

Matt Western: As my hon. Friend the Member for Portsmouth South (Stephen Morgan) just said, we face a tsunami of unemployment over the coming six to eight months, which I think the Minister would accept. Frances O'Grady, the general secretary of the TUC, said this morning that covid will not end at the end of October, so why should the furlough scheme? Business representatives have said that the furlough scheme in other countries, such as Germany and France, is offering a competitive advantage to those economies that we do not. Will the Minister please speak to the Chancellor and look for an extension of the furlough scheme, particularly on some sort of sectoral deal?

Mims Davies: I thank the hon. Gentleman for raising the need for local interventions in his constituency. I must say that his local jobcentre is doing fantastic work, particularly working with young people, and already has new dedicated work coaches to help people as they

look to get back into work. We have a new virtual jobs board as well, and we are also working on a local place-based plan to help fill roles in sectors which we already could not fill coming into this, particularly in care homes. There are also roles with the DWP, which start next week, for people to apply for. But I do not think that keeping people in suspended animation and not giving them hope for the future is the way forward.

Justin Madders: There is no doubt that the unemployment situation, bad as it is, would have been so much worse had it not been for the various schemes the Minister has talked about, which is why it is such a catastrophic error for the Government to end the furlough scheme in October. With that in mind, can the Minister tell us what estimate the Department has made of the level of unemployment this coming Christmas?

Mims Davies: That is exactly why we have our plan for jobs—a £30 billion scheme, including £2 billion for the kickstart scheme. I am going to be boring about this, Mr Speaker. There is so much good work going on in the DWP and our JCPs locally to tackle what the hon. Gentleman has spoken about. There was an amazing opportunity just recently in his constituency regarding sector-based work academy programmes, and new virtual jobs fairs for kickstart are coming up in his constituency, as is more recruitment to help people get back into work, which will start near him next week. We are absolutely determined, with our plan for jobs, to see off that tsunami and give people the right skills and opportunities for the future.

Returning to Employment: Covid-19

Jane Hunt (Loughborough) (Con): What steps her Department is taking to support people of all ages to return to employment as covid-19 lockdown restrictions are eased. [905902]

Sally-Ann Hart (Hastings and Rye) (Con): What steps her Department is taking to support people of all ages to return to employment as covid-19 lockdown restrictions are eased. [905910]

Selaine Saxby (North Devon) (Con): What steps she is taking with her Cabinet colleagues to support back into the labour market people who became unemployed as a result of the covid-19 outbreak. [905925]

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): The furlough scheme, as we have heard, has been a huge success in helping millions of employees to keep their link to their employer, as well as providing other opportunities for people who are self-employed, with support through grants or through the benefit scheme. Our plan for jobs is a cross-Government initiative that will promote employment opportunities for people of all ages. Our local jobcentres are fully reopened, and we will provide additional support to claimants by doubling the number of work coaches. We are also expanding SWAPs, the sector-based work academy programme, and we have launched our ambitious kickstart scheme, which will provide a vital first step on the jobs ladder for many young people.

Jane Hunt: I am very supportive of the recent action the Government have taken to help young people into work. I have, however, had a number of older constituents contact me, as they have unfortunately lost their jobs because of covid-19. I would therefore be interested to know what steps the Government will take to encourage employers not to overlook the skills and experience that those in their 50s and 60s can bring to the workplace when they are hiring.

Dr Coffey: My hon. Friend is absolutely right to highlight the value that experience can bring to the workplace and to a potential new employer. The SWAPs programme allows those looking to pivot into new roles to gain experience in that new area, and in the coming months our job-finding support package will draw on private sector expertise to help those who have recently lost their job, while our job entry targeted support scheme—JETS—will provide extra help to individuals who have been unemployed for three months or more and find themselves at risk of long-term unemployment.

Sally-Ann Hart: The residents of Hastings and Rye are full of potential and talent that needs to be unleashed, but the recent pandemic has put pressure on local jobs. The kickstart scheme is engineered to help people between the ages of 16 and 25 to gain skills and employment. May I ask what my right hon. Friend is doing to help people over the age of 25 to get the skills and training they need?

Dr Coffey: Our £30 billion plan for jobs will see us support people of all ages in building the skills they may need to return to work. One of the key elements is what we are calling SWAPs—the sector-based work academy programme, which is expanding the opportunities in priority areas such as construction, infrastructure and social care, and which can provide training, work experience and a guaranteed job interview to those people ready to start a job. Of course, older workers will be eligible for this and can gain important new skills to pivot into sectors to secure employment.

Selaine Saxby: I welcome my right hon. Friend's response. There is no doubt that we must ensure that the younger generation gets the best chance in life post covid-19, but in North Devon we have a slightly older population. Many of my constituents have also lost their jobs and need additional help and support to retrain. Will she assure the House that those who are a little bit older will not be forgotten?

Dr Coffey: Indeed, and key to identifying those important opportunities and ways to help people over the age of 25 will be our network of empowered work coaches who engage proactively with claimants to help them to identify the options they need to help to build their skills, increase their confidence and return to employment. We are already doubling the number of work coaches, and my hon. Friend will be interested to know that, in North Devon in particular, we have launched a new 14-week IT connect 50-plus programme, an initiative supporting those over the age of 50 to develop digital skills and apply for jobs online.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The Secretary of State said in July that work coaches were the ones who could help to tease out the great

skills that people have and what makes a good fit for a new role. She was right, but the pledge she made in July for 4,500 new work coaches to be in post by October has resulted in only 300 being in post to date, as was revealed last week. The crisis has now gone on for six months, and average work coach caseloads are already over 200, so can she tell the House what is going on and why, since April, she has been so slow to act?

Dr Coffey: The hon. Lady is perhaps far from what is going on. I think she has very recently visited her local jobcentre to discuss this. I want to encourage her by saying that a number of people can be on-boarded into the Department at any one time, given the comprehensive amount of training that is needed to be a work coach. We have also done this in such a way that many existing DWP civil servants can move from being in the service centres in order to get promoted to being a work coach, building on their valuable experience. I can assure her that we are well on track for making sure that we have the right number of work coaches, and indeed replacement decision makers, on the agreed timescale.

Kickstart Scheme: Harlow

Robert Halfon (Harlow) (Con): How many businesses have signed up to the kickstart scheme in Harlow constituency. [905903]

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): Applications only started on 2 September, and already thousands of employers have expressed interest in providing kickstart opportunities for young people. We are working hard to deliver the scheme. We have not yet developed data on the local level, but I am confident that the management information will start to become available so that we can identify right across the country exactly how we are providing support.

Robert Halfon: I strongly welcome the kickstart scheme and the incentives it gives businesses to employ young people in my constituency of Harlow and across the country. Will my right hon. Friend set out what further action the Department is taking to support skills and apprenticeships so that our town can be part of the apprenticeships and skills nation that we so want to be?

Dr Coffey: It is important that a wide range of choice is available to young people, in particular, as they set out in their career, so we will be having kickstart but we will also be having aspects of apprenticeships. My right hon. Friend the Secretary of State for Education announced an additional £2,000 of support for each new apprentice hired from the age of 25. In Harlow specifically, our jobcentre has been running virtual academies and designing SWAP—sector-based work academy programme—schemes to support claimants, working with local employers, including the civil service. Additional funding for the National Careers Service will also mean that over a quarter of a million more people will receive individualised advice on training and careers through their local jobcentre.

Employment Support for Young People: Covid-19

Virginia Crosbie (Ynys Môn) (Con): What steps her Department is taking to support young people into employment as covid-19 lockdown restrictions are eased. [905904]

Mark Jenkinson (Workington) (Con): What steps her Department is taking to support young people into employment as covid-19 lockdown restrictions are eased. [905919]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): As well as the kickstart scheme, I am delighted to be the Minister bringing forward our new youth offer. Focused on those under 25, we are supporting our young people via a structured 13-week programme, rolling out new youth hubs across local communities, and boosting support for young people with our new DWP youth employability work coaches. This offer includes support to get into apprenticeships, traineeships and sector-based work academy programmes.

Virginia Crosbie: I thank the Minister for her answer and the whole DWP team for the support they have given my constituents during this exceptional time. In my constituency of Ynys Môn, I am working with M-SParc, Coleg Menai and the Bangor University team to put together an innovative jobs fair. Along with Alison Cork and Lynn McCann, I am putting together a Make It Your Business event to support women entrepreneurs. How is the Minister supporting innovation and entrepreneurs?

Mims Davies: Supporting the self-employed and inspiring entrepreneurship is a real focus for me as the Employment Minister. I had the pleasure of visiting north Wales not that long ago, back in January, and not too far from my hon. Friend's beautiful constituency of Ynys Môn, where I met a lady who had started her own innovative charity supporting other young women to succeed and thrive in the way that my hon. Friend has described. I want everyone to have the same opportunities to build their own business. The DWP's new enterprise allowance scheme is open to claimants to support new and existing businesses to grow and thrive.

Mark Jenkinson: The local DWP team in my Workington constituency, who I met on Friday, have worked incredibly hard throughout this pandemic to ensure that claims are being managed in a timely and efficient manner despite the huge increase in their workload. Will my hon. Friend join me in paying tribute to them as they enter the next phase of their plans to tackle youth unemployment and under-employment?

Mims Davies: I join my hon. Friend in his thanks to all our DWP staff who have worked so extremely hard during the pandemic. The DWP is supporting all claimants in focusing on getting back into work. The jobcentre in his constituency is playing a vital role in his community through key outreach, including the Maryport GP surgery. Our work coaches are based in that surgery every Tuesday, taking referrals to deliver work advice to patients and ensuring that everyone gets tailored support.

Support for Shielding People: Covid-19

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): What financial support her Department plans to make available to shielding people affected by covid-19 local lockdowns. [905907]

Mr Virendra Sharma (Ealing, Southall) (Lab): What financial support her Department plans to make available to shielding people affected by covid-19 local lockdowns. [905913]

The Minister for Disabled People, Health and Work (Justin Tomlinson): Those in a local lockdown area who receive a notification that they need to shield will remain eligible for statutory sick pay and new-style employment and support allowance, subject to the wider eligibility criteria.

Gerald Jones: Clearly local lockdowns will present local challenges, and we would expect most employers to be responsible, but will the Government offer support to employees to hold their employers to account where they are not following the guidelines and making their workplaces covid-secure?

Justin Tomlinson: The Government, through the Health and Safety Executive and the Department for Business, Energy and Industrial Strategy, are continuing to issue improved guidance to make it as easy as possible for employers to make reasonable adjustments. Those employees who still have concerns can either talk directly to their employers or raise them with the Advisory, Conciliation and Arbitration Service or the HSE to try to get them resolved. I think most employers want to do the right thing, and we are doing everything we can to give them as much help as possible to get it right and make their workplace covid-safe.

Mr Virendra Sharma [V]: Last week, the TUC made it clear that two fifths of workers will be unable to pay bills if they have to self-isolate for two weeks. Statutory sick pay will have to go up for test and trace to work. Will the Secretary of State increase statutory sick pay to ensure that no one is left behind and keep the country covid-secure?

Justin Tomlinson: We have already made changes to the eligibility for statutory sick pay so that people can qualify from the first day rather than wait until the fourth day. We have extended it to those with symptoms, those who need to self-isolate, or those who need to self-isolate ahead of a hospital procedure. Those on low incomes also have the opportunity, subject to their personal circumstances, to get additional financial support through either universal credit or new-style ESA.

Universal Credit: Bonuses

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): What assessment she has made of the effect of bonuses on the level of payments made to universal credit claimants. [905908]

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): Bonuses are earnings and are treated in the same way as any other earnings in calculating universal credit awards, reflecting HMRC guidance and ensuring fairness across the working population, many of whom do not claim welfare. UC is more generous than the legacy benefits that it replaces. The Government have already made significant investment to increase universal credit's generosity by cutting the taper rate to 63% in 2017, with an extra £1.7 billion a year put into work allowances by 2023-24.

Margaret Ferrier: My constituent, a key worker in a pharmacy, received a one-off bonus of £120 for her efforts supporting vulnerable people during the coronavirus pandemic. That reward for hard work was eroded when £172.69 was subsequently deducted from her monthly universal credit payments. Does the Minister agree that that is no way to treat people who have stepped up to support us all during these difficult times? Will he consider temporary changes to the work allowances and taper rate to enable key workers to receive these bonuses in full?

Will Quince: I want to thank all the key workers across our country who have done so much during the pandemic. Universal credit makes sure that people are always better off in work. Under the legacy benefits system, claimants would not have kept all their bonuses; in fact, in many cases, the legacy withdrawal rate could be as high as 91% for each additional £1 earned, compared with a maximum of 75% under universal credit.

Kickstart Scheme: Young People

Tom Hunt (Ipswich) (Con): What steps her Department is taking with employers to help ensure as many young people as possible benefit from the Kickstart scheme. [905909]

Greg Smith (Buckingham) (Con): What steps her Department is taking with employers to help ensure as many young people as possible benefit from the Kickstart scheme. [905921]

Stephen Metcalfe (South Basildon and East Thurrock) (Con): What steps her Department is taking with employers to help ensure as many young people as possible benefit from the Kickstart scheme. [905922]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): My Department is working closely across Government to encourage all employers, big and small, to apply for the kickstart scheme. I urge all colleagues to work with their local jobcentre networks to help us to deliver this.

Tom Hunt: The six-month job placement created by the kickstart scheme will be a vital way in which we can help young people in Ipswich to get on the careers ladder during the current challenges. Will the Minister also place a high priority on the excellent wellbeing and skills programmes run by charities such as Inspire Suffolk in my constituency, which are setting young people up with exactly the kind of support network and knowledge that they need at a vital time in their lives?

Mims Davies: I thank my hon. Friend for raising the scheme, which is really positive news for his constituency, adding to much similar work across his constituency. Our work coach recruitment is now open in Ipswich and we are looking at a potential youth hub locally, so there is good news in Ipswich. Locally, we are also working with the employers Seven and Service Central, which are working together, hopefully to find some key roles for their young customers in kickstart. We are also working with the East Anglian gymnastics team on a potential new apprenticeship position, so there is plenty of good news in Ipswich.

Greg Smith: I warmly welcome the kickstart scheme, which is a vital step to ensuring the future prosperity of so many young people across our country. In Buckinghamshire, organisations such as Buckinghamshire Business First are helping to co-ordinate firms that cannot offer as many as 30 places. What steps is my hon. Friend taking at national level to ensure that small rural businesses are able fully to participate?

Mims Davies: I am delighted with the interest in the kickstart scheme across the country, including in rural areas, and including smaller companies in that is key. We want applicants from across the country to benefit by bidding for those placements, perhaps via an intermediary or gateway organisation. Small employers, whether rural or not, will have the key support they need from that intermediary, and that will help to create high-quality roles and provide additional support, so that all our young people get the most out of this placement.

Stephen Metcalfe: From the jobs plan I know that my hon. Friend is determined to do what it takes to help young people find access to the work that is so vital to their futures. What other support is available, in addition to the kickstart scheme, that will help young people in Basildon and Thurrock to recover from the effects of the pandemic and secure future opportunities?

Mims Davies: My hon. Friend is exactly right, and we are rolling out youth hubs across the country so that our young people can access that important wider support. Those hubs will be co-located and co-delivered with our network of external partners, including members of the youth employment group. Our jobcentres are already delivering activities at local level to support our young people, including mentoring circles, virtual job fairs and sector-based work academy programmes.

Adequacy of Benefits

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What steps she is taking with the Chancellor of the Exchequer to ensure the adequacy of benefits for claimants. [905912]

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): The Government introduced a package of welfare measures worth more than £9.3 billion this year, to help those facing the most financial disruption during the pandemic. We introduced a series of measures to support people, including an increase in the universal credit standard allowance for 12 months, worth up to £1,040. Increased local housing allowance rates have put an average of £600 into people's pockets, and we made statutory sick pay available to employees from day one.

Stuart C. McDonald: I thank the Minister for his answer, but ending the £20 universal credit uplift could see food bank use increase by 10%, according to the Trussell Trust, and the Joseph Rowntree Foundation has warned that 16 million people could lose £1,000 a year overnight, plunging 700,000 more people into poverty. Will the Government remove that cliff edge and make the £20 uplift to universal credit permanent?

Will Quince: The increase was introduced for an initial period of one year as part of the Government's measures to assist with the financial consequences of covid-19. It was part of a £9.3 billion increase to the welfare system that ensured that it was able to stand up and support the millions of extra people who needed it. Future decisions on benefit rates will be made at the appropriate fiscal event.

Universal Credit: Covid-19 Income Support Schemes

Sarah Champion (Rotherham) (Lab): What assessment she has made of the potential effect on universal credit claims of the end of covid-19 income support schemes. [905917]

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): Since mid-March we have received more than 3 million claims for universal credit, ensuring that people have a welfare safety net in their time of need. I am proud that more than 90% of new eligible claimants were paid in full and on time, proving that universal credit can stand up to the challenge. The Government's support for people and businesses is not ending, and we are now focused on delivering our plan for jobs. I hope that the hon. Lady will support that plan, particularly the new £2 billion kickstart scheme that will create hundreds of thousands of new, fully subsidised jobs for young people across our country.

Sarah Champion [V]: I appreciate the Minister's response, but with coronavirus support schemes being wound down and the Government seemingly unwilling to contemplate their extension, what actual steps is the Minister taking to ensure that towns such as Rotherham are not faced with a generation of mass unemployment, empty shops and closed factories as a result of the pandemic?

Will Quince: The hon. Lady is right to say that the coronavirus job retention scheme has been a huge success—it has protected up to 10 million jobs—but it is important to point out that support for furloughed employees does not end in October. In the Chancellor's summer statement, he announced the new job retention bonus, which will pay employers £1,000 for every employee still in post by the end of January. For those who, sadly, are made redundant or lose their jobs, Jobcentre Plus stands ready to assist up and down the country.

Employment Opportunities: Post Lockdown

Elliot Colburn (Carshalton and Wallington) (Con): What steps her Department is taking to promote employment opportunities as covid-19 lockdown restrictions are eased. [905926]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): I met the Mayor of London and some of his team as part of the M9 Group engagement with key stakeholders and other Government Departments on the importance of local recovery plans and action. We now have 890,000 more people claiming universal credit in London. The Mayor of London needs to work with local DWP teams to drive that number down and help build a strong recovery for our economy.

Elliot Colburn: My constituency is part of Greater London and I have met many businesses in Carshalton and Wallington that are keen to expand employment opportunities, including Dotty's Teahouse in Carshalton High Street, which I would love to invite the Minister to. Given London's critical role as the engine of the UK economy, does the Minister agree that the Mayor needs to step up, show more leadership and do more to encourage employment opportunities, not just in my constituency but across the capital?

Mims Davies: I thank my hon. Friend for raising that point about the critical role in turning London around. Dotty's Teahouse sounds like a really lovely place to pop down to, to see whether they have any gluten-free cake.

The pandemic has changed the labour market landscape and it is absolutely right that the Mayor of London steps up and delivers on behalf of London, otherwise as we know, someone else is waiting in the wings to do it.

Topical Questions

[906004] **Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): It has been less than two weeks since the Government launched the kickstart scheme, which will help thousands of young people on to a vital step on the jobs ladder. Thousands of employers have already expressed an interest and I am pleased that several have already had funding approved. Smaller organisations that do not expect to take on more than 30 kickstarters during the scheme will gain access to funding through an intermediary. I know that several organisations are applying to that gateway, for example Suffolk County Council and Suffolk chamber of commerce. We are having productive discussions with the Federation of Small Businesses, which very much wants to be part of the solution for small businesses and young people.

This is a Great Britain-wide £30 billion plan for jobs. I know that the Scottish Government are undertaking their own initiatives, but I am sure that my hon. Friend will want to ensure that we put the full efforts of the UK Government into helping people in Scotland get back into work.

Andrew Bowie: I thank my right hon. Friend for that answer. What steps is the Department taking to ensure that young people in Scotland are not disproportionately affected by the economic fall-out from covid-19, given that we were suffering from a higher rate of unemployment when the pandemic hit?

Dr Coffey: My hon. Friend is right to point out that Scotland was already starting to struggle with unemployment rates compared with other parts of the United Kingdom, but I want to assure him that we will not only work with kickstart, but ensure that we have a Scotland-specific job entry: targeted support—JETS—programme so that we can tackle people who perhaps need either support to pivot into different sectors, or intense support which recognises that they may have been unemployed for some time. We will ensure that the people of Scotland get the full support of the UK Government.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): It is a tragic consequence of the pandemic that some families of NHS key workers have lost their loved ones to covid-19 after they contracted the virus while serving on the frontline. It is absolutely right that they receive compensation for that. May I ask the Secretary of State to justify the news that low-paid relatives who receive the compensation payment are to be stripped of their benefits? That is not the case with comparable payments such as the Grenfell and Windrush compensation schemes, so why are NHS families being treated in that way?

Dr Coffey: The hon. Gentleman will know that when people have a substantial amount of money—and I recognise the route he indicated on how they have received that—it usually takes them over the £16,000 threshold for support through the welfare system. He specifically referred to some other programmes, where it is absolutely acknowledged that there has been a complete failure within Government in that regard. I suggest to the hon. Gentleman that that is not the case regarding the NHS, but I am sure, as the NHS is a separate employer from the Government, it will continue to work with its employees and the relatives of people who have sadly died.

Jonathan Reynolds: I find that answer lacking in reason and compassion. There was news this morning that the country's largest food bank network has warned that UK destitution rates are set to double by Christmas. We know that the Government believe they deserve praise for the fact that universal credit has not collapsed like the test and trace system, but the real test of a social security system is whether it gives people the support they need. The food bank statistics prove that this is just not happening at the moment. Clearly that will get worse as the furlough scheme ends. We have set out our further suggestions on how to prevent the looming disaster. What are the Government's plans to prevent it?

Dr Coffey: We have set out the unprecedented steps we took to ensure that vulnerable people would not go hungry as a result of the pandemic, focusing especially on children. While schools were closed to most children, free school meal vouchers were still in operation if schools could not provide a meal. Further support was given through the summer food fund, money was provided to food charities to help get food to people who were struggling, and 4.5 million food boxes were given to vulnerable people who were shielding. Together with the extra £9.3 billion in welfare support that has been given to households across the country, we believe that this is a strong way to have supported people in these difficult times.

[906005] **Selaine Saxby** (North Devon) (Con): I have been contacted by several of my North Devon constituents about the Child Maintenance Service. It is understandable that the CMS team has helped the fantastic DWP efforts on universal credit during the pandemic. However, will the Minister assure me that staff are now back at the CMS chasing arrears, arranging payments and helping my constituents?

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): First, no one will get away with giving false information. Those who are found to

have been abusing the system are subject to the full extent of our enforcement powers. The Child Maintenance Service will pursue those people where appropriate. Parents were asked to report any changes via the self-service portal to ensure that receiving parents did not lose out in the long run. Cases will be updated and people will be notified of any changes. Where payments have been missed, the service will take action to re-establish compliance and collect any unpaid amounts that have accrued.

Stephen Timms (East Ham) (Lab): The National Audit Office told the Work and Pensions Committee two weeks ago that the “sophisticated” analysis of the Trussell Trust has established an association between universal credit roll-out on the one hand and rising food bank demand on the other. Association is not the same as causation, so what plans do the Government have to commission research, as the National Audit Office recommends, into the impact of universal credit on food bank demand?

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): I thank the Chairman of the Select Committee for his question. As he knows, I gave evidence to the Committee recently on this very matter. I have worked closely with food bank providers—the Trussell Trust and others—over the course of the pandemic to ensure that our support has got to those who need it quickly. We continue to better understand the reasons for food insecurity. That is why we have put additional questions in the family resources survey. We keep all policies under review, and of course we listen to the findings of reports such as that of the Trussell Trust.

[906007] **Mrs Pauline Latham** (Mid Derbyshire) (Con): The impact of covid is felt unevenly across different roles and sectors. With more being done online, digital access has never been more important. What measures is the Department taking to help people facing the greatest barriers to employment access job search and other online services to help them find jobs?

Mims Davies: My hon. Friend is absolutely right. We are investing £10 million of European social fund support to get 20,000 disadvantaged people across England who are without access to the internet online. People who receive ESF support will be loaned devices, such as a tablet or a laptop, and be provided with three months’ data allowance. That will enable them to access the increasing range of online services to support their job search and, importantly, their journey towards securing employment.

[906006] **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): In the north-east we have seen the devastating impact of mass unemployment, but that was in the ’80s when we had properly funded public services and a welfare system that did not seek to punish claimants. In Newcastle, we have 7,000 claimants, 13,000 people on furlough and a further 3,000 self-employment claims. What estimate has the Minister made of the number of claims there will be when support for those people ends next months, and how will she protect them from the devastating consequences of unemployment?

Mims Davies: First, let us remind ourselves of where we were in January. We entered the pandemic with employment at a record high of 33 million.

It is on my list to visit: we will be up there to see what the local jobcentre is doing. We have an ambitious plan for jobs—£30 billion in the next phase of our recovery—to ensure we build back better, greener and stronger. Extending the furlough scheme will just keep people in suspended animation. I am absolutely determined to use my role to get back to where we were in January.

[906008] **Mr Steve Baker** (Wycombe) (Con): Ministers will know I am particularly concerned about airline and airport staff in Wycombe, so will they tell me what they are doing right across Government to ensure that people who sadly lose their jobs through the coronavirus pandemic are helped into work as quickly as possible?

Mims Davies: I could not be more excited about what we are doing near my hon. Friend’s constituency, which is a key local example of cross-Government and local partnership. We have an innovative and unique scheme, with the DWP, the Department for Transport and the Department for Education. Where people are being made redundant from the aviation industry or its supply chain, they will be able to pivot across to the film industry, bringing their skills to a growing and booming industry. That will be facilitated by our flexible support fund grant and involves key local partners, including Pinewood Studios, ScreenSkills, and the excellent Buckinghamshire local enterprise partnership and the M3 enterprise LEP.

[906009] **Lilian Greenwood** (Nottingham South) (Lab): As the chief executive of the Trussell Trust says in its latest report, we are in the eye of a storm and the decisions the Government make now will either offer people a lifeline, saving them from destitution, or cast them adrift. If the Secretary of State still believes that work is the best way to end poverty, why does she not urge the Chancellor to rethink the impending cliff-edge of the furlough scheme coming to an end and keep more people not in suspended animation but in their jobs?

Mims Davies: We have had unprecedented Government intervention since we headed into the coronavirus crisis. Last week, I met G20 Ministers looking to learn from what we have done in the UK and, above all, learn about our next stage, which is our plan for jobs and the forthcoming £2 billion kickstart scheme. This is about moving forward, not holding people back or in suspended animation.

[906010] **Dr Luke Evans** (Bosworth) (Con): The pandemic is still having an obvious impact and it is really important to have Government Departments working well together. What conversations has my right hon. Friend had with the Department for Business, Energy and Industrial Strategy, the Department for Education and the business community to ensure that there are opportunities for individuals in Bosworth and across the UK to get into education or work following covid?

Dr Coffey: My hon. Friend asks an important question about our work with the business community and across the Government. The DWP has been an integral player in the development of the plan for jobs. Together with my right hon. Friends the Secretaries of State for BEIS and for Education, we have had several roundtables with the business community and others to ensure that people who are looking to enter employment can develop

skills and have additional funding, going down the apprenticeship or traineeship route, as well as kickstart. I am also in regular discussions with other Cabinet colleagues on the creation of new opportunities wherever possible.

[906011] **Helen Hayes** (Dulwich and West Norwood) (Lab): I spoke yesterday with the manager of Brixton and Norwood food bank, who told me it had delivered as many parcels in the five-month period from April to August as they would normally deliver in a year—an extraordinary effort from a dedicated team of staff and volunteers for which our whole community is deeply grateful. However, they are very worried about the planned withdrawal of the £20 uplift in universal credit at the end of March, which would result in thousands more families across the country being unable to make ends meet indefinitely. Will the Secretary of State act now and confirm that the uplift will continue, or will she expect food banks up and down the country to scale up their efforts even further after March to continue to backfill for the Government's failure to stop food poverty?

Will Quince: I thank the hon. Lady for her question. The Department has an ongoing positive relationship with a range of food bank providers. It has regularly engaged with them throughout the coronavirus pandemic and will continue to do so. We quickly introduced welfare changes worth an additional £9.3 billion, and worked closely with other Government Departments on the cross-Government taskforce on food and other essential supplies. Further to my earlier answer, the hon. Lady will have to wait for future fiscal events where benefit rates are set.

[906012] **Andrew Jones** (Harrogate and Knaresborough) (Con): Harrogate was one of the first areas to see a full pilot for universal credit, and we are the location for the legacy benefits managed migration trial. The pandemic has led to an increase in claim numbers, but the team performance really has risen to the challenge. Will the Minister tell me how he ensures that not just the operational capacity of our jobcentres is maintained, but that best practice is shared so that everybody works at the pace of the best?

Will Quince: My hon. Friend rightly pays tribute to the incredible team at Harrogate Jobcentre Plus. As he knows, we have seen a surge of over 3 million claims since mid-March, and I agree that UC has stood up to the challenge, with payment timeliness remaining high at over 90%. We will continue to closely monitor our services across the country and will continue to keep staff numbers under review. As he also knows, we have committed to doubling the number of work coaches.

[906014] **Mr Virendra Sharma** (Ealing, Southall) (Lab) [V]: This afternoon, I am meeting carers from across my constituency. They are concerned about their financial position. Will the Secretary of State commit to raising the attendance allowance until it matches universal credit payments?

Justin Tomlinson: As a Government, we absolutely recognise the support that carers provide. We have made a number of changes during covid-19 to maintain that support, including allowing emotional support and allowing for breaks due to covid. By 2024-25, we expect

to be spending £3.6 billion supporting carers, which will be more than double that spent when we first came to office.

[906013] **Edward Timpson** (Eddisbury) (Con): Can the Minister assure me that her excellent new kickstart scheme will not sit in isolation but will instead dovetail with other Government, apprenticeship and infrastructure efforts, so that towns such as Winsford can give their young a trade, not just a job, including helping to deliver brilliant broadband across Eddisbury?

Mims Davies: I thank my hon. Friend for raising kickstart. This is a huge programme for young people, providing 25 hours a week and an opportunity to get their first foot on the employment ladder. We do not want our young people to be left behind because of the impact of the pandemic—we know that the scarring can affect them most. Kickstart will change that, and I ask all employers to get involved and be part of it.

[906015] **Steve McCabe** (Birmingham, Selly Oak) (Lab): I have constituents who have been waiting more than six months for a decision following a work capability assessment. Is that not a bit ridiculous?

Justin Tomlinson: We rightly took a decision to suspend face-to-face assessments following Public Health England's guidance. We continue to keep this under review, but wherever possible, we are either doing a paper-based review or a telephone assessment, and we are automatically renewing reassessments that are due within three months by six months, and we review that on a regular basis.

[906016] **Robert Halfon** (Harlow) (Con): I recognise that the national living wage has increased, but will my right hon. Friend ensure that the full rise in the national living wage, to two thirds of median earnings by 2024, goes ahead as planned?

Will Quince: My right hon. Friend is a passionate advocate for hard-working people. He tempts me to set Treasury policy, which I fear the Chancellor of the Exchequer would not take kindly to, but I urge him to make representations to Her Majesty's Treasury instead.

[906036] **Tim Farron** (Westmorland and Lonsdale) (LD): There are 4,500 people in my constituency in south Cumbria and 3 million across the country who have been excluded from any covid-specific support over the last six months—those who have recently become self-employed, directors of small limited companies and people who were new starters in March. After six long, desperate months, will the Minister support a compensation package for those people?

Mims Davies: I go back to our £30 billion plan for jobs. We have to move forward, absolutely understanding what we learned coming into this pandemic—that we have the highest employment rate going. Going back to square one for some of these people is a real challenge. That is why we have stopped the minimum income floor for people who are self-employed and we are supporting people to get back into work. I understand what the hon. Gentleman is asking, but we need to focus on the plan for jobs—a £30 billion scheme, with interventions coming down the line. We need to move forward and give people hope.

Mr Speaker: 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 suspend the House for three minutes.

3.34 pm

Sitting suspended.

Japan Free Trade Agreement

3.37 pm

The Secretary of State for International Trade (Elizabeth Truss): I am delighted to announce that last Friday we reached agreement in principle on a free trade deal with Japan. The UK-Japan comprehensive economic partnership agreement is a major moment in our national history. It shows that economic powerhouses, such as Japan, want ambitious deals with the United Kingdom, and it shows that the UK can succeed as an independent trading nation. It shows that we can strike deals that go further and faster than the EU—British-shaped deals that suit our economy.

This deal will drive economic growth and help level up our United Kingdom. On tech, it goes far beyond the EU-Japan deal, banning data localisation and providing for the free flow of data and net neutrality, benefiting our leading tech firms. In services, we have secured improved market access for financial services and better business mobility arrangements for professionals and their families. On food and drink, up to 70 of our brilliant British products can now be recognised in Japan, from Welsh lamb to Yorkshire Wensleydale cheese, English sparkling wine and Stornoway black pudding. Under the EU deal, that was limited to just seven. We have also secured tariff reductions on British goods from biscuits to pork, as well as continued access for malt and Stilton cheese.

In manufacturing, lower tariffs on parts and improved regulatory arrangements will benefit major employers such as Nissan and Hitachi in the north-east. The deal strengthens our ties with the world's third-largest economy and deepens the bond between two like-minded island nations who believe in free and fair trade.

One of our greatest Prime Ministers, Mrs Thatcher, saw the value of co-operating with Japan in areas such as the automotive sector and electronics in the 1980s, which attracted the likes of Nissan and Toyota to our shores and delivered lasting benefits. Now, in 2020, we will unleash a new era of mutually beneficial economic co-operation with our great friend Japan, pushing new frontiers in areas such as tech and services trade. Japan, as one of the world's major economies, is a vital partner for the UK and one of the most significant nations in the Pacific region. Securing this Japan deal is a key stepping stone towards joining the trans-Pacific partnership, which is one of the world's largest free trade areas, covering 13% of the global economy and £110 billion-worth of trade. Accession is vital to our future interests. It will put us in a stronger position to reshape global rules alongside like-minded allies. It will hitch us to one of the fastest growing parts of the world. It will strengthen the global consensus for free trade at a time of global uncertainty and creeping protectionism. Japan, alongside this agreement, has given its strong commitment for UK accession to the comprehensive and progressive agreement for trans-Pacific partnership, and last week I co-chaired a chief negotiators' meeting of all 11 TPP countries—the first time that a non-member state has been asked to do this—where we discussed the path to UK membership. As negotiations progress, we will bring forward the formal application process to Parliament, and ensure that it is scrutinised openly and transparently.

As I have promised, there will be a full scrutiny process for the Japan deal and all the other agreements that we strike. Prior to entering negotiations, we issued

a scoping assessment and published our objectives. During the negotiations, we have engaged extensively with business and stakeholders, including sharing sensitive tariff and market access information with our new trade advisory groups. We have established a Trade and Agriculture Commission to put our farmers at the heart of trade policy and ensure that their interests are advanced. When it is complete, I will be issuing a copy of the final deal to the International Trade Committee for scrutiny. We will also produce an independently scrutinised impact assessment, covering social, labour, environmental and animal welfare aspects of the agreement so that parliamentarians are able to interrogate the deal and prepare a report that is debated in Parliament. Ultimately, Parliament will decide whether to ratify the deal through the Constitutional Reform and Governance Act process or to withhold its support.

I am strongly of the view that this is a great deal for Britain. It benefits all parts of our country while protecting our red lines on areas such as the NHS and food standards. The agreement that we lay before Parliament will be the first of many, because there is a huge appetite to do business with global Britain and a huge opportunity for every part of this country to benefit from these agreements. This deal is a sign and a signal that we are back as an independent trading nation, back as a major force in global trade and back as a country that stands up for free enterprise across the world. This is just the start for global Britain.

3.42 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I thank the Secretary of State for advance sight of her statement and congratulate her on reaching this agreement. It is a much-needed relief for all those UK companies that would have seen their trade with Japan revert to World Trade Organisation terms if the agreement had not been reached by the end of the year. It is also a welcome benefit at a time of great economic uncertainty for the UK's digital and tech sectors, and for other key exporters, which will benefit from greater access, faster tariff reductions or stronger geographical indication protections under this agreement than they enjoyed under the previous EU-Japan agreement. In the absence of a treaty text and a full updated impact assessment, there is much about the UK-Japan agreement that we still do not know and will not know until those documents are published. Nevertheless, I hope that the Secretary of State can answer some initial questions today.

First and foremost, will the Secretary of State tell us, in billions of pounds and percentages of growth, what benefits this agreement will produce for UK trade and GDP over and above the forecast benefits of simply rolling over the existing EU-Japan deal? I was glad to hear her refer to consultation with the farming sector. Can she tell us what benefits the sector will derive from this deal if the EU reaches its tariff rate quota limit for agricultural products, and how that will compare with the benefits that the sector was forecast to derive from the EU-Japan deal? Will she also tell us what the impact of Friday's agreement will be on the UK aerospace sector relative to the impact of the EU-Japan deal?

Let me turn to three specific issues. Given that there has been lots of discussion about Stilton, can the Secretary of State tell us exactly how the treatment of Stilton differs under the deal that she has agreed compared with its

[Emily Thornberry]

existing treatment under the EU-Japan deal? Given the current debate on state aid, can she confirm that the provisions on Government subsidies that she has agreed with Japan are more restrictive than the provisions in the EU-Canada deal, which No. 10 has said is the maximum it is prepared to accept in any UK trade deal with Brussels? On a similar subject, what provisions, if any, are included in the UK-Japan agreement relating to public procurement, and are they also consistent with the Government's current negotiating position on an EU trade deal?

On the subject of Brexit, will the Secretary of State simply agree with me that, as welcome and necessary as this deal with Japan is, it is nothing like as important in terms of our global trade as reaching a deal to maintain free trade with the European Union? Our trade with Japan is worth 2.2% of our current global trade. That does not come anywhere near the 47% of trade that we have with Europe under the Government's best-case scenario. The deal they signed on Friday will increase our trade with Japan by a little less than half in 15 years' time. That is nothing compared with what we will lose in just four months if we do not get the deal with Europe that this Government have promised. That is why Nissan and every other Japanese company operating in Britain have told us that the deal that will determine the future of the investment and the jobs that they bring to our communities is not the one that we signed with Japan, but the one we sign with Europe.

I am glad that the Secretary of State has committed to a further debate on the agreement, given that there are many more questions to ask, but frankly there is no point in having that debate if Parliament does not have the right to vote. Will the Secretary of State guarantee today that once the treaty text and all the impact assessments have been published for proper scrutiny, she will bring the agreement back for a debate and vote, in Government time, just as will be done in the Japanese Parliament? It surely cannot be the case that this House will have less of a right to vote on a self-proclaimed historic deal agreed by the Secretary of State than will be enjoyed by our counterparts in Japan. May I ask her today to guarantee a vote, and to make it a precedent that will apply to all the other historic agreements she mentioned in her statement and that we hope are still to come?

Elizabeth Truss: After the right hon. Lady's congratulations to me on securing this important deal, it is perhaps a bit churlish of me to point out that she did not vote for the original EU-Japan deal, so none of the original benefits she talked about would have come into existence had we followed the steer given by the Labour party at the time. The deal we have secured goes significantly beyond the EU-Japan deal in areas that are important to the United Kingdom. For example, the data and digital chapter in some cases goes beyond the CPTPP and sets new precedents for a high-quality deal. On business mobility, financial services, geographical indicators and rules of origin, there are advances in all parts of the negotiation that benefit all parts of the UK and all parts of business.

The right hon. Lady asked about the impact assessment. No doubt she has read the scoping study, which shows a £15 billion increase in trade under this deal, but of course we will conduct another impact assessment following

the finalisation of the details of the deal, which we will indeed publish. It will also cover the deal's environmental impact, social impact and impact on agriculture. [Interruption.] From a sedentary position, the hon. Member for Harrow West (Gareth Thomas) asks when we will publish it. The answer is that we will do so when we have completed the full legal scrub of the documents and signed the agreement.

The right hon. Lady asked me about agriculture. I am pleased to hear that she shares my strong interest in improving exports of Great British products around the world. The vast majority of agricultural products such as beef and pork are not subject to tariff rate quotas, and we have secured the full liberalisation of those products under this agreement, which is a tremendous boost for British farmers. There is a limited number of areas where there are tariff rate quotas, and that represents about £1 million worth of business versus just over £150 million for the remainder of agriculture, but in those areas we have fought hard to ensure that British exporters continue to get the benefit of exports into the Japanese market at lower tariff rates, including but not limited to Stilton. We have also secured an agreement on malt barley, and we are the second largest exporter of malt into Japan, so that is a significant benefit for British farmers. We have also succeeded in getting more liberal rules of origin on many food and drink products, which will mean that more producers are able to export into Japan tariff-free.

As the right hon. Lady knows, under the Constitutional Reform and Governance Act 2010, Parliament can refuse to ratify trade deals. Parliament has the power that other Parliaments have. If there is not a majority in this House for this trade deal, which I do not think will be true because it sounds like she has changed her mind since she voted against the Japan deal last time, it will simply not be ratified.

The right hon. Lady asked me all kinds of questions about the details of the agreement. Obviously, as we, first of all, share it with the International Trade Committee and then with Parliament, she will be able to see the details, but I assure her that the subsidies chapter is the standard kind of chapter you get in an FTA. It is vastly different from what the EU is trying to do with us, which is essentially impose the EU state aid regime in Britain. As David Frost has made clear, that is simply not acceptable.

The right hon. Lady tries to compare and contrast the EU and Japan. We can have both deals—we are global Britain. We want to have deals with CPTPP, with the United States, with the EU and with Canada, and I believe that that is absolutely possible. I am afraid to say that the right hon. Lady still seems to want to relitigate the EU referendum. In 2016, the people of Britain decided. It is time for her to get behind it.

Scott Mann (North Cornwall) (Con): I congratulate the Secretary of State on this heroic and historic new trade deal, and on proving the doubters wrong yet again. Under the EU-Japan deal, there were just seven geographical indicators. Under this new agreement, she has managed to potentially secure another 70, including west country lamb and west country beef. Can she outline how the new deal will benefit beef, lamb and dairy farmers in my constituency?

Elizabeth Truss: I thank my hon. Friend for his question. I am looking forward to visiting Davidstow, which is one of the major cheese exporters from the United Kingdom, this Friday. The answer is that dairy products, such as cheddar from Davidstow, will go down to a zero tariff over time as a result of the agreement. We are protecting new product names, whether it is Cornish pasties or clotted cream. We will also see reductions in tariffs for fantastic products such as beef, also from Cornwall.

Stewart Hosie (Dundee East) (SNP): I congratulate the Secretary of State. I recognise that, although this deal shares many similarities with the EU deal, it goes slightly further in a limited number of areas, not least the geographic indicators. It would be interesting, however, to find out just how many the UK pushed for as part of the EU deal. On the vexed issue of cheese, which is barely mentioned, surprisingly, it would appear from the reading today that all UK manufacturers can do is fulfil unused EU quotas. I welcome what she has said on data, and what has been described as the digital trade chapter is real progress; however, she will want to confirm that, even with that, if all goes according to plan in GDP terms this deal will be worth less than one tenth of 1% of UK GDP—barely denting the losses anticipated from Brexit.

The elephant in the room is the UK's stated intention to breach international law and to break legally binding treaties. That is important because the Japan deal is primarily significant in paving the way for CPTPP accession. We know the attitude of the United States—that there will be no deal if the UK breaches international law—and the approach of many of our potential CPTPP partners is very similar. Australia, for example, has demonstrated consistent support for a far-reaching system of international law, and has made a valuable contribution towards realising that. It is a country committed to a rules-based international system. This is all about trust, so would it not have been better for winning the big prize of CPTPP accession if the Secretary of State had stood up and announced the withdrawal of the internal market Bill, rather than boasting about very small gains in this Japan deal?

Elizabeth Truss: Only the SNP could say that £15 billion of extra trade is insignificant, but this Japan deal is not just important economically in itself; it is important, as the hon. Gentleman mentioned, for accession to TPP, a trade area worth £110 billion. That is vital. This is a step forward. One of the key things we have secured is strong agreement from the Japanese to help us accede to TPP.

I hope that the hon. Gentleman is also pleased by the extra protection we have secured for Scotch whisky. There have been issues in Japan, and the Japanese Government have agreed to work with us and the industry on the development of enforcement mechanisms for lot codes on wines and spirits, meaning that Scotch whisky will be even better protected in the Japan market.

The hon. Gentleman talked about cheese. The vast majority of the cheese we export is not subject to quotas. Thanks to this deal, as I mentioned to my hon. Friend the Member for North Cornwall (Scott Mann), the tariffs on our cheese will go down to zero over time, which will be of huge benefit to Scottish cheddar producers.

Martin Vickers (Cleethorpes) (Con): I congratulate my right hon. Friend on achieving this agreement. Free trade, of course, is the key to prosperity for all our constituencies, and it is particularly important and valuable for mine, with the largest port in the country at Immingham. I particularly welcome the mention of the trans-Pacific agreement. Will she outline how she will continue with that agreement and move forward with agreements with countries such as Australia?

Elizabeth Truss: We are the first potential accession country that has had a meeting with all 11 chief negotiators. We will now go into separate discussions with those countries to prepare our accession plans. I hope to be able to formally apply early next year so that we can make progress and accede to this high-standards agreement, which will give British exporters access to the fast-growing Pacific market.

Mr Speaker: We are now heading up to Scotland to Angus Brendan MacNeil, Chair of the Select Committee.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) [V]: Tapadh leibh; feasgar math, Mr Speaker. First, the Secretary of State made very welcome mention indeed of Stornoway black pudding. She then went on to say that she is delighted about the deal, described it as a major moment and said that she feels this UK-Japan FTA is ambitious. However, the GDP figures show it is worth a seventieth of the deal with the EU—a seventieth of the cost of Brexit—so is getting a deal with the EU not 70 times more important than this admittedly very welcome UK-Japan comprehensive economic partnership agreement? Will the Secretary of State also clarify whether any of this is dependent on EU co-operation or deals, especially on cumulation?

Elizabeth Truss: I am pleased to hear the hon. Gentleman's welcoming the increased protection for Stornoway black pudding in the Japan market. He will note that a number of other indicators have been given access to that market, which is important. There are also, of course, huge benefits for Scottish lamb and beef farmers in terms of reduction in their tariffs.

On the hon. Gentleman's point about the EU, this is not an either/or choice. Global Britain wants to have a good trading relationship with the EU and a good trading relationship with Japan and CPTPP. That is all possible, but what it will take is for the EU to give us a deal in the way that it has given Canada a deal.

Alicia Kearns (Rutland and Melton) (Con) [V]: This deal is a great success story. A global—[Inaudible.] I chair the all-party parliamentary group on geographically protected foods. Will my right hon. Friend kindly set out the benefits for—[Inaudible.]

Mr Speaker: I am sorry about that. We are going to go to Cat Smith.

Cat Smith (Lancaster and Fleetwood) (Lab): Once the details of this trade deal are published, the Japanese Parliament will get the opportunity to debate and vote on it. Will the Secretary of State be clear about whether parliamentarians in both Houses of this Parliament will get the same rights as our Japanese colleagues?

Elizabeth Truss: Once we have the fully legally scrubbed deal, that will go to the International Trade Committee on a confidential basis for that Committee to analyse it. We will also undertake independent analysis on the key points that I outlined earlier—the environmental impact, the social impact and the impact on animal welfare standards. That will then be debated by Parliament and, through the CRaG process, if Parliament is not happy, it will be able to not ratify the deal. I do not think that will be the eventuality, however, because I think people will recognise that the deal is of benefit to the UK economy.

Mr Jonathan Djanogly (Huntingdon) (Con): From what I have seen of the deal so far, it is a great deal and the Secretary of State is to be congratulated on securing it. Coming out of Brexit, it will do much. However, I note that the deal now goes to the Japanese Parliament, as has been said, for pre-signing approval, but not by law to this Parliament for pre-signing approval. Will my right hon. Friend acknowledge—preferably in the Trade Bill, which is going through the other place—that, post Brexit, the UK needs a modern, relevant, fair and workable scrutiny regime for new FTAs and not just a return to the pre-EU, outdated 1924 Ponsonby rule, which is restricted to ratification?

Elizabeth Truss: I understand that the deal will go to both Parliaments at the same time—it will go to the Japanese Diet at the same time as it goes to the International Trade Committee in this House for its analysis. As I have said, under the CRaG process, which was introduced by the Labour Government in 2010, Parliament can block the deal if it does not like it, and that process is roughly equivalent to those in other Parliaments, including in Canada, Australia and New Zealand.

Alison McGovern (Wirral South) (Lab): I note what the Secretary of State said about impact assessments, but what discussions has she had with the Office for Budget Responsibility about whether it will produce a forecast of the impact of the deal, specifically comparing it with WTO trading conditions and what would have happened if we had just rolled over the EU-Japan deal?

Elizabeth Truss: I am committed to making sure that we have independently audited analysis of the deal that we complete, but the hon. Lady has highlighted a hypothetical situation. We are now in a world where we have left the EU, even though some Opposition Members do not seem to want to acknowledge that. What we have to talk about is the benefits of signing the deal versus not signing it.

Sir David Evennett (Bexleyheath and Crayford) (Con) [V]: I warmly welcome my right hon. Friend's statement and congratulate her on this agreement, which is really good news. Can she explain how small and medium-sized enterprises, which are the backbone of our British economy, will benefit from this excellent deal?

Elizabeth Truss: The deal with Japan has a dedicated SME chapter, which is all about reducing the red tape that SMEs face, making it easier for UK and Japanese SMEs to understand the others' markets and providing information to make it easier for them to export and gain the benefits of international trade.

Christine Jardine (Edinburgh West) (LD) [V]: I thank the Secretary of State for prior sight of her statement. Yes, we also welcome the trade deal, but I have two serious concerns. First, it seems to simply mirror what we have with the EU, and, apart from symbolic wins on things such as Stilton cheese, the Government have failed to leverage any real, meaningful benefits. Also, given that the deal has stricter state aid regulations than the disputed ones in the EU proposals, do the Government actually have a trade strategy?

Elizabeth Truss: I urge the hon. Lady to look beyond the EU—90% of global growth is coming from beyond the EU. Both Japan and the wider Pacific region, which is a fast-growing area, are vital for Britain's future economy. Of course we want a deal with the EU, but that should not stop us doing advantageous deals with fast-growing parts of the world and working with allies to put forward the cause of free and fair trade.

Mr Speaker: To help Members, I advise them that I will run this session until 4.37 pm.

John Howell (Henley) (Con): I, too, congratulate my right hon. Friend on this trade deal. Can she say a little more about how the south-east will benefit from this? It is not just financial services there. She will be aware that the increase in both exports and imports over recent years has been in road transport.

Elizabeth Truss: We have achieved improvements in areas such as transportation services as well as financial services in the trade deal. We have also improved professional and business mobility, making it easier for business people to travel between Japan and the United Kingdom and increasing our economic links. That will be particularly helpful for the south-east of England.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) [V]: I of course congratulate the Secretary of State on any trade deal, but she has done a deal with Japan, which represents 2% of our trade, in a week when we have probably lost the 15.5% deal we might have had with the United States. On the day when a Japanese company, SoftBank, has sold off one of the jewels in the crown of British technology, is it not shameful that she could not bring herself to mention Arm from Cambridge? Will the people of this country not despair at her not mentioning that?

Elizabeth Truss: That was a typically upbeat question from the hon. Gentleman. It is not true that our deal with the United States is not progressing; on the contrary, we are in the middle of a very positive negotiating round in which we are currently discussing market access terms.

Steve Double (St Austell and Newquay) (Con): I congratulate the Secretary of State on securing this deal. I am delighted, as the people of Cornwall will be, that the iconic Cornish pasty and Cornish clotted cream are to be protected, along with many other geographically protected British products. Can she say what further opportunities there will be for Cornish producers to export to Japan as a result of this deal?

Elizabeth Truss: My hon. Friend is right: a number of products in Cornwall—whether the Cornish pasty, west country farmhouse cheddar or clotted cream—will benefit from this deal through not only lower tariffs but increased recognition of their geographic indicators. I will be in Cornwall later this week, and I hope to talk to producers about how we can increase their exports and take advantage of these new opportunities.

Alyn Smith (Stirling) (SNP): I find it absurd that the House is being asked to debate a text that has not been published, because with trade deals, the devil is in the detail. I want to pick up on the point about state aid provisions, because I am curious about this. In today's *Financial Times*, it is reported that the UK and Japan "have agreed to replicate the restrictions on subsidies in the EU-Japan deal that went into effect last year."

I was involved in that in Brussels, in a previous incarnation, and it goes far beyond what the UK is looking for in the UK-EU trade deal. I listened carefully to the Secretary of State's response, and she said that it is a "standard" state aid clause, which strikes me as bizarre language, because there are no standard state aid clauses in any trade deals ever anywhere. Has she made the commitment reported in the *Financial Times*? Will she stand by it, will she resile from it in six months' time in a limited way or has she dropped the ball?

Elizabeth Truss: I find it extraordinary, when I am appearing in front of the House to update it, for the hon. Gentleman to complain that I have not given the next update. I am here because, every stage that we agree with the Japanese, I want to share it with the House and have that debate. Of course there will be another debate when we have produced the final text, which he will be able to participate in. Many FTAs have subsidy clauses, but no FTA, apart from the one that the EU is demanding with the UK, has one bloc imposing its subsidy regime on another country.

Ben Everitt (Milton Keynes North) (Con): By now, the whole House will know of my love of the autonomous delivery robots in Milton Keynes. I am assured that they can deliver geographically protected goods such as Stilton and pork pies, but they are also part of the UK's larger tech industry. Will my right hon. Friend update the House on how our tech businesses will be helped by the data and digital parts of the deal?

Elizabeth Truss: The deal will, in essence, underwrite digital and data flows between the UK and Japan, so there will be no requirements such as data localisation and we will uphold the principles of net neutrality and enable the free flow of data. It will mean that brilliant companies, such as those in my hon. Friend's constituency, will be able to sell their products into Japan without hindrance.

Christian Matheson (City of Chester) (Lab): Further to the question from the hon. Member for Stirling (Alyn Smith), if the *FT* article is correct, the Government have, in this deal, signed up to more restrictive conditions on state aid than those being negotiated with the European Union. Will the Secretary of State confirm that the negotiations with the EU are all about deterring it from reaching a deal so that it will walk away, and we can then blame it for no deal and not take the hit that would otherwise be aimed at the Government?

Elizabeth Truss: I am not quite clear what the hon. Gentleman's question was—it seemed to be more of an accusation—but, as I have said, the subsidy clauses in the deal are standard FTA clauses. They are nothing like what the EU is demanding of us.

Virginia Crosbie (Ynys Môn) (Con): Last year, 277 Welsh businesses exported to Japan. Does the Secretary of State agree that the new tariff reduction in beef represents an exciting opportunity for farmers such as Brian Bown, who is chairman of my local National Farmers Union and is at a cattle auction this afternoon, and Gerald Thomas, who is president of the Farmers' Union of Wales?

Elizabeth Truss: British beef and lamb were let back into the Japanese market in 2019. In this deal, we have achieved significant tariff reductions on beef and more protection of geographic indicators such as Welsh lamb and, of course, Ynys Môn sea salt from my hon. Friend's constituency.

Dr James Davies (Vale of Clwyd) (Con): I congratulate my right hon. Friend on securing this free trade agreement with Japan. Will she outline the benefits that she sees it bringing to the economy of north-east Wales?

Elizabeth Truss: There are huge benefits to the economy of north-east Wales, whether in digital and data, agriculture such as Welsh lamb, or areas such as manufacturing, where we have reduced the cost of bringing in car parts and agreed closer regulatory co-operation between Japan and the UK.

Mr Speaker: I put a line through him too soon—I call Jim Shannon.

Jim Shannon (Strangford) (DUP): I would have thought it was impossible to put a line through me, but that is by the bye.

First, I thank the Secretary of State for all that she is doing. Her eagerness to get trade deals the world over is infectious and should encourage everyone in the House. It is an indication of the fact that the global market is anxious to get started with the UK as a trading partner.

I note that there are set to be strong tariff reductions for UK pork and beef exports, with low tariffs for food and drink, and more generous quotas for malt than in the EU-Japan deal. Will the Secretary of State confirm how that will translate for malt for my local whisky producer, Echlinville Distillery in Kircubbin, and for Bushmills whiskey as well? How will it translate for the Northern Ireland pork and beef industries, which provide the best pork and beef in the world—we have that in Northern Ireland and in my constituency? Can we expect an increase in the market for exports to Japan?

Elizabeth Truss: We absolutely can expect an increase. As I said, British beef has only just been allowed back into the Japanese market, and we are now going to see significant tariff reductions. Northern Ireland is, of course, a strong exporter of such products, and it will also benefit from the increased protection of geographic indicators, whether for the Armagh Bramley apple or the Lough Neagh eel.

Stephen Kinnock (Aberavon) (Lab): The Secretary of State mentioned Nissan; of course, there is an intrinsic link from Nissan to UK steel, which is intrinsically linked into the talks with the United States. Will she guarantee that President Trump's completely unrealistic and unreasonable section 232 tariffs on UK steel will be removed from the trade negotiations with the United States as a precondition for those negotiations to proceed?

Elizabeth Truss: We are in active negotiations with the United States, and one of the things I have been very clear about is that we need to see those unfair section 232 tariffs on our steel removed.

Lia Nici (Great Grimsby) (Con): We are very excited in Grimsby about this trade deal, because we feel it will create a huge benefit for our family-owned fish processors, particularly those for flat fish, and for our fish smokehouses of Alfred Enderby. How will this help to improve fisheries?

Elizabeth Truss: There are two benefits for fisheries from this deal. First, we are going to see a reduction in tariffs on all kinds of fish, be it mackerel, cod or salmon. And my hon. Friend will be pleased to hear that traditional Grimsby smoked fish is one of the geographical indicators we are going to replicating in Japan.

Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP) [V]: How long will it be until the UK Government realise that this Japan deal is not as good as is being touted, and then U-turn and renege on it? Should my constituents take the Secretary of State's word that they will not do so?

Elizabeth Truss: We have already made significant progress, achieving agreement in principle; we are working on the legal scrubbing, and I will bringing this back to Parliament very soon.

Alun Cairns (Vale of Glamorgan) (Con): I warmly congratulate my right hon. Friend and her ministerial team on securing this deal in such quick order. Wales has a long history of attracting inward investment from Japan, with the first foreign direct investment project from Sony coming to Bridgend back in 1973. However, will she guarantee that the finest lamb in the world—Welsh lamb—will have its geographical indicator protected, so that we can continue our deep trading relationship with Japan?

Elizabeth Truss: My right hon. Friend is right about the investment in both countries. This deal seeks to deepen that economic relationship, in services, in manufacturing and, of course, in agriculture. I am delighted to say that Welsh lamb is on the list of geographical indicators that should be recognised by Japan.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The north-east has benefited significantly from Japanese investment, so I welcome the continuation of existing trading relationships, which this deal largely represents. However, the Secretary of State will know that for Nissan and for investors more generally, and for jobs in the north-east, the deal that matters is the “oven-ready” one with the European Union. Will she set out precisely what the differences are between the state aid provisions in this Japanese deal and those rejected in the EU deal, apart from the fact that the latter are already in place?

Elizabeth Truss: I have recently visited Hitachi and Nissan, both of which are pleased with the progress we have made in the Japan deal. Of course, like all of us, they want a deal with the EU, but it has to be the right deal for Britain. My lesson, as Trade Secretary, is that we have to be prepared to hold out for the right deal.

Mr Tobias Ellwood (Bournemouth East) (Con): May I join others in congratulating my right hon. Friend on securing such an important deal? I hope she goes on to secure future deals for Britain. May I also encourage her to ensure that this new opportunity is considered in the integrated review, because our economic security and our national security go hand in hand?

Elizabeth Truss: My right hon. Friend is right on that, and one important aspect of this deal and our relationship with Japan is that it is a leading free enterprise democracy. We need to be working with like-minded countries, not only to protect free trade across the world, but to make sure trade is fair. That is one of the huge benefits of joining CPTPP: it is a high standards trade agreement of countries that believe in free trade.

Mr Alistair Carmichael (Orkney and Shetland) (LD): May I welcome the progress that was made in relation to geographically protected indicators, a number of which come from the northern isles in relation to this deal? The *Financial Times* article, to which other Members have referred, does say that David Frost is concerned that the Secretary of State has given away more in relation to level-playing field issues than he is offering to the EU. If that is correct, then that is very serious indeed. Will she commit to publishing the state aid clauses now?

Elizabeth Truss: I am pleased that the right hon. Gentleman appreciates the new listing of Orkney beef, Orkney lamb and Orkney Scottish Islands cheddar, and I think we also have a Shetland geographical indicator—

Mr Carmichael: Shetland wool, which isn't very tasty.

Elizabeth Truss: I am sorry to hear the right hon. Gentleman denigrate foodstuffs from his own constituency. [HON. MEMBERS: “Wool”!] I am sorry but I did not hear him. We are still in the legal scrubbing process with Japan—[*Interruption.*] That has nothing to do with wool. Once that process is finished, we will be sharing our text with the International Trade Committee, which will then fully analyse it.

Mr Steve Baker (Wycombe) (Con): I congratulate my right hon. Friend heartily and her chief trade negotiation adviser who, I think, led this particular negotiation if I recall correctly. I want to welcome the fact that the Government have agreed disciplines to avoid anti-competitive market distortions and subsidies in particular. Does she think that we could offer a similar regime to the EU in order to reassure it that we will be behaving fairly as an independent United Kingdom?

Elizabeth Truss: We are very committed to behaving fairly in all our dealings, but, as I made clear earlier, what the EU is asking for is not a standard FTA clause, but for the EU state aid regime to be put into UK law, and that is not on.

Kim Johnson (Liverpool, Riverside) (Lab): Our total trade last year with Japan was worth £31 billion, which is hugely important, but to put it in perspective, our total trade last year with the Netherlands was three times that amount. Although we all welcome this deal, is the Secretary of State concerned that we have not yet secured our continued free trade with the Netherlands and the other 26 EU member states?

Elizabeth Truss: I do not think that £30 billion is to be sniffed at in terms of our trade with Japan. The hon. Lady must look to the future when what we will see is the vast majority of global growth coming from outside the EU. What we want is for the UK to be hitched to those growth opportunities, so that our businesses can expand. I do not see today as a maximum or a steady state. Of course we can do more in the future, but what these lower tariffs mean is that it will be easier and more economic for our businesses to export to Japan.

Tom Tugendhat (Tonbridge and Malling) (Con): First, I congratulate my right hon. Friend on this fantastic deal, which demonstrates not just Britain's place in Asia, but Britain's place on the Asian and American continent as part of CPTPP. I am delighted that she is joining me and the Japanese Defence Minister in praising the CPTPP and encouraging Britain to play a more active part. Will she also, however, urge the Defence Secretary to bring the Japanese into the six eyes, as it will be then?

Elizabeth Truss: I will pass that call on to my colleague, the Defence Secretary. My hon. Friend is absolutely right about the central importance of TPP, not just as a huge economic opportunity for the United Kingdom, but as a beacon of free trade and fair play that will be vital as we seek to reform the global trading system.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): Based on the British Government's own best-case scenario figures, am I right in calculating that it will take 71 deals of this nature to make up for what will be lost by pursuing the British Government's policy of leaving the EU single market and customs union?

Elizabeth Truss: Mr Speaker, I think some hon. Members have got the wrong title of today's statement. They seem to think that it is about the EU referendum, which I believe happened three years ago.

Gary Sambrook (Birmingham, Northfield) (Con): Last year, 717 businesses across the west midlands benefited from exporting to Japan, so does my right hon. Friend believe that places such as Birmingham will benefit from this £15 billion boost, which will help create jobs and economic advantages for local people, despite the many protests of the doomsters, gloomsters and doubters opposite, who said it would never happen?

Elizabeth Truss: My hon. Friend makes a very important point. We were previously being told that we would not get a deal with Japan, or we would not get a better deal than the EU had got with Japan. Well, that has been shown to be wrong, and the people who are going to benefit are the people of the midlands and around the country, who are going to see their goods able to be exported to Japan at a lower price, which means more jobs and more opportunities.

Alex Norris (Nottingham North) (Lab/Co-op): Free global trade is a good thing, but it does pose challenges under our climate change obligations. The Secretary of State has committed to an impact assessment. Will she also commit to have a chapter in there on the climate impacts and what we are doing to mitigate them to the lowest level possible?

Elizabeth Truss: I can assure the hon. Gentleman that there are very strong climate change commitments in our agreement with Japan.

Mr Gagan Mohindra (South West Hertfordshire) (Con): May I echo the sentiments on this side of the House and offer my own personal congratulations to the Secretary of State on a great deal? Can my right hon. Friend provide greater detail on how this deal will make it easier for business people to move between the UK and Japan?

Elizabeth Truss: I certainly can. This deal goes beyond the deal the EU had agreed both in terms of UK business people being able to go to Japan and Japanese business people being able to come here. That is vitally important for industries such as financial services and professional services—for example, the increased ability to bring families with people on business visits—and there are wider rules about what type of professions qualify. Overall, this will see an increase in the exchange of professional people between both countries.

Alison Thewliss (Glasgow Central) (SNP): We have already heard from many colleagues about the limitations of scrutiny within this House of this trade deal, but can the Secretary of State tell us what role there will be for the Scottish Parliament and the Scottish Government in having any input into the deal?

Elizabeth Truss: We have been very closely involving the Scottish Government in all our work. In fact, my right hon. Friend the Trade Minister spoke to his Scottish counterpart early today.

Miss Sarah Dines (Derbyshire Dales) (Con): As my right hon. Friend knows, it is in fact in the Derbyshire Dales that the best Stilton in the UK is made, with Hartington Blue, Dovedale Blue and other great cheeses such as Peakland White. Can my right hon. Friend further elucidate how this agreement will benefit my Stilton producers and other great cheese producers across the UK?

Elizabeth Truss: My hon. Friend certainly has a wide array of excellent Stiltons in her constituency. What we have done through this agreement is protect our access to low tariffs for Stilton, and gained a commitment from the Japanese to even wider access when we accede to CPTPP. Overall, for all types of cheese, we are seeing tariffs coming down, which will mean more of our great British product going into the Japanese market.

Chris Bryant (Rhondda) (Lab): Of course, I welcome this because, as Asda would say, "Every little helps"—[HON. MEMBERS: "That's Tesco!"] Oh, is it? It is Morrisons in Porth in the Rhondda. But I am worried about Welsh lamb. There is a serious issue here, which is that 92.5% of Welsh lamb exports go to the EU, and even at the best estimates of what the Government are hoping for, only 3% will go to Japan, so if we end up with tariffs of 38% on the 92.5%, we will have killed the Welsh lamb industry.

[Chris Bryant]

Will the Secretary of State really put all the energy she possibly can into getting a good deal for Welsh lamb with the EU as well as with Japan?

Elizabeth Truss: Of course, Lord Frost is negotiating the EU deal, and I know that one of his key areas is making sure we get good access for our agricultural products to the EU market. However, I would point out to the hon. Gentleman that of course the US is the second largest importer of lamb in the world, so I hope for his strong support for a US deal as well as for our deal with Japan.

Shaun Bailey (West Bromwich West) (Con): I congratulate my right hon. Friend on securing this deal. May I ask her what work she is undertaking with local stakeholders, particularly in the Black Country, so that my businesses in Wednesbury, Oldbury and Tipton can truly take advantage of the opportunities presented by the deal?

Elizabeth Truss: I thank my hon. Friend for his question, and I know that the Minister for Trade Policy, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), recently had a webinar with businesses from the Black Country, but of course as we approach 1 January, we want to encourage more businesses to get involved in this exciting trade with Japan. It is a huge market, the British brand is very appreciated there and it is also a gateway to the wider Pacific region.

Geraint Davies (Swansea West) (Lab/Co-op) [V]: Margaret Thatcher got Japanese car companies to come to Britain as a platform to export into the single market.

As a result of this Japanese deal, along with the Secretary of State's expected EU deal, will there be more or fewer Japanese cars being exported from Britain into the EU?

Elizabeth Truss: I am very pleased to hear the hon. Member's tribute to our great Prime Minister, Mrs Thatcher. That is a first from him, and I hope it is the first of many. The answer is that we want a successful British car industry, and car companies such as Nissan are supportive of this deal because it brings extra benefits to the UK.

James Sunderland (Bracknell) (Con): Does my right hon. Friend agree that this is an excellent deal for the United Kingdom, that it offers great possibilities for England, Scotland, Wales and Northern Ireland, and that it is just another reason why we are better off together as a Union?

Elizabeth Truss: My hon. Friend is absolutely right. This deal has benefits and opportunities for all of the UK. It is a central part of levelling up our country, ensuring that every region and nation has those opportunities and gets jobs and growth into its local areas.

Mr Speaker: In order to allow for 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 three minutes.

4.31 pm

Sitting suspended.

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

United Kingdom Internal Market Bill

Second Reading

4.35 pm

Mr Speaker: I inform the House that the amendment in the name of Keir Starmer has been selected.

The Prime Minister (Boris Johnson): I beg to move, That the Bill be now read a Second time—and that this House act to preserve one of the crucial achievements of the past three centuries, namely our British ability to trade freely across the whole of these islands.

The creation of our United Kingdom by the Acts of Union of 1707 and 1801 was not simply a political event, but an act of conscious economic integration that laid the foundations for the world's first industrial revolution and the prosperity we enjoy today. When other countries in Europe stayed divided, we joined our fortunes together and allowed the invisible hand of the market to move Cornish pasties to Scotland, Scottish beef to Wales, Welsh beef to England, and Devonshire clotted cream to Northern Ireland or wherever else it might be enjoyed.

When we chose to join the EU back in 1973, we also thereby decided that the EU treaties should serve as the legal guarantor of these freedoms. Now that we have left the EU and the transition period is about to elapse, we need the armature of our law once again to preserve the arrangements on which so many jobs and livelihoods depend. That is the fundamental purpose of this Bill, which should be welcomed by everyone who cares about the sovereignty and integrity of our United Kingdom.

We shall provide the legal certainty relied upon by every business in our country, including, of course, in Northern Ireland. The manifesto on which this Government were elected last year promised business in Northern Ireland

“unfettered access to the rest of the UK”.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am listening carefully to what the Prime Minister is saying, but why did one of his own distinguished Members describe his policy this week as “Nixonian Madman Theory”? Is the Prime Minister not deeply worried that his policies and approach are being compared to those of the disgraced former US President Richard Nixon, rather than someone like Winston Churchill?

The Prime Minister: Actually, I think that this Bill is essential for guaranteeing the economic and political integrity of the United Kingdom and simply sets out to achieve what the people of this country voted for when they supported our election manifesto: not only unfettered access from NI to GB and from GB to NI, but also—I quote from the manifesto—to

“maintain and strengthen the integrity and smooth operation of our internal market.”

Wes Streeting (Ilford North) (Lab): Will the Prime Minister give way?

The Prime Minister: I will not.

The Bill is designed to honour that pledge and maintain those freedoms. When we renegotiated our withdrawal agreement from the EU, we struck a careful balance to

reflect Northern Ireland's integral place in our United Kingdom, while preserving an open border with Ireland, with the express and paramount aim of protecting the Belfast/Good Friday agreement and the peace process. In good faith, we accepted certain obligations in the Northern Ireland protocol in order to give our European friends the assurances they sought on the integrity of their single market, while avoiding any change to the border on the island of Ireland. We agreed to conduct some light-touch processes on goods passing between Great Britain and Northern Ireland, in case they were transferred to the EU.

Jim Shannon (Strangford) (DUP) rose—

The Prime Minister: I give way to the hon. Gentleman, who knows a great deal about the subject.

Jim Shannon: This is a very important debate, as the Prime Minister and I know and as everyone in the House knows. Does he accept that the EU's determination to use Northern Ireland as a stick to beat the UK with as punishment for daring to leave an institution that had no respect or concern for our people has been underlined by the behaviour of MEPs, and indeed of some in this House, as they seek again, against the will of the majority of people, to stop Brexit instead of doing the honourable thing: respecting the vote and the recent general election validation, taking care of the UK and putting our people first, as the Prime Minister has said he will do? This legislation is a way of doing that.

The Prime Minister: The intention of the Bill is clearly to stop any such use of the stick against this country, and that is what it does. It is a protection, it is a safety net, it is an insurance policy, and it is a very sensible measure.

In a spirit of reasonableness, we are conducting these checks in accordance with our obligations. We are creating the sanitary and phytosanitary processes required under the protocol and spending hundreds of millions of pounds on helping traders. Under this finely balanced arrangement, our EU friends agreed that Northern Ireland—this is a crucial point—would remain part of the customs territory of the United Kingdom, able to benefit from free trade deals with other countries, which we are now beginning to strike. It ensures that the majority of goods not at risk of travelling to the EU—and that is the majority of goods going from GB to Northern Ireland—do not have to pay tariffs.

But the details of this intricate deal and the obvious tensions between some of its provisions can only be resolved with a basic minimum of common sense and good will from all sides. I regret to have to tell the House that in recent months the EU has suggested that it is willing to go to extreme and unreasonable lengths, using the Northern Ireland protocol in a way that goes well beyond common sense simply to exert leverage against the UK in our negotiations for a free trade agreement. To take the most glaring example, the EU has said that if we fail to reach an agreement to its satisfaction, it might very well refuse to list the UK's food and agricultural products for sale anywhere in the EU. It gets even worse, because under this protocol, that decision would create an instant and automatic prohibition on the transfer of our animal products from

[The Prime Minister]

Great Britain to Northern Ireland. Our interlocutors on the other side are holding out the possibility of blockading food and agricultural transports within our own country.

Andrea Jenkyns (Morley and Outwood) (Con): Does the Prime Minister agree that there is no greater obligation for MPs than to our voters, that the British people were told that no deal is better than a bad deal and we would prosper without a deal, and that given that the EU refuses to negotiate in good faith, we have no alternative but to legislate to protect our internal market?

The Prime Minister: My hon. Friend is entirely right. Absurd and self-defeating as that action would be, even as we debate this matter, the EU has not taken that particular revolver off the table. I hope that it will do so and that we can reach a Canada-style free trade agreement as well.

It is such an extraordinary threat, and it seems so incredible that the EU could do this, that we are not taking powers in this Bill to neutralise that threat, but we obviously reserve the right to do so if these threats persist, because I am afraid that they reveal the spirit in which some of our friends are currently minded to conduct these negotiations. It goes to what m'learned friends would call the intention of some of those involved in the talks. I think the mens rea—

Sir Robert Neill (Bromley and Chislehurst) (Con): Will the Prime Minister give way?

The Prime Minister: I give way to my right hon. and learned Friend.

Sir Robert Neill: I never object to another promotion.

I have listened carefully to what the Prime Minister says, but does he accept that were our interlocutors in the EU to behave in such an egregious fashion, which would clearly be objectionable and unacceptable to us, there is already provision under the withdrawal agreement for an arbitrary arrangement to be put in place? Were we to take reserve powers, does he accept that those reserve powers should be brought into force only as a final backstop if we have, in good faith, tried to act under the withdrawal agreement and are then frustrated? The timing under which they come into force is very important for our reputation as upholders of the rule of law.

The Prime Minister: My hon. Friend is absolutely right in what he says. He knows a great deal about this matter, and it is of great importance that we go through the legal procedures, as we will. As things stand, however, in addition to the potential blockade on agricultural goods, there are other avenues that the EU could explore if it is determined to interpret the protocol in absurd ways, and if it fails to negotiate in good faith. We must now take a package of protective powers in the Bill, and subsequently.

For example, there is the question of tariffs in the Irish sea. When we signed the protocol, we accepted that goods “at risk” of going from Great Britain into the EU via Northern Ireland should pay the EU tariff as

they crossed the Irish sea—we accepted that—but that any goods staying within Northern Ireland would not do so. The protocol created a joint committee to identify, with the EU, which goods were at risk of going into Ireland. That sensible process was one achievement of our agreement, and our view is that that forum remains the best way of solving that question.

I am afraid that some in the EU are now relying on legal defaults to argue that every good is “at risk”, and therefore liable for tariffs. That would mean tariffs that could get as high as 90% by value on Scottish beef going to Northern Ireland, and moving not from Stranraer to Dublin but from Stranraer to Belfast within our United Kingdom. There would be tariffs of potentially more than 61% on Welsh lamb heading from Anglesey to Antrim, and of potentially more than 100% on clotted cream moving from Torrridge—to pick a Devonshire town at random—to Larne. That is unreasonable and plainly against the spirit of that protocol.

The EU is threatening to carve tariff borders across our own country, to divide our land, to change the basic facts about the economic geography of the United Kingdom and, egregiously, to ride roughshod over its own commitment under article 4 of the protocol, whereby “Northern Ireland is part of the customs territory of the United Kingdom.”

We cannot have a situation where the boundaries of our country could be dictated by a foreign power or international organisation. No British Prime Minister, no Government, and no Parliament could ever accept such an imposition.

Miss Sarah Dines (Derbyshire Dales) (Con): How will my right hon. Friend ensure that Derbyshire Dales lamb, grown in our country, can be enjoyed by our fellow citizens in Northern Ireland, which is part of our country?

The Prime Minister: I thank my hon. Friend very much. The best way for us all to be sure that such lamb can be sold throughout the whole United Kingdom is to vote for this Bill, and to protect the economic integrity of the UK. [Interruption.] To answer the questions that are being shouted at me from a sedentary position, last year we signed the withdrawal agreement in the belief, which I still hold, that the EU would be reasonable. After everything that has recently happened, we must consider the alternative. We asked for reasonableness, common sense, and balance, and we still hope to achieve that through the joint committee process, in which we will always persevere, no matter what the provocation.

Jeremy Wright (Kenilworth and Southam) (Con): I am grateful to my right hon. Friend for giving way, and I want to ask him, if I may, about the ministerial code. When I was the Attorney General in the previous Government, I was happy to confirm that the ministerial code obliged Ministers to comply with international as well as domestic law. This Bill will give Ministers overt authority to break international law. Has the position on the ministerial code changed?

The Prime Minister: No, not in the least. My right hon. and learned Friend can consult the Attorney General's position on that. After all, what this Bill is simply seeking to do is insure and protect this country against

the EU's proven willingness—that is the crucial point—to use this delicately balanced protocol in ways for which it was never intended.

The Bill includes our first step to protect our country against such a contingency by creating a legal safety net taking powers in reserve, whereby Ministers can guarantee the integrity of our United Kingdom. I understand how some people will feel unease over the use of these powers, and I share that sentiment. I say to my right hon. and learned Friend that I have absolutely no desire to use these measures. They are an insurance policy, and if we reach agreement with our European friends, which I still believe is possible, they will never be invoked. Of course, it is the case that the passing of this Bill does not constitute the exercising of these powers.

Chris Bryant (Rhondda) (Lab): Hang on!

The Prime Minister: If the powers were ever needed, Ministers would return to this House with a statutory instrument on which a vote—perhaps this is the question to which the hon. Gentleman is awaiting an answer—would be held. We would simultaneously pursue every possible redress—to get back to the point I was making to my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill)—under international law, as provided for in the protocol.

In addition to our steps in domestic law, if we had to make clear that we believed the EU was engaged in a material breach of its duties of good faith, as required and provided for under the withdrawal agreement and the Vienna convention on the law of treaties, we would seek an arbitration panel and consider safeguards under article 16 of the protocol.

It is a question not of if we meet our obligations, but of how we fulfil them. We must do so in a way that satisfies the fundamental purpose of the protocol, the Belfast Good Friday agreement and the constitutional position of Northern Ireland. We will work with the EU on all of these issues. Even if we have to use these powers, we will continue to engage with the joint committee so that any dispute is resolved as quickly and as amicably as possible, reconciling the integrity of the EU single market with Northern Ireland's place in the UK's customs territory.

What we cannot do now is tolerate a situation where our EU counterparts seriously believe that they have the power to break up our country. If that is what hon. Members on the Opposition Benches want them to have, then I am afraid that they are grievously mistaken. That illusion must be decently dispatched, and that is why these reserve powers are enshrined in the Bill.

In addition, the Bill will help deliver the single biggest transfer of powers to the devolved Administrations since their creation, covering a total of 160 different policy areas. Each devolved Administration will also be fully and equally involved in the oversight of the UK's internal market through a new independent body, the Office for the Internal Market. The Bill will maintain our common cause of high standards, where we already go beyond the EU in areas ranging from health and safety to consumer and environmental protections.

Chris Bryant: May I take the Prime Minister back to the question asked by the former Attorney General, the right hon. and learned Member for Kenilworth and

Southam (Jeremy Wright)? It seems to me quintessential to the way we do our business that Ministers abide by the law. Indeed, the Justice Secretary is required by law to swear that he will uphold the rule of law. How, therefore, can the Prime Minister seriously advance a piece of legislation that says:

“regulations...are not to be regarded as unlawful on the grounds of any incompatibility or inconsistency with relevant international or domestic law”.

That is just gobbledegook, isn't it? It is complete and utter nonsense.

The Prime Minister: I do not know whether the hon. Gentleman was listening, but I made it very clear that we do not relish the prospect of having to use these powers at all. We hope very much, as I said, that the EU will be reasonable, but any democratically elected Government of this country—indeed, I would say any MP representing the people of this country—must be obliged to do whatever he or she can to uphold the territorial integrity of this country. That is what we are doing. Furthermore, instead of UK taxpayers' money being disbursed by the EU, this Bill, which is an excellent Bill, will allow the Government to invest billions of pounds across the whole of the UK to level up.

A year ago, this Parliament was deadlocked, exasperating the British people by its failure to fulfil their democratic wishes and, worst of all, by undermining our negotiators, as the right hon. Member for Leeds Central (Hilary Benn) will recall. Effectively, Parliament told the EU that if it played hardball, this House would oblige it by weakening our country's hand and legally forbid our representatives from walking away from the negotiating table. I hope that this House will never make that mistake again. Instead, let us seize the opportunity presented by this Bill and send a message of unity and resolve. Let us say together to our European friends that we want a great future relationship and a fantastic free trade deal.

Steve Brine (Winchester) (Con): The Prime Minister will remember that we have some history in this regard. I did not want us to leave with no agreement last year, and we fell out over that. But he was true to his word and we had an agreement.

We said in our manifesto:

“We will ensure that Northern Ireland's businesses and producers enjoy unfettered access to the rest of the UK”.

Is it not the truth of the matter that the way to do that is either through this Bill or by agreeing the free trade agreement—the Canada-style deal—that the EU said was on the table and of which the Prime Minister said when he came into office, “Okay, they now seem to have stepped back from that”?

I thank the Prime Minister for saying that tonight is difficult for some of us, but this is an important piece of legislation. Will he assure me that it is still his policy and the policy of his Government to secure that FTA with the EU that it said it wanted and that we know we want?

The Prime Minister: I thank my hon. Friend for the spirit in which he asked his question and made that important point. He is absolutely right to focus on where we are now in our talks on the free trade agreement. It is by passing the Bill tonight and in subsequent days that we will make the possibility of that great free trade agreement more real and get it done sooner.

[The Prime Minister]

Therefore, with this Bill we will expedite a free trade agreement not only with our European friends and partners, but with friends and partners around the world; we will support jobs and growth throughout the whole United Kingdom; we will back our negotiators in Brussels; and, above all, we will protect the territorial integrity of the UK and the peace process in Northern Ireland. I urge the House to support the Bill and, as my hon. Friend the Member for Winchester (Steve Brine) rightly said, to get back to the business of securing a free trade agreement with our closest neighbours that we would all wish to see. I commend the Bill to the House.

4.59 pm

Edward Miliband (Doncaster North) (Lab): I beg to move an amendment, to leave out from “That” to the end of the Question and add:

“this House notes that the UK has left the EU; calls on the Government to get on with negotiating a trade deal with the EU; recognises that legislation is required to ensure the smooth, effective working of the internal market across the UK; but declines to give a Second Reading to the Internal Market Bill because this Bill undermines the Withdrawal Agreement already agreed by Parliament, re-opens discussion about the Northern Ireland Protocol that has already been settled, breaches international law, undermines the devolution settlements and would tarnish the UK’s global reputation as a law-abiding nation and the UK’s ability to enforce other international trade deals and protect jobs and the economy.”

There are two questions at the heart of the Bill and of why we will oppose it tonight. First, how do we get an internal market after 1 January within the UK while upholding the devolution settlements, which have been a vital part of our constitution for two decades and are essential to our Union? Secondly, will our country abide by the rule of law—a rules-based international order, for which we are famous around the world and have always stood up?

Those are not small questions. They go to the heart of who we are as a country and the character of this Government. Let me start with the first question. An internal market is vital for trade and jobs at home, but also for our ability to strike trade deals. It is the responsibility of the UK Government at Westminster to safeguard that market and legislate. On that, we agree with the Government. But that must be done while understanding that the governance of our country has changed in the last two decades. Two decades of devolution settlements reflect a decision that we would share power across our four nations, including devolving key powers over issues such as animal welfare, food safety and aspects of environmental legislation. We should legislate for an internal market, but in a way that respects the role and voice of devolved Governments in setting those standards. That is to respect the devolution settlement. From across the UK, we have heard that the Government are not doing that; that they want to legislate with a blunderbuss approach that does not do that and simply says that the lowest standard in one Parliament must become the standard for all, with no proper voice for devolved Governments. If the Westminster Government decided to lower standards, there would be no voice for the devolved nations, even in a discussion about those standards because the Government have decided not to legislate for common frameworks.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The right hon. Gentleman is getting to the nub of the matter. We have Joint Ministerial Committees, and huge progress had been made in the last few months on agreeing frameworks that would allow us to do exactly what the right hon. Gentleman asked for. Is not the right way to proceed through frameworks in agreement with the devolved Administrations, not the race to the bottom that we get with the Bill?

Edward Miliband: The right hon. Gentleman and I come from different positions. I want to respect the devolution settlements that uphold the Union and he has a different point of view, but on this matter we should be legislating for common frameworks. That would be the way to respect devolution. I do not know whether the Prime Minister even understands the legislation—I know he has many things on his plate—but I am sorry to say that on this issue, the Government’s approach has been cavalier. Since 2017, common frameworks have developed and the Government could have legislated for that. We will seek to do that during the Bill’s passage.

The issues were prefigured in the White Paper. Since then, we have an even bigger question to confront. Let me say at the outset that we want the smoothest trade across our United Kingdom, including Northern Ireland. There is a way to resolve those issues in the Joint Committee set up for that purpose. I have to say that, from a man who said he wanted to get Brexit done and won an election on it, the Bill gets Brexit undone by overturning key aspects of the protocol that were agreed.

I have been part of many issues of contention across the Dispatch Box, but I never thought that respecting international law would be a matter of disagreement in my lifetime. As Leader of the Opposition, I stood opposite the Prime Minister’s predecessor David Cameron for five years. I do not know why the Prime Minister is rolling his eyes. I disagreed with David Cameron profoundly on many issues, but I could never have imagined him coming along and saying, “We are going to legislate to break international law” on an agreement that we had signed as a country less than a year earlier. Yet that is what the Bill does, in the Government’s own words.

I want to address three questions at the heart of the matter. Is it right to threaten to break the law in the way the Government propose? Is it necessary to do so? Will it help our country? The answer to each question is no. Let us remember the context and the principle. If there is one thing that we are known for around the world, it is the rule of law. This is the country of Magna Carta; the country that is known for being the mother of all Parliaments; and the country that, out of the darkness of the second world war, helped found the United Nations. Our global reputation for rule making, not rule breaking, is one of the reasons that we are so respected around the world. When people think of Britain, they think of the rule of law. Despite what the Prime Minister said in his speech, let us be clear that this is not an argument about remain versus leave. It is an argument about right versus wrong.

The Brexiteer and former Chancellor of the Exchequer, Lord Lamont, says that the Bill is impossible to defend. The Brexiteer and former Attorney General who helped to negotiate and sign off this deal as Attorney General

says that the Bill is “unconscionable”. And the Brexiteer Lord Howard—the Prime Minister’s former boss—said this:

“I never thought it was a thing I’d hear a British minister, far less a Conservative minister, say, which is that the government was going to invite parliament to act in breach of international law... We have a reputation for probity, for upholding the rule of law, and it’s a reputation that is very precious and ought to be safeguarded, and I am afraid it was severely damaged... by the bill”.

Sir Bernard Jenkin (Harwich and North Essex) (Con): Does the right hon. Gentleman think that the EU has been negotiating in good faith?

Edward Miliband: It is very interesting that the hon. Gentleman should say that because a report came out today from the Northern Ireland Affairs Committee, which is chaired by a Conservative Member. This is what the report says and this is my answer to him:

“These talks began in March and continued throughout the summer in a spirit of good faith and mutual respect for the delicate arrangements in Northern Ireland.”

That is what the Conservative-controlled Select Committee says about this issue.

The Prime Minister has said many times that he wants to bring unity to the country during his premiership. I therefore congratulate him on having, in just one short year, united his five predecessors. Unfortunately, their point of agreement is that he is trashing the reputation of this country and trashing the reputation of his office. Why are these five former Prime Ministers so united on this point? It is because they know that our moral authority in the world comes from our commitment to the rule of law and keeping our word. We rightly condemn China when it rides roughshod over the treaties dictating the future of Hong Kong. We say it signed them in good faith, that it is going back on its word and that it cannot be trusted. And his defence? “Don’t worry; I can’t be trusted either.” What will China say to us from now on? What will it throw back at us—that we, too, do not keep to international law?

Andrea Jenkyns: Does the Labour party keep its word to the British voters?

Edward Miliband: Actually, yes we do, and I will tell the hon. Lady why. We respect the fact that the Conservative party, under this Prime Minister, won the election. He got his mandate to deliver his Brexit deal: the thing that he said was—I am sure she recalls this because it was probably on her leaflets—“oven ready”. It is not me who is coming along and saying it is half-baked; it is him. He is saying, “The deal that I signed and agreed is actually—what’s the word? Ambiguous. Problematic.” I will get to this later in my speech, but I wonder whether he actually read the deal in the first place.

Ms Angela Eagle (Wallasey) (Lab): My right hon. Friend is making an extremely good speech. Would he perhaps tell the House who on earth might have signed this terrible deal with so many ambiguities less than nine months ago?

Edward Miliband: My hon. Friend makes an important point; I do believe it was the Prime Minister who signed the deal.

In fairness to the Prime Minister, I want to deal with each of the arguments that the Government have made in the last few days for this action. It is quite hard to keep count of the different arguments—you know you are losing the argument when you keep making lots of different arguments—but I want to give the House the top five. First, let us deal with the argument about blockades, which made its first outing in *The Telegraph* on Saturday through the Prime Minister, and obviously it made a big appearance today.

I have to say, I did not like the ramping up of the rhetoric from the European Union on Thursday, following the Prime Minister’s publication of this Bill, but even by the standards of the Prime Minister, this is as ridiculous an argument as I have ever heard. Let me let me explain to him why—the point was very well made by the former Attorney General this morning. This is what article 16 of the protocol says:

“If the application of this Protocol leads to serious economic, societal or environmental difficulties that are liable to persist, or to diversion of trade, the Union or the United Kingdom may unilaterally take appropriate safeguard measures.”

In other words, let us just say that this threat somehow materialised—and by the way, I believe that Department for Environment, Food and Rural Affairs officials would have to implement it, making it even more absurd that it would happen. If the threat materialised, it is not overturning the protocol that is the right thing to do; it is upholding the protocol, as article 16 says. But do not take my word for it, Madam Deputy Speaker; take the word of the former Attorney General—who definitely read the protocol—who wrote this morning:

“There are clear and lawful responses available to Her Majesty’s government”.

As if that was not enough, there is also an irony here—the Prime Minister tried to slip this in; I do not know whether the House noticed—which is that this Bill does precisely nothing to address the issue of the transport of food from Great Britain to Northern Ireland. It is about two issues where the Government are going to override international law: exit declarations, Northern Ireland to GB, and the definition of state aid relating to Northern Ireland. If the Prime Minister wants to tell us that there is another part of the Bill that I have not noticed that will deal with this supposed threat of blockade, I will very happily give way to him. I am sure he has read it; I am sure he knows it in detail, because he is a details man. Come on, tell us: what clause protects against the threat, which he says he is worried about, to GB-to-Northern Ireland exports? I give way to him. *[Interruption.]*

Madam Deputy Speaker (Dame Eleanor Laing): Order. The right hon. Gentleman cannot give way unless he is asked to.

Edward Miliband: There you have it: he didn’t read the protocol, he hasn’t read the Bill, he doesn’t know his stuff.

Let us deal with the second bogus argument. The Prime Minister claimed on Wednesday that it was necessary to protect the Good Friday agreement. The first outing for that argument was on Wednesday, at Prime Minister’s questions. I have to say to him, I would rather trust the authors of the Good Friday agreement than the Prime Minister, who has prominent members of the Government

[Edward Miliband]

who opposed the agreement at the time. However, this is what John Major and Tony Blair wrote—[*Interruption.*] They don't like John Major. They said that the Bill

“puts the Good Friday agreement at risk”—

[*Interruption*]*—this is very serious—*

“because it negates the predictability, political stability and legal clarity that are integral to the delicate balance between the north and south of Ireland that is at the core of the peace process.”

These are very important words from two former Prime Ministers, both of whom helped to win us peace in Northern Ireland. The Prime Minister may not want to believe them, but he will, I hope, believe himself—[*Laughter*]*—maybe not—because this is what he said about the Northern Ireland protocol:*

“there are particular circumstances in Northern Ireland at the border that deserve particular respect and sensitivity, and that is what they have received in the deal.”

It is

“a great deal for Northern Ireland.”—[*Official Report*, 19 October 2019; Vol. 666, c. 578-579.]

I do not understand this. He signed the deal. It is his deal. It is the deal that he said would protect the people of Northern Ireland. I have to say to him, this is not just legislative hooliganism on any issue; it is on one of the most sensitive issues of all. I think we should take the word of two former Prime Ministers of this country who helped to secure peace in Northern Ireland.

Sammy Wilson (East Antrim) (DUP): Before the shadow spokesman lectures the Prime Minister about reading documentation or starts lecturing us about the Good Friday agreement, does he not recognise, first of all, that the Good Friday agreement talks about the principle of consent to change the constitutional position of Northern Ireland, which is what this protocol does? The Good Friday agreement has within it a mechanism to safeguard the minorities in Northern Ireland through a cross-community vote, which again the protocol removed. So before he starts talking about the threats to the Good Friday agreement, does he not recognise that the protocol was a threat to it in the first place?

Edward Miliband: The right hon. Gentleman did not like the protocol at all. He would rather have not had the protocol. He and I just have a disagreement on this issue. I believe it was necessary to make special arrangements for Northern Ireland, or for the UK to be in the EU customs union to avoid a hard border in Ireland. That is why the Prime Minister came along and said the protocol was the right thing to do.

Let me deal with the third excuse we heard. This is the “It was all a bit of a rush” excuse. As the Prime Minister said in his article, times were “torrid” and there were “serious misunderstandings”. He tries to pretend that this is some new issue, but they have been warned for months about the way the protocol would work. The Chancellor of the Duchy of Lancaster, who is sitting in his place, was warned at the Select Committee in March and was asked about these issues. The Business Secretary was written to by the House of Lords Committee in April.

Let us just get this straight for a minute, because I think it is important to take a step back. The Prime Minister is coming to the House to tell us today that his flagship achievement—the deal he told us was a triumph,

the deal he said was oven-ready, the deal on which he fought and won the general election—is now contradictory and ambiguous. What incompetence. What failure of governance. How dare he try to blame everyone else? I say to the Prime Minister that this time he cannot blame the right hon. Member for Maidenhead (Mrs May), he cannot blame John Major, he cannot blame the judges, he cannot blame the civil servants, he cannot sack the Cabinet Secretary again. There is only one person responsible for it and that is him. This is his deal. It is his mess. It is his failure. For the first time in his life, it is time to take responsibility. It is time to 'fess up: either he was not straight with the country about the deal in the first place, or he did not understand it.

A competent Government would never have entered into a binding agreement with provisions they could not live with. If such a Government somehow missed the point but woke up later, they would do what any competent business would do after it realised it could not live with the terms of a contract: they would negotiate a way out in good faith. That is why this is all so unnecessary. There is a mechanism designed for exactly this purpose in the agreement: the Joint Committee on the Northern Ireland protocol. What did the Chancellor of the Duchy of Lancaster say on 11 March at the Committee on the Future Relationship with the European Union? He will recall that he was asked about state aid. He said:

“the effective working of the protocol is a matter for the Joint Committee to resolve.”

The remaining issues to which the Bill speaks are not insignificant, but nor are they insurmountable, and that is the right way to pursue them, not an attempt at illegality.

Let me come back to the excuses. Fourthly, on Sunday, there was the Justice Secretary's “the fire alarm” defence: “We don't want to have to do this, but we might have to.” I want to be clear with the House about something very, very important about a decision to pass the Bill. I have great respect for the hon. Member for Bromley and Chislehurst (Sir Robert Neill), but I want to make this point. The very act of passing the Bill is itself a breach of international law. It would be wrong for hon. and right hon. Members on either side of the House to be under any illusions about that as they decide which Lobby to go into tonight. If we pass the Bill, even if there is a nod and a wink from the Prime Minister to the hon. Member for Bromley and Chislehurst, we equip the Government with the power to break the law. That in itself is a breach of the Northern Ireland protocol and therefore a breach of international law.

Sir Robert Neill: I have listened carefully to the right hon. Member's formulation and I understand much of what he says. However, an Act passed by this House only becomes law when it comes into force. He will be right, I submit, to say that as soon as any of these provisions came into force we would potentially breach international law. That is not quite the same thing, as I think he would fairly concede.

Edward Miliband: That is not a risk we are going to take.

So the fire alarm defence simply does not work. The last defence was floated as a trial balloon, one might say, by the Northern Ireland Secretary last Tuesday, I believe. He said it was a breach of the law in a “specific and limited way.” That really is a new way of thinking

about legal questions. It now turns out that breaking the law specifically and in a limited way is a reasonable defence for this Government. We have all heard of self-defence, the alibi defence, the innocence defence; now we have the Johnson defence: you can break the law, but in a specific and limited way.

Think about the grave context we face. The Home Secretary is in today's newspapers warning everyone, "You must abide by the law." On this, she is absolutely right. She says,

"I know that, as part of our national effort, the law-abiding majority will stick to these new rules. But there will be a small minority who do not".

You couldn't make it up. What she does not say in the article, but what we now know about this Government, is that the Johnson defence means something very specific: there is one rule for the British public and another rule for this Government. Pioneered by Cummings, implemented by Johnson—that is the Johnson rule.

This is the wrong thing to do. It is not necessary and it is deeply damaging to this country. Let us think about the impact on our country in the negotiations. The Government's hope is that it will make a deal more likely, but that relies on the notion that reneging on a deal we made less than a year ago with the party we are negotiating with now will make that party more likely to trust us, not less. Think about our everyday lives: suppose we made an agreement with someone a year ago and we were seeking to have another negotiation with them; if we had unilaterally reneged on the first deal we made, would it make them more likely to trust us, or less likely? Obviously, it would make them less likely to trust us.

We know the risks. I very much hope the Prime Minister gets a deal. As a country, we absolutely need a deal. We know the risks of no deal if this strategy goes wrong. The Prime Minister said last week that no deal is somehow "a good outcome". He is wrong. I hear all the time from businesses—I am sure the Business Secretary, who is in his place, does too—that are deeply worried about the danger of no deal. I know what the Prime Minister thinks about the views of business, thanks to his four-letter rant, but this is what businesses have to say. Nissan says there could be no guarantee about its Sunderland plant if there were tariffs on UK to EU trade. Ford says that no deal would be disastrous. The NFU says it would be catastrophic for British farming—indeed, the Chancellor of the Duchy of Lancaster, when he was Secretary of State for Environment, Food and Rural Affairs, said the same thing. We are in the biggest economic crisis for 300 years, the biggest public health crisis for 100 years. No deal is not some game; it is about the livelihoods of millions of people across our country.

What about the prized trade deal with the United States? I know the Prime Minister thinks he has a friend in President Trump, but even he must recognise the necessity of being able to deal with both sides. The Speaker of the House of Representatives, Nancy Pelosi, said:

"The UK must respect the Northern Ireland Protocol as signed with the EU... If the UK violates that international treaty and Brexit undermines the Good Friday accord, there will be absolutely no chance of a US-UK trade agreement passing the Congress."

This is the signal that we—the country known for the rule of law, the country that abides by the law, the

country that founded international law—are sending to our friends and allies around the world. That is why we cannot support the Bill.

The Government must go back, remove the provisions breaking international law and ensure that the Bill works in a way that respects the devolution settlements. That is what a responsible, competent and law-abiding Government would do. This is a pivotal moment to determine the future of our country—who we are and how we operate. In shaping that future, we have to stand up for the traditions that matter: our commitment to the rule of law. The Bill speaks of a Government and a Prime Minister who are casual, not to say cavalier and reckless, about the gravity of the issues confronting them. The Prime Minister should be focusing on securing a Brexit deal, not breaking international law and risking no deal. He is cavalier on international law and cavalier on our traditions. This is not the serious leadership we need, and it is why we will oppose the Bill tonight.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Before I call the Chairman of the European Scrutiny Committee, I should draw to the attention of the House that 100 Members are hoping to catch my eye from the Back Benches. It will not be possible to call everyone, but in order to allow as many people as possible to participate in such an important debate, we will have a time limit of four minutes with immediate effect. I call Sir William Cash.

5.25 pm

Sir William Cash (Stone) (Con): It would be unconscionable for us to have left the EU lawfully, which the EU has accepted, and then allow it to threaten us and strangle our jobs and businesses by imposing unfair state aid rules that go much wider than traditional subsidies, and then for it to seek unwarranted legal action when we are properly defending our national, economic and political sovereignty. If so, we would become a neutered, trivial Lilliput—an enslaved economic satellite of the EU. No UK Parliament could allow itself to be so prostrated. We won the referendum and the general election across the country because voters wanted to leave the EU and free ourselves from undemocratic rule from Brussels and from majority voting, and to regain our right to govern ourselves and our economic freedom. This Bill guarantees that promise to them and maintains the Union.

International law comes in all shapes and sizes. There are many instances of express override in UK statute law. The EU itself sometimes breaks international law, including refusing certain compliance with World Trade Organisation rules. EU retaliation by a blockade would be utterly unlawful. Even the Belfast agreement contains "notwithstanding" provisions, as does USA statute law. The express powers in the Bill, which constitute the taking of powers rather than actual implementation, are justified precautions against the risk of an expansionist interpretation of article 10 of the protocol, which would lead to great uncertainty, litigation risk and a serious threat to the territorial integrity of the United Kingdom into the indefinite future.

There has never been a level playing field in the EU. Its cardinal objective in these negotiations from the outset has included preventing us from being able to compete fairly. That is not good faith. Under the protocol,

[Sir William Cash]

the EU would even control our legal tax freedom to create freeports and enterprise zones. All of this would massively undermine our businesses and jobs and therefore our voters.

Let us consider the wide legal sphere of EU state aid regulation. It is concerned with not only subsidies but tax reliefs; taxation favouring particular sectors or undertakings; remission of national insurance contributions; bank bail-outs such as those of RBS and Lloyds, where contrived, draconian EU legal conditions were imposed; and a raft of other measures too numerous to list, including gas tariffs for horticulture, airport landing fees, private health insurance, carbon trading emission certificates for free, failing to follow public procurement procedures and so on. By contrast, more recently, the German Government have procured approval for vast amounts of aid, notably for Lufthansa, and this is a pattern that has continued for decades across many commercial sectors. I recommend that people read Ambrose Evans-Pritchard's article today in *The Daily Telegraph*.

Mr Šeščević has outrageously dared to threaten the UK Parliament itself if we do not remove the clauses, and he misrepresents our position on the Good Friday agreement. This contradicts our sovereignty and autonomy, which the EU accepted. The EU seeks to subject us to a foreign regulator, taking essentially political decisions and armed with undemocratic prohibition powers and authorisations. It would be unconscionable and utterly naive for us to allow that to happen. It would be contrary to our national interests at this time of economic instability generated by coronavirus.

I remind the House that section 38 of the 2020 Act was passed without a single person in either House formally objecting, either on Second Reading or in Committee. The Bill is needed as an insurance policy and as a guarantee of our national sovereignty within the meaning of the Vienna convention, and our national security.

5.30 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): Over the past few years, we have all witnessed this Tory Government plunging this Parliament and our broader politics into ever deeper chaos and disgrace. In that time, Scotland has been dragged out of the European Union against our will. It is almost a year to the day on which this Parliament was illegally prorogued, and in recent months a raft of senior civil servants has been forced out the door. That instability is this UK Parliament's new normal; it is now part and parcel of a broken Westminster system.

Here we are again: having dragged us deeper and deeper into their dangerous agenda for the past four years, today this right-wing Brexit cabal has reached rock bottom. The United Kingdom Internal Market Bill is the greatest threat to devolution that Scotland has faced since our Parliament was reconvened with the overwhelming support of the Scottish people in 1999. We are discussing the principles of a Bill that this Tory Government casually and brazenly admit violates international and domestic law—a Bill that cynically uses the precious peace at the heart of the Good Friday agreement as nothing more than a Brexit bargaining chip.

The Bill runs to 50 pages, but people across these islands have a right to know exactly what it proposes to do. It does two fundamentally dangerous and undemocratic things: it breaks international law and it breaks devolution. Those two facts explain why there has been such a widespread chorus of opposition to the Bill. That opposition comes from every profession, sector and corner of these islands, and it is why this legislation should and must be resisted by anyone who claims to respect the rule of law and anyone who claims to respect the current devolution settlement.

As we know, there is opposition on the Conservative Benches. In the other place, the former Tory leader, Lord Howard, told the Government that the legislation would result in the UK is showing itself as having “scant regard” for its treaty obligations. When the Government are getting verbally slaughtered by a Brexiteer who has—how shall I say it?—“something of the night” about him, it is as clear as day that the Tories have gone way beyond the pale.

The Law Society of Scotland has commented on the Bill, stating:

“The bill should, as a matter of principle, comply with public international law and the rule of international law, *pacta sunt servanda*...should be honoured. Adherence to the rule of law underpins our democracy and our society. We believe that to knowingly break with the UK's reputation for following public international law could have far-reaching economic, legal and political consequences and should not be taken lightly.”

I repeat: to knowingly break international law. I ask each Member to think on that tonight.

Every Member has a choice. We know that the Bill breaks international law—so many learned individuals, including the previous Attorney General, have told us so. Tonight, this House can tell the Government that it is not on and that this House is not going to be complicit in a breach of international law. I venture that that is the responsibility that each Member has. Every Member—every Member, Madam Deputy Speaker—should examine their conscience. This is about a Bill that breaches the terms of a treaty, the ink of which is barely dry and on the delivery of which the governing party fought an election.

Ms Angela Eagle: The right hon. Gentleman is making points that go to the heart of the Bill, and I share his worries about them. Does he share my worries that the Bill also attempts to curtail judicial review, or prevent it entirely, once that law has been broken?

Ian Blackford: The hon. Lady is correct about that, because we know that the Government have got into trouble with the judiciary over their actions in the past, and I will come on to talk about that.

The right hon. Member for Doncaster North (Edward Miliband), who spoke for the Opposition, was correct when he said that the Prime Minister cannot pretend that he did not know the terms of the treaty or its obligations when he signed it—that simply beggars belief. This is a test for the House this evening; do not wait for the Committee stage, as legally, morally and ethically the right thing to do is to vote down this Bill tonight. This House must be accountable. Do not follow the Prime Minister in acquiescing in breaking the law—if you vote to give the Bill its Second Reading tonight, that is exactly what you are all doing. So this is a test,

and I understand the challenge the Conservative Members face. Do not support the Prime Minister by breaking the law this evening—it is as simple as that.

Of course, the Prime Minister has form: a year ago he went to the Queen to prorogue Parliament, an illegal act that the courts forced him to reverse. Here he is again—although in this case he is not, because he has run off—woefully breaking international law this time, seeking to ask the Queen to enact legislation that breaks international law. We have the power individually and collectively to stop the Prime Minister in this act of madness this evening. This is a matter of principle; it is about this House saying that we should not breach our legal obligations—I implore the House to say exactly that.

We were expecting the Secretary of State for Business, Energy and Industrial Strategy to have drawn the short straw in having to come here to argue for this dreadful piece of legislation, but he was stood down. We all know who the parcel of rogues are behind this legislation; this Bill has the fingerprints of the Prime Minister, the Minister for the Cabinet Office and, of course, Dominic Cummings. We have just heard the bluff and bluster of the Prime Minister in seeking to defend the indefensible. He can try all he likes to dress this up as a business Bill, but no amount of dressing up will hide the fact that this is a naked power grab. The Tories are fooling no one, least of all businesses in Scotland. If this UK Government were actually serious about delivering an ounce of business confidence, they would not be threatening to blow apart any hope of a future trade deal with the European Union.

Bill Esterson (Sefton Central) (Lab): We can see from the right hon. Gentleman's speech so far that he clearly shares many of the concerns of the Labour Front-Bench team. On that basis, will he confirm that he will be supporting the reasoned amendment standing in the name of the Leader of the Opposition?

Ian Blackford: I am grateful for the question. We will be voting against this Bill this evening but we will not be supporting the reasoned amendment, because of some of the other conditions attached to it, not least that there should be a single market Act that does not enshrine the rights of the devolved nations to be able to protect their own interests—that is the fundamental difference we have this evening. I ask the House to oppose the Bill and vote it down on Second Reading.

The provisions of this legislation recklessly and deliberately risk a bad deal or, increasingly, the economic devastation of a no deal. You cannot claim to support business while pursuing a bad Brexit. You cannot claim to support business by burdening it with yet more economic uncertainty, in the face of a global pandemic, one where we know the challenges we face. Yet, in the midst of this, the Prime Minister brings this Bill. The Government cannot claim to support the Scottish economy by taking more economic powers away from Scotland's democratically elected Parliament.

I will turn now to some of the contents of the Bill, and specifically the numerous aspects that will undermine the powers and authority of Scotland's Parliament. Clauses 2 to 9 contain sweeping powers that could act to compel Scotland to accept lower standards set elsewhere in the UK. That means standards on animal welfare,

food safety and environmental protection to name but a few. We all know the risk and the threat that that will bring, especially for Scotland's farmers and consumers. This law is a Tory invitation for chlorinated chicken and hormone-injected beef in our supermarkets. *[Interruption.]* We can hear the guffawing from the Conservative Benches, but yesterday morning on "Politics Scotland" a Treasury Minister more or less admitted that they could not stop chlorinated chicken coming into the United Kingdom. *[Interruption.]* Go and check the tapes; it is there.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I am sure that the right hon. Gentleman shares my dismay that the non-discrimination clause would mean that popular policies already made by the Welsh Government and our Senedd to do with the smoking ban, the ban on plastic bags, and organ donation could have been called in and not been valid under this legislation.

Ian Blackford: The right hon. Member makes a very good point. There are policies that we are very proud of introducing in Scotland, such as minimum alcohol pricing, which was so critical in dealing with misuse of alcohol in Scotland, but there is no guarantee that we would be able to bring in such initiatives in the future. We would have to go cap in hand to Westminster for authority. The days of us being "too wee, too poor, too stupid" are well and truly over.

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): Don't be so hard on yourself.

Ian Blackford: The sneering contempt that we get from the Minister for the Cabinet Office—he really ought to be ashamed of himself.

In part four, provision is made for the establishment of a new unelected monitoring body called the Office for the Internal Market. The Bill proposes to hand that unelected body—we often hear about unelected bureaucrats, but here we are—the power to pass judgment on devolved laws, directly over the heads of the Scottish people's chosen Government. It will also lead to an open invitation for businesses with deep pockets to challenge the democratic decisions of our Scottish Parliament.

Clause 48 reserves state aid: one of the most blatant power grabs in the Bill, and that is a very high bar. We know that the state aid provisions will merely mirror those of the World Trade Organisation. That will inevitably make a deal with the EU even more difficult and provide little or no scrutiny. Finally, there is clause 46: the ultimate insult and the ultimate attack on devolution. If this legislation is forced through, powers will be given to UK Government Ministers to design and impose replacements for EU spending programmes in devolved areas: infrastructure, economic development, culture and sport, education and training—all of it.

The Government's agenda is clear. The Transport Minister would have input and decision-making powers over road building in Scotland, over the heads of the Scottish Parliament. We won a referendum in 1997, when 75% of the people of Scotland voted to have a Parliament. We have elections every five years. Manifestos are put in front of the Scottish people. It is the settled will of the people that that Parliament has control over health, education, housing and transport. How dare

[*Ian Blackford*]

this Tory Government feel that they can come in and impose their will on those areas of democratic accountability in Scotland? What an insult to our Parliament in Edinburgh and our Parliament in Wales. I say to this Government, “We will stand up against this attack on our Parliament, and on those that enshrined that Scottish Parliament.”

The agenda of the Conservatives is clear. The Tories will seek to bypass democratically elected MPs and Ministers in Scotland. Union Jack-badged projects will be paid for and prioritised ahead of the priorities of our Parliament. Bitter experience is a good teacher. Tory Governments cannot be trusted to spend money in Scotland.

We remember what happens when the Tories control state aid spending. In 1992, John Major’s Government diverted cash from the highlands to try to boost dwindling Tory support in south-east England. And we have not forgotten that this legislation comes from a Prime Minister who bragged that a pound spent in Croydon has far more value to the country than a pound spent in Strathclyde. That is the way that the Conservatives look upon Scotland. The Tories will look after their own interests. They will never—not ever—support Scotland’s interests. This Bill would allow them free rein to serve their own narrow needs.

At its heart, this Bill confirms the centralising obsession of this UK Government. Those in No. 10 who not so long ago made a lucrative living scribbling endless newspaper articles about a supposed centralised Brussels elite are now attempting to centralise and grab every devolved power that they can get their hands on. Apparently, the Tories are not only determined to preside over the death of devolution; they are clearly determined to oversee the death of irony, too.

The real reason behind this Government’s hunger to pursue this power grab is what should concern us most, though. Paragraph 26 of the explanatory notes makes it clear that the Business Secretary will be given the power to change exemptions from the Bill at any time. In effect, this is a Trojan horse allowing Tory Ministers to encroach even further on devolution, and we know where that will inevitably lead. In order to deliver bad trade deals—the only deals they can now realistically get—the Tories want private health companies to have a guaranteed right to trade unhindered in Scotland and across the UK. With no protections for our Parliament, this would fundamentally weaken and undermine our national health service in Scotland. The same is true for private water companies, with the same threat of undermining standards and raising prices in Scotland. The Tories’ real agenda is about imposing the creeping privatisation and rampant deregulation that they are already implementing in England.

I am heartened by one thing: the scale of the threat of this legislation is equalled by the scale of the opposition with which it has been met across Scottish society. Those on the Government Benches, especially the Scottish Tories—mind you, there is only one of them in here—would do well to listen to this. The National Farmers Union Scotland confirmed that

“the proposals pose a significant threat to the development of Common Frameworks and to devolution.”

The chair of the Scottish Crofting Federation, Yvonne White, expressed fear that

“the proposed legislation will lead to a race to the bottom, threatening our high standards in food, environment and animal welfare, thus damaging the image of Scottish produce.”

She concluded:

“These standards are best safeguarded by the Scottish Parliament.”

[*Interruption.*] I hear someone shouting from a sedentary position, “Don’t let the facts get in the way.” That is a statement from the chair of the Scottish Crofting Federation. It might not suit those on the Tory Benches, but that is the reality.

The Scottish Council for Development and Industry believes that

“mutually agreed common frameworks should be the foundation of the UK internal market, rather than the imposition of a single approach across the UK in devolved policy areas.”

The SCDI is absolutely right. Why is the Joint Ministerial Committee not finishing the work it was engaged on in delivering those frameworks on a consensual basis? But of course that does not suit the Tory Government, who want to attack our democratic institutions.

The General Teaching Council for Scotland said that supporting the Bill

“would undermine the four UK nations’ devolved education functions.”

Michael Gove: How?

Ian Blackford: I hear the Cabinet Office Minister shout, “How?” Perhaps he should go and talk to the General Teaching Council, and it will give him its views directly. [*Interruption.*] Really? We have the Business Secretary, who is supposed to be taking this Bill through, sitting laughing—laughing at the legitimate comments made by stakeholders in Scotland. It is little wonder that the Tories are rejected in the way they are at the polls in Scotland.

On its impact on devolution, Professor Nicola McEwen, co-director of the Centre on Constitutional Change, found that the internal market Bill

“limits policy divergences and risks stifling innovation”.

The Scottish Trades Union Congress stated that the Prime Minister

“is uniting political parties, trade unions and wider civil society in Scotland against a power grab which would see UK Government interference in previously devolved matters and a rolling back of the”

devolution

“settlement we voted for in 1997”.

What is happening is that the Tories are uniting civic Scotland against this attack on our Parliament and its powers—farmers, crofters, teachers, industry, academics and trade unions: a coalition of opposition to this Bill and this Tory agenda. Civic Scotland has made its voices and views crystal clear. Anyone supporting this Bill will be ignoring their interests.

We all have a responsibility to listen to these voices. The new Scottish Tory leadership have been running around half the summer, telling anyone who would listen just how keen they were to stand up to the Prime Minister when they think he is wrong. Well, you have that chance tonight. Listen to the coalition of opposition in Scotland rather than your masters in Downing Street.

If the Scottish Tories follow their colleagues into the Lobby in support of this power grab, they will expose themselves as being weaker than ever, as failing to stand up for Scotland's interest against a London power grab. The very first test of the new Scottish Tory leadership will have turned out to be their biggest, and they will have failed. They will simply have shown themselves to be the Prime Minister's poodles, turning their back on Scotland's interests. They will have failed once again to stand up for Scottish democracy.

There is also a special responsibility that falls on the Labour party. Much of the devolution project is a legacy of its Government in 1997. This Bill is a direct attack on that legacy. We must collectively oppose the Bill. I am urging the Labour party at every parliamentary stage to take full responsibility and work collectively with us to hold the Government to account. The Welsh Labour Government are advising the same. They have said that

“the UK Government plans to sacrifice the future of the union by stealing powers from devolved administrations”,

and that it is

“an attack on democracy and an affront to the people of Wales, Scotland and Northern Ireland, who have voted in favour of devolution on numerous occasions.”

That statement and its analysis comes to the very core of the argument. Over the course of the last 21 years of devolution, Scotland's people have benefited from the progressive and divergent priorities that our own governance has given us the freedom to pursue. They have seen it, experienced it and come to fiercely value it. Even with limited powers, Scotland's Parliament and our Government have always sought to mitigate or reject the Conservative policy paths set out at Westminster. We have forged our own path. If this legislation had been in force previously, it would have prevented many progressive policies and divergent choices.

Over recent months, that conviction and belief in our Parliament has grown. People have seen the exceptional leadership of our First Minister throughout the course of this terrible pandemic. It has reaffirmed their faith and confidence in our institutions, our governance and our nation. Our people have come to a simple but powerful conclusion: decisions about Scotland are best made in Scotland. Right now, poll after poll—the latest one only last Friday—shows that a growing majority have come to the conclusion that all decisions and all powers should now be fully entrusted to the people of Scotland.

The Tories have never been able to reconcile themselves to that truth. As usual, when they are confronted with change, they are in the depths of denial. Instead of accepting the right of Scottish people to choose their own future, they are trying to grab the powers back that were returned to Scotland 21 years ago. That is exactly what this law is designed to do. It is a full-frontal attack on Scotland's Parliament and on Scotland's democracy.

It has been stated that power devolved is power retained. This implies that this Tory Government can do anything they like with the powers of our Parliament. That is what this Bill is about. It gives them direct spending in Scotland in devolved areas: in health, education, housing and transport. Just dwell on this. We send parliamentarians to Holyrood so that they can enact the people's priorities, but Westminster is about to ride roughshod over that. If the Bill passes, this Government in London can interfere directly in all those devolved areas,

over the heads of the Scottish Parliament and our people. There is only one way to stop them—only one answer, and only one option.

The only way to defend Scotland's Parliament and its powers is by becoming independent. Our Parliament will consider a new referendum Bill before the end of 2021. The chance to choose an independent future is now coming. No amount of Tory denial and disruption can stand in the way of Scotland's people's democratic right to choose a different and better future, and once it comes, people will have their democratic say. I am more confident than ever that they will choose to be part of a new Scotland back at the heart of Europe. We can choose to leave behind the chaos and instability of Westminster. We can get on by becoming an independent, international, law-abiding nation.

5.56 pm

Sir Robert Neill (Bromley and Chislehurst) (Con): I will endeavour to prove that the best advocacy can be the most concise.

There is a great deal in the Bill that I support and that is necessary, sensible and desirable. However, there is one important part of the Bill that creates very real difficulty for me and many others, and I want to go straight to the rub of that point. Part 5 of the Bill, as it stands, gives me real concern as to its leading the United Kingdom into a breach of our international obligations and the law that stems from them. That is, as many others have observed, not something that any country should do, save in the most extreme and pressing circumstances.

The difficulty arises in relation particularly to clauses 42, 43 and 45. They are different from the rest of the Bill, because they give very wide-ranging powers indeed to Ministers to disapply elements of the withdrawal agreement and the protocol, which have the force of international law, by regulation. These are measures of a very sweeping kind, involving any kind of legislation and any part of the agreement, not just those related to the protocol, and appearing to oust the jurisdiction of the courts in any respect. I question whether their being so wide can be justified.

My other concern is that the way the clauses are phrased at the moment runs the risk of bringing us into breach of our legal obligations before it is necessary. I heard what the Prime Minister said about an insurance policy, and I heard what the Lord Chancellor has said about a “break the glass in emergency” provision. That is fine, but it seems clear from the protocol that there are steps that must be gone through first and exhausted before that can properly be done. The most important part to bear in mind is that if article 45 is brought into force immediately after Royal Assent, we would at that point have disapplied the concept of the direct effect of European law, which is part of the agreement we signed up to and which this House passed less than a year ago. So bringing it into force on Royal Assent is needlessly provocative to our negotiations and needlessly undermines our reputation for sticking to the rule of law.

There are also provisions that bind us to act to resolve disputes only through the arbitration process, which is set out in the withdrawal agreement. Article 168, which we have signed up to, states that

“the Union and the United Kingdom shall only have recourse to the procedures provided for in this Agreement.”

There are detailed procedures and timelines for that.

[*Sir Robert Neill*]

It seems to me that we should be very careful about moving forward with bringing these clauses into force until every opportunity to resolve any dispute has been carried out through the arbitral mechanisms. Only then, and if it is necessary because the EU has not responded to a result of the arbitral mechanism—

Jeremy Wright: Does my hon. Friend agree that one thing that should give us some optimism about the use of the mechanisms that he is describing is the specific references to the defence of the Good Friday agreement and of Northern Ireland's status as part of the United Kingdom in the protocol and the withdrawal agreement themselves?

Sir Robert Neill: My right hon. and learned Friend is absolutely right. That is, I think, the best approach for us to take. We should stick to the letter of those provisions, as that gives proper defence of our strategic interests. For example, there is the safeguard provision in article 16, which would enable us to act if, in extremis, the stability of the situation in Northern Ireland and the Union was threatened, but we could do that while maintaining the moral high ground and our intellectual reputation. I see that the Chancellor of the Duchy of Lancaster is listening. I hope that he will be able to go further than the Prime Minister, either tonight or in the course of debates on the Bill, and assure us that those provisions will not be brought into effect unless and until every one of the legal mechanisms open to us has been exhausted and unless and until there has been a specific vote of this House—not by a statutory instrument, which does not give enough scrutiny for such a constitutionally significant issue, but by a specific resolution. That is why my amendment seeks to give the Government an opportunity to have that “break the glass in emergency” provision, but without our triggering a breach of the international legal obligations before it is absolutely necessary.

Steve Brine: Further to that, does my hon. Friend not agree that, while there will be some who are still on the, shall we say, Blair end of the argument, notwithstanding what he says, that position would be seen by the majority of people as being a reasonable one for us to take in this Act before we enact the nuclear button that is so often talked about? Would that not be reasonable?

Sir Robert Neill: I agree entirely with my hon. Friend, and I do hope that the Government will listen carefully to that. I want to be able to support the Bill. I cannot support it with these clauses in it as they are at the moment. I hope that we will take the opportunity to change and improve these clauses and the way in which they might operate so that we do not fall into a means of damaging our reputation. That is why I cannot support the Bill tonight. I hope that we will see amendments to change what I believe are the egregious, needless and potentially damaging elements of part 5 of the Bill. Unless there are those changes, I will have further difficulty in supporting the Bill. None the less, having listened to what the Prime Minister has said, I want to give the Government that chance in a constructive spirit, and I know that the Chancellor of the Duchy of Lancaster is listening carefully to that.

I do hope that the Government recognise that to act in a way that unilaterally breaches our international obligations is wholly against the spirit of what this

country stands for. It is against the spirit, I think, of the party that he and I have always adhered to as a party of the rule of law, and we need to find a constructive means of making sure that we meet our obligations to the Union, but without undermining our obligations to the rule of law. I do not believe that is impossible with good will.

6.3 pm

Hilary Benn (Leeds Central) (Lab): I have to say, from listening to the Prime Minister and watching the growing dissent on the Government Benches and in the Conservative party, that there is a moral here. The first moral is: read stuff before you sign it. The second moral is: do not go around telling the world that the United Kingdom cannot be trusted to keep its word.

On exit summary declarations—the Prime Minister said there were three issues—I have to say that I have some sympathy with the Government's argument: exit summary declarations should not be required for goods moving from Northern Ireland to GB. When Wrightbus sells one of its wonderful buses to a transport operator in the UK, why is the form needed and what is the EU going to do with the form? But is it really worth ruining our international reputation, running the risk of no trade deal with the European Union, and running the risk of no trade deal with the United States of America for the sake of an electronic form? On goods at risk, surely it is possible to reach a pragmatic solution, because a lorry load of goods destined for a supermarket in Belfast can hardly be described as being at risk of entering the European Union. I would say to the Chancellor of the Duchy of Lancaster that it would be helpful for everybody if he was not quite so secretive—and I use that phrase—about what goes on in the Joint Committee. Every time I have asked in the Committee on the Future Relationship with the European Union, he has said, “Well, that's a matter for the Joint Committee.” Well, I know it is a matter for the Joint Committee, but we would like to know, as the House of Commons, how things are going.

On the question of east-west trade, the Government knew from the start that there would be checks and controls, and that tariffs might be paid in certain circumstances. The Prime Minister then cranked up the blockade threat, even though, as the House will be aware, the Irish Foreign Minister has described that threat as “totally bogus”. By the way, I think it would help if the EU just said now, “Of course we're going to give third-country listing to the United Kingdom.”

If the Prime Minister actually believes the threat of blockade, why did he then say that there is nothing in the Bill to do anything about it? Can the Chancellor of the Duchy of Lancaster, in responding to the debate, give us an assurance that the Government do not intend to bring in another bit of legislation breaching international law? If the Government are looking for a remedy, a safeguard or an insurance policy, they should look to the protocol they have already negotiated, and in his brilliant speech, my right hon. Friend the Member for Doncaster North (Edward Miliband) drew attention to article 16. I say to Ministers, use the process to resolve these questions, and do not break international law.

The final point I want to make is that this is a terrible diversion from the task at hand. We have less than four months to go, and the livelihoods of many businesses in this country depend on getting a deal with the European

Union. For a long time I thought the Government would get one, but in the last few days I have begun to doubt whether they actually want one, because they seem to be acting in a way that undermines the prospect of an agreement.

I say to the Minister that it would be utterly irresponsible to head towards a lack of agreement that would damage sectors of the British economy. The Prime Minister read out the tariffs that he says would be charged on goods moving from GB to Northern Ireland. Those are exactly the same tariffs that would be charged to businesses in Great Britain if we do not get an agreement with the European Union. It is no good everybody on the Conservative Benches saying, “Isn’t that shocking?” if we end up with no agreement at all, and it would be utterly irresponsible to add to the pain caused by covid. For the Prime Minister to describe tariffs as a good outcome, frankly, leaves me perplexed.

Frankly, both sides should stop posturing, both sides should get back to their job and both sides should now negotiate through all of these questions, compromising as they need to, to get an agreement that, ultimately, would benefit the people of the UK and the EU.

6.7 pm

Alun Cairns (Vale of Glamorgan) (Con): In the limited time that, unfortunately, is available to us, I want to focus on the protection of the UK market and on the enhanced powers that this Bill will give to UK Ministers to act in UK nations. Without this Bill, the way in which businesses trade and interact could be at risk. There is a realistic potential that the marketplace could become chaotic. We all recognise—

Chris Bryant: Why?

Alun Cairns: If the hon. Member gives me a moment, I will continue the argument and he can make an intervention later if he wishes.

We all recognise the status of the EU single market, which is something many of us will have championed and questioned in equal measure over the years. Rarely have we commented, however, on the UK market, yet the single UK market is more important and directly relevant to the businesses in each and every constituency across the country. It gives us the right to trade freely and seamlessly in all parts of the UK. It sets minimum standards for products and services—a common rulebook for tradespeople to work from. It allows for the mobility and flexibility of labour, protects against unfair subsidies and enables the recognition of qualifications, confirming free and fair competition and opportunity wherever people are based in the United Kingdom. It is so important to our prosperity and so obvious that until now many people will have taken it for granted, which is why we need to act in this Bill.

Over the last six months, we have seen that the agendas of each Administration around the UK are not always in line, and therefore the potential to create chaos in the marketplace exists. Protecting the interests of businesses and consumers in all parts of the country must be our priority, and that is exactly what the Bill does. It does so in a way that also respects and supports devolution by enhancing the devolved Administrations by extending their powers still further.

I am particularly encouraged and grateful that my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has included clause 46 in part 6. It is particularly welcome: it enhances the powers of UK Ministers to act and to be relevant in UK nations. That is essential for the future of the Union, and to my mind it is the start of the Union fightback. It shows that Whitehall now understands the changing nature of our make-up as a United Kingdom.

Since devolution, UK Ministers have been prevented from acting directly in support of businesses, charities or authorities in UK nations. UK-scale investment projects have always been difficult to achieve since devolution. Every Secretary of State has been frustrated by that, partly because of the devolved settlement and the limitations that it has put in place. After all, for someone who is unemployed and living in one of the poorest communities, which may have substandard education and limited training opportunities, in a run-down town or village, at this point the UK Government’s answer to calls for help would have to be, “You need to contact your Assembly Member or the Welsh Government Minister.”

Chris Bryant: I am sorry, but I have been asking for money to make good the problems that we have had with flooding in the Rhondda all this year; I have not had a single penny out of the Westminster Government for it. I have been calling for the work that needs to be done in the Rhondda to take away the 60,000 tonnes of material that has fallen into the river from tips, which are a responsibility of the UK Government, to be funded by the UK Government; I have not seen a penny. I am not going to listen to all this nonsense of pretending that they are going to send us money—it is a whole load of tosh.

Alun Cairns: The hon. Member has made my point. He recognises that the areas of policy that he is talking about are devolved: the capacity of the UK Government to act in those spaces does not exist, as it stands. He recognises that the devolved settlement already gives Wales, or the Welsh Government, £120 for every £100 spent in England, so the answer that I might suggest is: I am sorry, but the hon. Member will have to contact the Welsh Government Minister to act in his constituency.

When people live in the circumstances that I have described, they do not care where the help comes from; they just want the Government to give hope and opportunity, and to play a part in bringing about change. The Bill allows for exactly that. I have long argued that the future of any nation would come under pressure if a wide wealth gap continued to persist between nations and regions. The Prime Minister’s levelling up agenda recognises that, and this Bill empowers that levelling up agenda in Scotland, in Northern Ireland and in Wales.

6.12 pm

Sammy Wilson (East Antrim) (DUP): The warnings that my party gave about the withdrawal agreement when it was discussed at the end of last year are now coming home to the Government. They are beginning to realise the impact that it had; indeed, they are beginning to admit what their own assessment said: that the withdrawal agreement would reduce trade and business investment in Northern Ireland, affect consumer spending and have a disproportionate impact on small businesses.

[Sammy Wilson]

If the Bill is an attempt to undo some of the damage done by the withdrawal agreement and respond to the points that Arlene Foster and other Ministers have pressed the Government to address, we welcome it. However, I have to say that it does not go the whole way or address all the issues that need to be addressed. Indeed, those who are criticising the Government about the non-implementation of the withdrawal agreement ought to know that only on Friday the Secretary of State for Environment, Food and Rural Affairs overrode the Northern Ireland Agriculture, Environment and Rural Affairs Minister and instructed civil servants in Northern Ireland to put up border posts and put in a proposal for border posts, even though all the information about what would be necessary had not been accepted.

Two arguments have been made against the Bill. The first is that it goes against the Good Friday agreement. For the life of me, I cannot understand why a Bill that prevents businesses in Northern Ireland from being able to sell goods freely in the rest of the UK is going to bring about violence in Northern Ireland. For the life of me, I do not understand why a decision that will enable businesses in Northern Ireland to bring goods from GB without paying unnecessary taxes, which they then have to claim back at some future time, is going to affect peace in Northern Ireland. The argument about the Good Friday agreement and violence in Northern Ireland is always rolled out when the arguments are weak against what the Government are doing.

The second argument is that the Government are reneging on their international obligations. The obligations in the withdrawal agreement are two-sided. There is a requirement for both the EU and the UK Government to act in good faith and with best endeavours to ensure that there is unfettered access and unfettered markets within the UK between Northern Ireland and GB, and to ensure that the Government of the United Kingdom have the ability to rule their own country and to make laws that affect their own country. Even a casual observer would see that the tactics of the EU and the comments that have been made by the negotiators make it quite clear that there has been no good faith and no best endeavours from the EU in these negotiations. In those circumstances, the withdrawal agreement allows the UK Government to act unilaterally.

The hon. Member for Bromley and Chislehurst (Sir Robert Neill) said that we have obligations to the rule of law and obligations to the EU. What about the obligations to the people of the United Kingdom to ensure the provisions of the Act of Union? The economic basis of the Act of Union makes it quite clear that there shall be no barriers on trade between different parts of the United Kingdom. I believe that the Government are fulfilling, in part, their obligations to the people of Northern Ireland in this Bill, and that is why we will support it tonight.

6.16 pm

Sir Christopher Chope (Christchurch) (Con): It is a pleasure to follow the right hon. Member for East Antrim (Sammy Wilson), who served with me on the Brexit Committee in the previous Parliament and had great insight and passion for this cause. He is absolutely right in saying that the Government were warned about

the dangers involved in the Irish protocol. Indeed, many members of the Committee pointed that out, but he was foremost among them.

Having listened to the Prime Minister's cogent analysis of where we are, I can see why we have this Bill before us, because what he really said is that the EU is not complying with its duty under EU law of sincere co-operation, which it still has until the end of December. By not sincerely co-operating, it is forcing the Government to anticipate what ghastly things might happen. They are very wise so to do, because of course the European Union has form in all this. As Charles Moore said in a recent article in *The Daily Telegraph*:

"The breaking of international law is a sport at which the EU itself often excels."

I want to remind the House of an episode not referred to in Charles Moore's article but based on my experience when I was chairman of the Legal Affairs and Human Rights Committee of the Parliamentary Assembly of the Council of Europe. Members will recall that the European Union agreed under article 6(2) of the treaty of Lisbon that it would accede to the European convention on human rights. Has it done so? No, it has not. It is in breach of international law. It is showing that it does not respect the rule of law. What is its defence? Its defence is its own interpretation of an obscure protocol attached to the Lisbon treaty—protocol No. 8. The European Union's interpretation is not the interpretation that normal people would put on those words, but it got the support of the European Court of Justice—its own tame Court of Justice—to say that it would be incompatible with the European treaties for the European Union to accede to the European convention on human rights, which it had already decided to do during a prolonged negotiation in the preparation for the treaty.

Where are we now? We are in a situation where the Council of Europe's parliamentary committee, the Council of Europe itself, and the European Parliament are trying to negotiate a way round this issue. In so doing, they are trying to exercise common sense and good will, because they recognise that the EU argument is essentially one of sovereignty. The EU is saying, "We do not want to subordinate our sovereignty to the European convention on human rights." The argument in the Bill is that if the EU carries out all its threats, it will destroy the territorial integrity of the United Kingdom and deprive us of the opportunity to administer for the whole United Kingdom with internal trade arrangements. If one is sympathetic to the idea that we should negotiate things with common sense and good will, that applies to the EU accession to the European convention on human rights, as well as to where we go from here to ensure that we get the full Brexit for which the people voted.

6.20 pm

Darren Jones (Bristol North West) (Lab): The focus of today's debate ought to have been on the functioning of the internal market, and the legitimate role that the devolved Administrations play in our Union. That is what business needs from us today. Instead, we are having to call out this ludicrous suggestion from the Government that the only way to secure a Brexit deal, which we were told was oven-ready, is to breach international law and damage Britain's standing in the world. We are told that that is okay because it is merely an insurance policy, but we all know that if the current Bill is passed, we will

already have breached our legal obligations and caused damage to our standing and reputation in the world, irrespective of whether or not those powers are used.

When summing up the debate, perhaps the Minister can tell the House why, if those protections are so important, they were not negotiated in the first place and included in the withdrawal agreement, before the Prime Minister signed it. This behaviour does us no favours in our negotiations with the European Union, or with any other country around the world, and such facts mean that we must instead conclude that the Government are merely playing politics with British jobs and British business.

Just as in negotiations to update the North American Free Trade Agreement, where President Trump threatened to walk away without a deal unless he got what he wanted, it seems the Prime Minister has adopted a similar strategy. In playing such a reckless game in these negotiations, we risk failing to secure a trade agreement not only with the EU but with the US, where as we have heard, the Speaker, Nancy Pelosi, has said that Congress would not pass any trade agreement that undermines the Good Friday Agreement, and rightly so.

I am at a loss to understand what the Government are seeking to achieve by acting so irresponsibly. Today we are left merely with the opportunity to appeal to the consciences of Members of the House about the constitutional importance that Parliament plays in such a situation. It is this Parliament that is sovereign, not the Government, and that places a personal obligation on each and every one of us, which we sign up to when we take our parliamentary oath. We are the check and balance on an irresponsible Executive.

Such disregard for the rule of law by the Government is perhaps not surprising in context of their disregard for the institutions of our country, from the courts to the civil service, and indeed this Parliament. This is but an obvious extension to this Prime Minister's approach to governing, and as a member of the Opposition, I gently say, with the greatest of respect, that such reckless disregard for our institutions, for what it means to be British, for how we expect Britain to be governed, and for our aspirations for Britain's role in the world, is also not very Conservative.

We have already heard the verdict of three Conservative Prime Ministers. Can Members imagine for one second what Mrs Thatcher would say from that Dispatch Box in these circumstances? [*Interruption.*] I assure hon. Members that Mrs Thatcher would not have agreed to breaching international obligations and the rule of law, because of the way that it weakens our standing in the world and our negotiations with the European Union. Conservative Members may wish to look to the Republican party to see where that goes if we fail to stand up to it.

On the substance of the Bill, on the constitutional obligations on us all, which we should take seriously and not with humour, in the national interest and—dare I say it—in the interests of Conservative Members regarding their own party's standing, I hope that they will join Opposition Members in voting down the Bill this evening.

6.24 pm

Andrea Jenkyns (Morley and Outwood) (Con): I welcome the Bill as a reasonable and essential step for our Government to take in the light of the EU's

unreasonable position. It has become crystal clear, ever since our country voted to leave, that the EU would not act in a constructive spirit and would not treat the UK as an independent country with equal basis in the negotiations, as it has with other countries such as Canada. Despite this country's decision to say no to the project of ever closer integration, which was reinforced by last year's general election result, Brussels has continually attempted to trap us in its orbit. The British people will never accept the status of a vassal state, despite the arrogant efforts of Mr Barnier—just look at his Twitter feed as evidence.

The Bill is a reasonable step for any Government to take to maintain their sovereignty. It upholds the principle of article 4 of the Northern Ireland protocol and without it, trade across the Union of nations would be severely limited. In the light of the EU's continued resistance to a mutually beneficial free trade agreement, no deal will be our only available option. The Bill makes provision for that. Otherwise, Northern Ireland would remain subject to the EU's customs laws and large portions of its internal market laws, all enforced by the EU's Court of Justice.

Ian Paisley (North Antrim) (DUP): The hon. Lady has put her finger right on the issue that affects Northern Ireland: under the protocol, Northern Ireland goods will be subject to import declarations, entry summary declarations, safety and security certificates, export health certificates, phytosanitary certificates and certificates of origin. The Bill, thankfully at last, clears up that we will have a Union without paperwork.

Andrea Jenkyns: I thank the hon. Gentleman—a true patriot, putting our country's interest above the EU's.

EU rules on state aid would allow the EU to impose its state aid regime on any UK domestic policy. That is not reasonable. We chose to say no to further integration in 2016. Four years on, our friends in Brussels have not understood that. While we are happy to trade freely with them, we do not want to be ruled by the ECJ, we want our fishermen to have full access to our waters, and we do not want our future to still be determined by unelected EU bureaucrats.

The Bill is reasonable in solving those problems and it is essential in upholding the international obligation of the Good Friday agreement. It is essential that great effort is made to prevent a hard border between Northern Ireland and the mainland of Britain. We have seen time and again the naked political considerations—most of the EU's desire is to see our country fail. That is hardly an example of negotiating in good faith, and it is that that has determined and dictated the EU's negotiating position. The Government had no option but to introduce this Bill.

6.27 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In a “specific and limited way” is how the Prime Minister uses the words integrity and good faith. When the Bill was launched, an establishment newspaper in Scotland called it a day of national shame and infamy. It was right. With malice aforethought, the UK Government are breaking international law and breaking devolution. We reject the Bill and will never support legislation that breaks international law.

[Drew Hendry]

The Bill clearly threatens food and environmental standards, and opens up a race to the bottom in all aspects of life in Scotland, from the water we drink to education and health. It leaves our businesses uncertain and wary. It is no wonder that in Scotland, poll after poll shows that it is now the majority view that independence is not only the way to ensure the needs of the people of Scotland are delivered, but the only way to protect the Scottish Parliament. The Bill is emblematic of a Government with no regard for, or will to work with, devolution. It is a bare-faced power grab. The Scottish Tory leader has boasted that he will vote for the Bill tonight. In his other job, he runs the line; in this job, he crosses the line.

Clause 46 completely undermines the devolution settlement by stripping spending powers away undemocratically from the Scottish Parliament, jeopardising the current Barnett funding levels. We know only too well, as was mentioned by my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford), the consequences of allowing Tory Governments control of our spending, from when the highlands lost out to shore up votes in the south of England.

Alan Brown (Kilmarnock and Loudoun) (SNP): Is it not a fact that over a 10-year period the Scottish block grant has been cut by the Conservative Government, and these measures give free rein for the UK Government to make further cuts to the Scottish block grant and to impose their spending in Scotland, such as through this stupid Boris Brexit that nobody wants?

Drew Hendry: I could not agree more with my hon. Friend. The people of Scotland are wise to these tricks and can see the utter contempt that this Tory Government have for their needs. Their Parliament will once again be ignored, in spite of that Parliament voting 92 to 31 against the White Paper for this Bill. The response of this Tory Government is as self-defeating as it is petty and harmful. Do not take my word for it. As the House has heard, the National Farmers Union, the General Teaching Council for Scotland, the Scottish Council for Development and Industry, the STUC, the Welsh Government and even the Chair of the Public Administration and Constitutional Affairs Committee have all agreed that this is a power grab.

The threat to environmental standards is palpable. Clauses 2 to 9 contain sweeping powers to compel Scotland to accept lower standards set elsewhere in the UK on animal welfare, food safety protections and a host of other elements with a direct impact on people's lives. When directly challenged only yesterday, a UK Government Minister refused to rule out that we will have to accept chlorinated chicken in our shops. Imported hormone-injected beef can and will undercut our farmers and their quality production. Building control standards will be affected. Private companies will be able to trade unhindered to weaken and undermine our NHS and publicly owned water company—lowering standards, raising prices and undermining health.

This Tory Government are determined to break international law. This is proof to all looking on that they will break any boundary, concerned only with their own dogma. They do not want to work with others; they are not interested. Any real co-operation and

consultation is anathema to them. They are a Government petulantly demanding compliance. Any deal, understanding, commitment, promise or even legally binding treaty is disposable. The common good is of no concern, especially when it gets in the way. Trust, honour and obligation are now words to trade on and be sneered at. What other inconvenient laws are next? Where does this stop?

Finally, what is the Government's answer to the concerns of the Scottish people, businesses and communities to the poll after poll showing that independence is now the majority view—not more powers or any attempt at understanding, but a pre-meditated move to put devolution to the sword? Madam Deputy Speaker, you bet we will be voting against this affront to Scotland and democracy tonight.

6.32 pm

Sir Oliver Heald (North East Hertfordshire) (Con): I cannot go all the way with the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), I am afraid, and I do think his remarks were well over the top.

It is important that we have measures in place to run the UK internal market so I support that aspect of the Bill. However, I do have concerns about part 5, because for our country to break its word and breach international law is just not something that we do. I will speak a bit further about that if I have time, but let me just say that I was surprised to see the Secretary of State for Northern Ireland justify this with the alleged precedent of the general anti-abuse rule set out in the Finance Act 2013. I was a Law Officer at the time and Dominic Grieve was Attorney General, and one thing I can say about Dominic Grieve is that he was very correct and extremely painstaking, and he made sure that Government legislation did not offend the rule of law. That Act did not breach Britain's treaty obligations. That was made clear by Ministers at the time and I cannot recall anyone arguing that it did. It had the support of the OECD and the countries with which Britain had tax treaties. It was written after a review led by our leading tax QC Graham Aaronson to ensure that it was focused properly and was in line with our tax treaties. There was full consultation. Since it was passed, it has not been attacked as being in breach of treaty obligations, and the wording of that Act simply confirms the agreed legal situation. In fact, if it is an example of anything, it is an example of reaching agreement and doing things properly.

Britain stands as a rule of law country that is respected across the world for its stance. It is right that all three Prime Ministers I served under have come out with grave concerns about this Bill and the point I am concerned about. Margaret Thatcher herself—she was a barrister—made clear how important the point is, often saying that democracy is not enough without a love of liberty and respect for the rule of law. I am therefore hoping that the discussions going on at the moment can be successful. I am pressing the Government and the EU, as much as I can, saying, "Come on, let's get an agreement", because breaking international law would be the last thing we want to do.

I support the amendment tabled by the Chairman of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), which says that if we come to the point where the negotiations have failed, all is lost and this country really must contemplate

breaking international law, then so be it, but that day is not today and we should give the negotiations more time.

I have known my hon. Friend the Member for Harwich and North Essex (Sir Bernard Jenkin) for many years. He laughed a little when I was talking about international law. I can remember him telling me once that we should leave the EU without any agreement at all. I do not know if he remembers that. He said we should ignore having any agreement, just repudiate everything and off we go. Personally, that is not my approach.

6.36 pm

Wayne David (Caerphilly) (Lab): I have been a Member of this House for a good many years, but this is the worst piece of draft legislation that I have ever seen brought before us. It is a shabby and dishonourable piece of legislation, and I say that for two fundamental reasons.

My first objection to the Bill is that, if enacted, Ministers would have the ability to break international law, and the law would prevent there being a legal challenge to the use of those powers. Much of the debate so far has rightly focused on Northern Ireland, and I take seriously the potential threat to the Good Friday agreement but, importantly, the Bill also has far-reaching implications for all international obligations in this context. Those are not my words or those of the Opposition but the considered, objective and carefully expressed view of the House of Commons Library.

My second concern is that the Bill significantly undermines the devolution settlement for Scotland, Wales and Northern Ireland in two important respects. First, the Bill states that the devolved nations will have to allow the sale of imported goods in Wales, Scotland and Northern Ireland, as agreed by the UK Government when they act solely for England, even if those imported goods did not meet quality standards, consumer protection levels or appropriate labelling agreed by the Scottish Parliament, the Welsh Parliament or the Northern Ireland Assembly. Of course, there should be agreement whenever possible—that should apply right across the UK—but there is a very real danger of standards falling as the UK Government cobble together trade deals. The Bill facilitates that.

My second devolution objection relates to funding and state aid. When Britain was in the European Union, less well-off areas, such as south Wales, benefited substantially from EU structural funds, the European regional development fund and the social fund in particular. My constituency, like many others, benefited enormously. The Government have proposed a shared prosperity fund to replace the structural funds. The Bill gives a legal base for that fund, but significantly, the Bill gives exclusive power to the UK Parliament and the UK Government to decide where and how that money is spent. Previously, the devolved institutions had a real say in how European money was spent in their areas. What I think will happen is that resources will not go to poor areas—the areas of need—but will be allocated according to Tory central Government priorities. That is structurally and morally wrong.

Alun Cairns: Is the hon. Gentleman fully aware of the frustration among communities in Wales that so much money has been wasted over so many years of the highest level of European funds? That could be the

funicular in Blaenau Gwent, which broke down within weeks of being completed and was never used again, or so many other projects elsewhere that I could highlight.

Wayne David: What I am aware of is that many communities across Wales are fed up of Tory cuts. Despite the difficulties that many areas have experienced because of central Government policy, they have seen the European Union offer some help, and the concern is that that help will now not be coming from a Tory Government. The help will go to areas that are already well off, which is morally and economically wrong.

That is why I conclude that this Bill is one of the worst pieces of draft legislation ever to be put before the House. It enshrines the possibility of illegality. It objects to international law as it is widely applicable. It rides roughshod over the devolution settlements. It opens the door for resources to be given to well-off areas, rather than being allocated on the basis of demonstrable need. It also undermines the international standing of this country in the eyes of the world.

6.41 pm

Mr Laurence Robertson (Tewkesbury) (Con): All through the Brexit debates and the referendum campaign, we were constantly reminded that we should do nothing at all to damage Northern Ireland, and particularly the economy in Northern Ireland. I entirely agree with that advice, but as soon as the Government try to do something to protect Northern Ireland and the economy of Northern Ireland, we are told that we are wrong.

It has been interesting to listen to the speeches tonight. Members have quite rightly warned that we should not implement the Bill's provisions before it is absolutely necessary. The logic of that argument is that they accept that it might, under certain circumstances, be necessary. Indeed, if one reads beyond the headlines of what was said by David Cameron, who has been quoted tonight, he goes on to say that these provisions should only be used as a last resort, therefore accepting that they may have to be used. I entirely agree with that—they should only be used as a last resort, and the Prime Minister was clear that that would be the case.

Ian Paisley: I thank my right hon. Friend for giving way. He was a wonderful Chairman of the Northern Ireland Affairs Committee, and he actually gets the situation in Northern Ireland. Does he agree that what really perturbs us about the opposition to the Bill tonight is people saying that it will somehow attack peace when what it does is remove the impediments to economic progress? It is through economic progress that we have created more jobs in Northern Ireland and helped to create peace in Northern Ireland.

Mr Robertson: My hon. Friend is wrong—or perhaps premature; I am not quite sure—to elevate me to the Privy Council, but he makes a very good point and leads me on to my next point.

Although north-south trade is extremely important to Northern Ireland and, indeed, to the Republic, east-west trade is far more important for both Northern Ireland and the Republic. That is not to say that the other is not important, of course. We should therefore do nothing to damage that trade.

[Mr Robertson]

The right hon. Member for East Antrim (Sammy Wilson) referred to the Act of Union. He did not have time to go into detail, but article sixth of the Act of Union 1800—the very Act that created this United Kingdom—states that “in all treaties”

made by “his Majesty” as it was then, his heirs and successors,

“with foreign powers the subjects of Ireland shall have the same privileges as British subjects.”

It goes on to refer to manufacturing, trade and navigation. That Act should not be breached. It may or may not have the legal status—whatever that is—of a treaty, but surely it is an international Act of Parliament, which brought two sovereign nations together. That should be respected.

Article 184 of the 2019 withdrawal agreement should be respected when it talks about the need for both sides to operate

“in good faith and in full respect of their respective legal orders”.

In other words, the United Kingdom’s legal order should be respected. Clause 38 of the European Union (Withdrawal Agreement) Act 2020 asserts that

“the Parliament of the United Kingdom is sovereign.”

It is wrong for people to say that Ministers will run off with powers and act illegally—they would be given the powers by this Parliament if we pass the Bill. Ministers are therefore not running off and acting illegally at all. It is important that we deliver the Brexit that people voted for. I do not want a spat with the European Union and I have no reason to believe that it will behave so unreasonably as to deny all EU manufacturers and businesses—the people who send more than £90 billion of exports to this country, which is more than we send to them—trading opportunities.

I want a free trade agreement with the European Union because that would benefit businesses and people on the continent and in this country. It would also remove all the arguments that we are having tonight about the withdrawal agreement and the Northern Ireland protocol, so I really do hope that we can make progress. That is the way forward. If there is bad faith, and if we are put to the test of deciding whether we support the United Kingdom or the European Union, then I remember the oaths that I have given on seven separate occasions in this House, and my loyalty will be to the United Kingdom.

6.47 pm

Colum Eastwood (Foyle) (SDLP): “I believe that these arrangements are in the interests of Northern Ireland and the UK as a whole. It is a great deal for our whole country.”—[*Official Report*, 20 December 2019; Vol. 669, c. 149.]

Not my words, but those of the Prime Minister. How can anybody trust the word of the Prime Minister when he does a deal not even a year ago and he comments on it in those terms, but now he is ripping up that agreement only a few months after he made it? How can any of us believe a word that comes out of his mouth? Last month, we lost Ireland’s greatest son, John Hume, the pathfinder for our peace, the creator of the Good Friday agreement. He understood what that agreement was about. We have been told by Ministers in this

House and on the airwaves that we need this Bill to protect the Good Friday agreement. Two key principles of that agreement are that there will be no hard border in Ireland and that local people will make local decisions for local communities. This Bill rips up both those principles.

This is not just about trade. It is much more fundamental than that. We are not going backwards, despite what the Government or anybody else in this House will try to drag us back. We are refusing to go back to a place that caused so much hurt and so much pain, despite what anybody says. This Government knows nothing about the Good Friday agreement. Some prominent Members in this House opposed that very agreement. They have risked nothing for peace. They have not had to live with the violence, intimidation and division. John Hume spilled his sweat so that nobody else would have to spill their blood. This Government know nothing of that.

Of course, the DUP tonight are talking about the Good Friday agreement and interpreting it for us. They were standing outside the gates of Stormont when it was being negotiated, shouting and holding placards. How did that all work out?

The protocol is there to protect us from a hard border. That is why it is there. Without that protocol, the only thing we are being offered to protect us is the word of a man whose word can clearly not be trusted. Openly admitting that he is going to break international law by being prepared to break a deal that he just did with the European Union has consequences. People in this House need to remember that Ireland has very good friends in the United States. I want to thank former Vice-President Joe Biden, Speaker Nancy Pelosi, Congressman Richie Neal and Congressman Brendan Boyle for all that they have done to support our peace process and for all that they have said this week. They have been very clear: there will be no trade deal with the United States if this Government do violence to the Good Friday agreement or this protocol—no trade deal at all. It is not me saying that; it is the Chairman of the House Ways and Means Committee, the Speaker of the House of Congress and, potentially, the next President of the United States. That is the reality that we are risking with this Bill.

This may all turn out to be a dead cat, but let me tell the Government very clearly that every single day more and more people—people we would not even expect—are saying to me that this Union is very close to becoming a dead duck.

6.51 pm

Sir Desmond Swayne (New Forest West) (Con): The Prime Minister has warned us that a threat has been made to interpret the agreement in such a way as to exclude the possibility of the people of Northern Ireland having access to goods from the rest of the United Kingdom—a threat that clearly shows that those who have made it have abandoned any notion of their binding obligation to negotiate in good faith and make best endeavours to secure an agreement. The Government would be utterly negligent if they were not to take precautions to prevent that from arising; it would be outrageous.

The Chairman of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), has said that the powers that the Government envisage arming themselves with should be used in only the most extreme circumstances. I put it to you, Madam Deputy

Speaker, that breaking up the economic integrity of the United Kingdom is just such a circumstance. This Bill is a precaution. It is a deterrent. The best way to prevent ourselves from being in the position of needing these powers is to arm ourselves with them.

There is a principle in international law, which is that no country can be bound by an obligation that it made when that obligation is interpreted in such a way as to undermine the very integrity of that country. That is a principle of international law, and there is only one court that can arbitrate in those circumstances. That is the court of international opinion, and the world can see exactly what is going on. The world has had its own dealings with the European Union and its negotiations. It has seen its infractions of the World Trade Organisation. It has seen what it has done over the European convention on human rights, and it knows what is going on.

There are those who have said that there is somehow a comparison to be made between the powers that we envisage in this Bill and what China is doing in Hong Kong. That is such a grotesque comparison as to undermine any argument that they might have.

6.54 pm

Ms Angela Eagle (Wallasey) (Lab): I never thought I would ever see a piece of legislation this objectionable put before the House. It is a gigantic act of self-harm masquerading as a negotiating strategy in the EU-UK trade talks, as the flounder and the end of the transition period looms. It unilaterally repudiates the devolution settlements and centralises power to the UK Government.

As currently drafted, this Bill will give Ministers the powers to disapply or unilaterally reinterpret parts of the Northern Ireland protocol and ignore their legal obligations in both domestic and international law to enact the protocol as it was negotiated. It asserts that these powers will be legally effective even though they break international law, thereby unilaterally repudiating the foundations of the withdrawal agreement, which was only enacted by the House earlier this year. The Bill orders the domestic courts to prioritise this new law over any existing international law we have signed up to and it attempts to preclude any prospect of judicial review.

It has already been admitted on the Floor of the House by a Cabinet Minister that the Bill breaks international law in a very “specific and limited way”. The reality is that this is a shocking repudiation of everything the UK holds dear. It threatens to destroy our hard-won reputation as an upholder of international law and as a country that can be trusted to keep its word. Once lost, that reputation will not be easy to regain. This is not only morally wrong—it is self-defeating and undermines the prospect of reaching a deal at all. It is a sign of just how dangerous the Government’s actions now are that all five living ex-Prime Ministers, both Labour and Conservative, have made public their opposition to this reckless course of action, as have the Brexiteer ex-leaders of the Conservative party, Lords Hague and Howard.

This morning, the Prime Minister’s first Lord Chancellor called the Bill “unconscionable” and revealed that he will not vote for it. Many legal experts argue that both the current Lord Chancellor and the Attorney General are in breach of their oaths of office and should resign. Last week, the head of the Government legal service

did resign over the Bill because it breaks international law. Given that we have an unwritten constitution which relies on ministerial restraint and responsibility, the Bill is even more dangerous than it first appears. It unilaterally tears up treaty obligations made just months ago and makes it less likely that any of our future undertakings will be believed or trusted, just as we must renegotiate all our existing trading agreements with the rest of the world.

What are we to make of a Prime Minister who presides over this moral vacuum and this reckless gamble with our international reputation; the man who resigned over his predecessor’s deal, which had no Irish border, pronouncing it a betrayal and using it as his path to power in the Conservative party; the man who, nine short months ago, negotiated and signed the withdrawal agreement, declaring it “fantastic”, and expelled from the Conservative party and Parliament all his own MPs who did not back it; the man who went to the country with this “oven-ready” Brexit deal and won a huge majority; the man who now believes it was rushed and flawed, and must be unilaterally written by him and him alone, the world king acting like a two-year-old having a tantrum because he did not get all he wanted; a Prime Minister who is completely careless of the consequences of his own actions; and the leader of a Government who think they can do what they want, purge who they want and act how they want, a Government who think there is one law for them and another for everyone else, repudiating treaties they have just signed and ignoring the lockdown rules they impose on everyone else?

This will not end well. The Government must step back from the brink, withdraw the lawbreaking clauses in the Bill, and think again.

6.58 pm

Sir Bernard Jenkin (Harwich and North Essex) (Con): Rarely can a few words uttered from the Government Dispatch Box have overshadowed a debate like this to such an extent or indeed caused so much instant fury and indignation, but I do not think the House should be in any doubt that the author of those words will have been delighted by the reaction they caused, and that the real purpose and significance of those words will probably prove to be much less than that. The law of this land and international law are both of great importance. I will leave that to the lawyers. The underlying question for the House to address is about where this nation now finds itself.

I support the Bill, because it will be necessary to address at least the worst aspects of the withdrawal agreement and protocol. We cannot be bound by it indefinitely or continue to accept laws imposed on our country by the EU court. At least there was a means of leaving the EU, but there is no obvious means of leaving this withdrawal agreement.

Much has been said about the potential to lose the respect of the international community, but what will other nations think if this great and sovereign nation cannot bring itself to accept that we made a mistake ratifying this agreement? [*Interruption.*] Some of us warned about it at the time. But the key points are these: the UK will gain respect if we extricate ourselves from the worst aspects of this agreement, which have the capacity to impose laws on our country with even less democratic legitimacy than under our previous membership of the EU.

Alan Brown: Is that now the measure of how we are going to go forward with international treaties: when countries change their minds, they say, “Oops, I made a mistake. We’ll forget about it.”?

Sir Bernard Jenkin: I do not think it is a matter to be done casually and without very great care, but, as many right hon. and hon. Members, even those objecting to this Bill, are now saying, if the worst comes to the worst, we may have to avail ourselves of these powers, because it is the obligation of this House, first and foremost, to stick up for our national interests.

The EU says it will act against the UK through the European Court, but there is something absurd about the EU attempting to impose its laws on a member state after it has left the bloc—when did the voters endorse that? There is something ironic, even bizarre, about MPs in this Parliament demanding that the EU should continue to impose its laws instead of themselves wanting to make the laws for their constituents—they still do not accept Brexit. One wonders whether the Government recognise better than many here how most voters will react to this. Most of those shouting the loudest now showed how little they understood the voters in the 2016 referendum. Voters will support a Government who are determined to resist the unreasonable enforcement of the withdrawal agreement by the EU. Today, the Government have a strong mandate and a secure Commons majority for taking back control of our laws—voters will expect no less than that and they will give little quarter to this Parliament if they are let down again.

We are in a process of constitutional transition, from being subordinated by the EU legal order towards the restoration of full independence. While we are in this penumbra period of mixed constitutional supremacies, it is unsurprising that this kind of controversy should arise. Our other allies and trading partners will have far more respect for the UK if we stand up for our interests in this way than they will if they watch us accepting that we are to remain indefinitely a non-member subsidiary of the EU. The Government must ensure that there will be a clear end to the jurisdiction of the EU Court; that is the test of whether we are taking back control of our own laws, and our democracy demands it.

7.2 pm

Brendan O’Hara (Argyll and Bute) (SNP): What a self-made mess this Government find themselves in, and it was beautifully articulated by the hon. Member for Harwich and North Essex (Sir Bernard Jenkin). For three long years this Government struggled to get their withdrawal agreement through this place. So much time was spent on it that I doubt that there was a dot or comma of that agreement that was not known to the Government. In January, they signed a legally binding international treaty. The Prime Minister signed it and described it then as a “negotiating triumph”. Not only was it a negotiating triumph, but, as he told the electorate in December, it was “oven-ready” and good to go. He told the electorate, “Vote for me and I will get Brexit done”, and for reasons that I will never fathom, the people of England did. So in December, flushed with a huge majority, he led every single Tory MP through the Lobby to support his deal. However, the Government now want unilaterally to move the goalposts and renege on what they signed up to at the start of the year. In so doing, they are wilfully prepared to break international

law, take the UK’s already diminished reputation further into the gutter and take a wrecking ball to the devolution settlement. Even for this Government that is quite an achievement.

Are Ministers asking us to believe that, despite three years of intense negotiation, they did not actually understand what they were voting for, and that they did not understand what their confidence and supply partners from the Democratic Unionist party were saying about differential arrangements between Northern Ireland and the rest of the UK? Are we to believe that they were unable to grasp the implications of their own Northern Ireland protocol—the one they designed with the EU to prevent a hard border on the island of Ireland? It is not credible because it is not true.

Alan Brown: My hon. Friend makes a fine point: it is not credible and there has been bluff after bluff. Is it not the case that when the warnings were pointed out, Ministers stood at that Dispatch Box and said, “Don’t worry, we have a magic solution. There won’t be any cameras or infrastructure at the border; technology will solve it all.”? We have technology that can control the movement of people and goods and deal with different customs arrangements”? Yet another bluff from an incompetent Government.

Brendan O’Hara: My hon. Friend hits the nail squarely on the head. That is absolutely true. They knew exactly what they were signing up to and exactly what they were voting on—a fact acknowledged by the Chancellor of the Duchy of Lancaster himself, who said in April that the deal ensures that we can leave the EU, and it is “entirely consistent” with the Belfast agreement and all our other domestic and international obligations.

So, how did we get from the agreement being a negotiating triumph in January, and being entirely consistent with domestic and international obligations in April, to today, with a Government boasting that they will knowingly breach international law if they do not get their own way? I believe that, in short, it is because those at the heart of this Government have decided, in true Trumpian fashion, that the UK will no longer play by the rules. They have cynically done their sums and reckon they have the numbers to push this legislation through. It is the behaviour of a Government who have lost their moral compass—a Government who have been reduced to using the Good Friday agreement as a bargaining chip.

It is little wonder that the United Kingdom is fast becoming regarded as a bad-faith actor among the international community, where adherence to international law and the obligations that come with it are what sets us apart from rogue states and dictatorships. The irony of all this is that it emerged against the backdrop of the faux outrage about the last night of the proms and whether it was appropriate to play “Rule, Britannia! Britannia, rule the waves!”; we know it is a case of Britannia waives the rules. It is not just now; it was ever thus. Ask the Irish and the people of India. Go to large swaths of Africa. Go anywhere that is still recovering from the wreckage of British colonialism and the people there will give chapter and verse about Britannia bending, breaking, inventing and waiving the rules all day long to suit its own ends. The world had hoped and probably half expected that those days were gone; sadly, they clearly are not.

For Scotland, it does not have to be this way: we have an escape route available to us—an escape route with independence that will take us back to the family of nations of the European Union, as a law-abiding European country on an equal footing with every other independent country. It is little wonder that opinion poll after opinion poll has shown a majority for independence. I confidently predict that tonight's shenanigans will bring that independence closer and Scotland will become an equal member of the European Union, because that is the fast-approaching settled will of the Scottish people.

7.8 pm

Imran Ahmad Khan (Wakefield) (Con): Just like the overwhelming majority of Members, I was returned to this House on the promise of getting Brexit done. I am an ardent supporter of Brexit and look forward eagerly to the opportunity to bolster the United Kingdom's position by becoming an independent, self-governing nation, possessed of the confidence that flows from our vision and principled values.

Although I stand four-square behind the Government's policies and objectives, including those advanced by the Bill, I cannot vote for legislation that a Cabinet Minister stated from the Dispatch Box will break international law. Before I was returned to this House, I spent many years in distant, sometimes dangerous places on behalf of our country, our closest friend, the United States, NATO and the UN, where I was committed to upholding the international rules-based system, which is the only shield we have against the law of the jungle. The rules-based system is, of course, one that the United Kingdom was proud to play a central role in building.

I have every sympathy with Her Majesty's Government and place the responsibility for the impending denouement firmly with the EU, as it haughtily refuses to deal with the UK as a sovereign equal, like our sibling Canada. The Northern Ireland protocol was agreed on the assumption that Brussels would provide an off-the-shelf trade deal with no bells and whistles, as Monsieur Barnier himself offered. That would have involved no more than a light-touch border between Britain and Ulster. The EU has moved the goalposts. The prospect of a no-deal rupture and intra-UK trade tariffs has constitutional implications for the United Kingdom, creating a much harder trade border in the Irish sea than Unionists supposed. It therefore intrudes ineluctably on the Belfast agreement.

Ian Paisley: I appreciate the points that the hon. Gentleman is making; they are important to the debate. Is he appalled by the suggestion that was made tonight from the Opposition Benches that we would invoke America to stop doing a trade deal with the United Kingdom just because of this? Is he appalled that someone in this Parliament would invoke America to do that? Is he appalled that someone would do it just to save little bits of paper between Northern Ireland and GB when doing trade? Is he not appalled by that? Because I am.

Imran Ahmad Khan: I am mildly surprised. I worked for some time for the Pentagon and the State Department, and I know the Americans very well. Like the United Kingdom, it is a nation built upon laws and it has representatives. The Americans know their national interest exceptionally well, and of course it is in the

American national interest to have an expansive and ambitious free trade agreement with the United Kingdom, given our size and wealth.

It is not only certain Members of this House who make peculiar statements. I have no sympathy with the hysterical, hypocritical and hyperbolic statements from the EU, declaring that the UK uniquely will be in breach of its international commitments. Half the countries of the EU are in breach of their various treaty obligations. Germany and France both choose to deliberately breach their EU treaty commitments relating to budget deficit limits, and others are famous for being selective in deciding which rules to follow. However, the UK has always held itself to a higher standard. Our principles of fair play and freedom, underpinned by the rule of law, are who we are. They are part of our DNA, and must be protected. Our position of global leadership and permanent membership of the Security Council is derived not from being a victorious power but from our moral authority. Moral authority is hard earned and easily lost. Once damaged, it is difficult to repair.

Having consulted highly respected experts in international law, some of us have concluded that if the EU, in breach of its obligations to act in good faith and with best endeavours, were to employ the withdrawal agreement as a Trojan horse, this Bill, if enacted and employed, would not necessarily constitute a breach of our commitments, under either UK or international law. Rather, the Bill would then serve as a protection against the abuse of our good nature and a reminder to the Commission of its obligations.

Jim Shannon: There have also been other legal opinions sought, one of which was from Martin Howe QC. He refers to the alteration of the "constitutional status" of Northern Ireland that across-the-board tariffs on GB-to-Northern Ireland exports would entail, saying that this would be a breach of the core principle of the Good Friday agreement. He goes on to say:

"International law does not justify a later treaty to which these community representatives are not parties being used to over-ride the rights they enjoy under the earlier treaty".

That is another legal opinion, and it might be very different from those sought by the hon. Gentleman.

Imran Ahmad Khan: My great problem with the Government's position is the predicament in which they have placed people who share my view—I think the hon. Gentleman probably shares it too—because that view has been undermined, I am sad to say, by the assertion of a Government Minister that the Bill would represent a specific and limited breach of international law.

Alexander Stafford (Rother Valley) (Con): Does my hon. Friend agree that the Government have been put in this situation only because the EU has not been playing with a straight bat? If the European Union played this straight and treated us as equals, we would not be in this situation. In fact, the fault for all this lies with the European Union for not treating us fairly.

Imran Ahmad Khan: I entirely agree with my hon. Friend in as much as the EU has not been playing with a straight bat, but I find it difficult to understand the statement, the motivation behind it or, indeed, the credibility of the comment, because I simply reject the notion that we would be in breach of our international obligations.

[Imran Ahmad Khan]

We have been placed in a predicament because of that statement that the Bill would represent a “specific and limited” breach of international law. Only if my right hon. Friend the Chancellor of the Duchy of Lancaster, in his response to the debate, can provide assurances to the House that Her Majesty’s Government share my interpretation—our interpretation—that such powers, if enacted and employed, would not automatically constitute a breach of our legal obligations will I support the Bill.

7.15 pm

Lilian Greenwood (Nottingham South) (Lab): If any of my constituents are watching this afternoon, I think they will be wondering what on earth is going on. “Why,” they will ask, “are MPs banging on about Brexit again? Isn’t that what the general election last December was meant to end? Didn’t we leave the EU in January? Wasn’t there meant to be an oven-ready deal?” They will ask, “Is this really what you should be focused on today?”

Right now, some of those constituents will be sitting at home feeling ill, anxious that they might have coronavirus but unable to get a test. Or they will be trying to work from home while looking after their son or daughter, who cannot go to school because they have a cold—or maybe it is coronavirus, but they do not now because they cannot get a test. Or perhaps they are on furlough because the business they work for has not yet fully reopened, or has not got everyone back yet, and they are anxious about whether they will have a job when the coronavirus job retention scheme ends next month.

People who work for one of our east midlands manufacturing businesses will be especially worried about the Prime Minister’s bluff and bluster earlier today; they, more than anybody else, require us to secure a deal, because their jobs depend on it. All those people will be asking why we are arguing about Brexit again when the top priority should be tackling the pandemic that threatens lives and tackling the resulting economic crisis that threatens their livelihoods.

Agreeing a trade deal with the EU is vital, but the Government need to get on with it rather than making it more difficult with the sort of posturing that we have heard today. The protocol contains a mechanism for dealing with disputes. The Chancellor of the Duchy of Lancaster himself said that

“the effective working of the protocol is a matter for the Joint Committee to resolve.”

Surely they need to get back round the negotiating table, stop posturing and reach an agreement on how the protocol should operate.

Tom Hunt (Ipswich) (Con): I am sorry that it is really politically inconvenient for Brexit to come back to this Chamber because it reminds people that it was the Labour party that turned its back on the verdict of the British people three or four years ago, but surely it is not surprising: when the transition period is about to come to an end, these debates will come back to the House. Does the hon. Lady not agree with me that it is good that we finally have a Prime Minister who is fighting for British interests?

Lilian Greenwood: I think my constituents will expect a little bit better than that. They will expect the Government to get on with the job that they promised to do. The Government said they were going to deliver a Brexit deal, they said they had it ready, and my constituents do not expect them now to say that they made a mistake—that somehow it was not what they expected.

Matt Rodda (Reading East) (Lab): At the heart of it, is not the issue that this whole thing comes across as a giant piece of bluff and bluster by a failing Prime Minister? As my hon. Friend rightly hints at, this is a means to distract the public from other immediate pressures. To make matters worse, it damages our reputation in the eyes of the world at a time, as Members have correctly pointed out, when we need to seek a trade agreement not only with the EU but with a number of other countries.

Lilian Greenwood: My hon. Friend makes an important point. The timing is very interesting. We are at a point when many people are looking at the Government and are extremely worried about their incompetence and the way they are dealing with the current health crisis. With today’s debate and the Prime Minister’s position, well, people will wonder what is going on.

People will be baffled because every time they have listened to the news, watched politics on TV or opened a paper in recent days, they will have seen a senior Conservative MP, or a former Tory Attorney General, Prime Minister or Chancellor of the Exchequer, expressing grave concerns about the content of this Bill. Those concerns are not just from those who might be called “the usual suspects”—those who were remainers—because this is not about whether we leave the European Union. We have left. That argument is over. Their concern is that the Bill deliberately breaks international law, will prevent us from completing a deal with the EU in the very short time available to do so, and will have much wider ramifications for the future of our country. They are risking the UK’s reputation across the globe.

Many hon. Members have already asked how other countries, with whom we want and need to make trade deals, will trust a Prime Minister who, just a few short months after he negotiated and signed an agreement, now says that he intends to break its terms. We do not have to guess what they will think; we can see for ourselves the reaction from our friends and allies, including, as has already been said, from the Speaker of the US House of Representatives. If the Prime Minister really considers that this deal contains serious problems that could break up our country, why did he sign it? Why did he claim it was a great success? Had he not read it, or did he not understand it?

Of course, the dangers of the Bill are not just about the UK’s ability to negotiate trade deals; they are about the UK’s reputation and its moral authority. How can our Government seek to uphold the rule of law if we break it ourselves? How can we hold other nations to account on their treaty obligations on international standards when we disregard our own?

Alexander Stafford: Will the hon. Member give way?

Lilian Greenwood: I will not, because we are very short of time. Speaking to the House earlier, the Prime Minister claimed that the provisions of the Bill will be

used only as a last resort, and sought to play down the problems that it poses but, as the House of Commons Library briefing states,

“the existence of the power to override a number of the UK’s international obligations may itself constitute a violation of international law.”

The very fact that it has been tabled is already undermining the reputation of this country, and damaging our relationships with those we need to reach deals with.

There are other concerns about this Bill: that it runs contrary to the devolution settlement; that it will enable a race to the bottom on standards; and that it undermines the rights of the devolved nations to set their own spending priorities. The Government should ensure free trade access across the UK. We need a strong internal market, but this Bill is not the way to do it. Unless it is amended, I cannot, and this Parliament should not, support it.

7.22 pm

Jeremy Wright (Kenilworth and Southam) (Con): The majority of the Bill is sensible and necessary for an effective United Kingdom single market when we are no longer subject to EU rules. My issue, as for others, is clauses 42, 43 and 45, which take what was agreed less than a year ago about the primacy of the withdrawal agreement over domestic law and reverse it. They are not a clarification but a contradiction of that agreement, and the Government are very clear about this: doing that would be breaking international law.

I agree that it is possible to break international law without automatically breaking domestic law. It is also true that Parliament is sovereign, and it can choose to break international law if it wants to, but the fact that an international law breach is not a domestic law breach and is not unconstitutional does not make it a good idea. The blatant and unilateral breach of a treaty commitment could be justified only in the most extreme and persuasive circumstances. The Government say that such circumstances are those in which no ongoing trade arrangement is made with the EU and where the Joint Committee established under the withdrawal agreement to resolve problems of interpretation is unable to do so, leaving the UK in an impossible position.

Sir John Hayes (South Holland and The Deepings) (Con): That is the nub of the argument, is it not? These are exceptional circumstances. We are about to negotiate by far the most important agreement that this country has reached for the last 40 years. In those highly dynamic circumstances it is right that this Parliament should give the Government sufficient flexibility to get the best possible deal for Britain. That is what this is about, and that is why we should support the Bill.

Jeremy Wright: If my right hon. Friend will allow me, I will address exactly that point and what the Government could be doing instead of what they are proposing to do. Let me say first that the possibility of reaching no trade agreement and of deadlock in the Joint Committee was foreseeable yet when the withdrawal agreement was signed, and again when it was legislated for, the Government did not say that the risk of the outcomes they rely upon now undermined the deal on offer; they said then and they say now that this was a good deal. So what has changed?

That leads to the argument to which my right hon. Friend refers: that, unexpectedly, the European Union is now adopting an interpretation of the Northern Ireland protocol so outrageous and so far from a rational reading of that protocol that we could not have seen it coming and we could not possibly accept it, leaving no option but to abrogate ourselves the relevant parts of the protocol. But the withdrawal agreement sets out a mechanism for resolving disputes about interpretation, involving binding independent arbitration and penalties including the suspension of obligations under the agreement. If the EU’s new approach is so far from what the agreement intended, why would the Government not succeed in using that mechanism?

Sir Bernard Jenkin: The answer is that any question in European law, under article 174 of the withdrawal agreement, has to be referred to the European Court of Justice, and the Court is acting not on behalf of the 28 as before, but on behalf of the 27. We know it is a political court.

Jeremy Wright: My right hon. Friend might be right to be sceptical about the Court of Justice of the European Union, but the issue likely to arise here is not a question of European Union law; it is a question whether there is compliance with the withdrawal agreement signed by both sides. That does not necessarily raise a question of European law; nor, in my view, is it likely to. It raises a question of treaty law and whether or not this is being abided by in good faith.

I accept that the Government have a problem, but I cannot accept that the proposed solution is either necessary or right. International law matters. The rules that bind nations underpin what the United Kingdom says on the world stage on a variety of subjects, from the Skripal poisonings to the treatment of the Uyghur people to the detention of Nazanin Zaghari-Ratcliffe. We speak often, and rightly so, of the rules-based international order as the foundation of freedom and justice in the world and of our security. The rules referred to are, of course, rules of international law. If we break them ourselves, we weaken our authority to make the arguments that the world’s most vulnerable need us to make. Nor is it in our long-term diplomatic or commercial interests to erode the reputation we have earned for the strength of our word and our respect for the rule of law—a reputation that, ironically, we will rely on more than ever when the Brexit process is complete.

I do not believe that my right hon. Friend the Prime Minister or his Ministers wish to undermine that reputation, but I do believe that if Parliament were to give Ministers the powers they are asking for, and if they were to be exercised, we would all come to regret it. That is why I cannot vote for the clauses as they stand, or for a Bill that contains them.

7.28 pm

Pete Wishart (Perth and North Perthshire) (SNP): Sometimes a piece of legislation comes along that is just so audacious, pernicious and chaotic that it is difficult to comprehend the scale of the carnage it will deliver in its wake. This single market Bill is a prime example of that type of legislation. It is almost unbelievable. It is a Bill that only this Government, with their weird assortment of Brexiteer oddballs, would consider going anywhere near. In fact, it is almost perfect for them, given their penchant for governance by chaos and disorder.

[Pete Wishart]

Breaking international law? For this Govt, that is a trifling detail. They just do not care. For them, being a rogue state is as natural as leaving the EU without a deal, or illegally proroguing Parliament. They are even starting to tell us now that being a pariah state somehow enhances the UK's international standing. We can imagine, in a few years' time, the Foreign Secretary of rogue state UK turning up to the United Nations during an international crisis that threatens the world order involving, say, Iran or North Korea, or an international convention or treaty. What authority and credibility would rogue state UK have in that situation? Kim Jong-un would turn around and say, "I'm firing these missiles, but only in a limited and specific way."

I want to confine my remarks to what this rotten Bill will do to my nation. If the Government want their rogue state, that is up to them. If they want their no-deal Brexit, go ahead, have it, we will wish you all the best, but do not bring down our beautiful nation in the process. Never before has there been such a sustained attack on our Parliament or our democracy. The invention and development of the idea of a UK single market has been one of the most spectacular and dishonest pieces of political chicanery we have witnessed in recent times. The barefaced nonsense of this being a power surge is contradicted by practically every detail of the Bill.

There are two areas I particularly want to touch on. One is what is included in clause 46—the one that allows the UK Government to legislate directly in devolved responsibilities. This mechanism is designed to bypass the Scottish Government. The Scottish Tories know that they will never come anywhere near governing Scotland, so what they will do is just get around the process. Even under the new leadership of the ever charming ray of sunshine that is the hon. Member for Moray (Douglas Ross), they are still going down in the polls, so what they need to do is circumvent Scottish democracy and ensure that they get direct control and access to specific interests when it comes to Scotland. That is what they are doing with this particular Bill.

The other thing is the Competition and Markets Authority. I remember listening to all those Brexiteer colleagues over there, when they used to rage against all the unelected bureaucrats—remember these mythical creatures of yore? Well, I found them—they are not sitting in an office in Brussels; they are sitting in the Cabinet Office. They are not called the European Commission; they are called the Competition and Markets Authority, and it is them that will arbitrate on everything to do with devolution and what the Scottish Government can and cannot do.

Ian Paisley: Did the hon. Member not oppose the Northern Ireland protocol because it discriminated against the needs of the people of Scotland? Now for some reason he seems to be taking to his hind feet, wanting to support the protocol and oppose the Bill that removes those pernicious aspects of the protocol. Why has he changed?

Pete Wishart: I think the hon. Gentleman may be confusing me with somebody else. I say ever so candidly to him that I did not oppose just parts of the Government's EU Brexit—I opposed it in its totality, as did the people of Scotland. We opposed overwhelmingly the idea that we have to be taken out against our will.

This is what it is coming down to. In the next few months, the Scottish people have a critical decision to make about the type of future they want for their country. They could decide to remain part of rogue-state UK, with the Government's no-deal Brexit and all the other things that they want to do, or they could simply decide that they want to become an independent country of their own, making their own decisions and their own way in the world, deciding things in good faith, negotiating as a nation, and coming together with other nations in the world to ensure that we get the best possible future for us and our allies.

We have only a few short months when it comes to this, and I think we are beginning to see just where we are going. Independence now sits at 55%—the highest it has ever secured. There is sustained majority support for independence in Scotland. My nation is making up its mind about the type of future that it wants, and it is not this future as a pariah state, taking us out of the EU against our national collective will. We have only six months to get this debate properly focused and determined. I am pretty sure, when I am looking at opinion polls and seeing where independence is, that Scotland is making up its mind. Scotland is deciding that it is going to be a nation of its own.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): After the next speaker, we will reduce the time limit to three minutes. I am sorry about that, but it enables more people to be able to contribute to this lively debate.

7.33 pm

Douglas Ross (Moray) (Con): Following the speech of the hon. Member for Perth and North Perthshire (Pete Wishart), I simply say that Scotland is my nation as well. The SNP does not speak for Scotland. The SNP is not Scotland. I am proud to be Scottish and British, and when the SNP stands up and claims that it speaks for the whole of Scotland, it does not. The hon. Gentleman would be advised to stop making out as if it does.

I want to make the point that this Bill at its heart, at its core, at its centre, is about jobs and businesses. Is it not telling that in all the SNP speeches that I have listened to tonight, jobs and businesses have not been mentioned once? The SNP was opposed to this internal market Bill long before the events of the past few days, because it is opposed to what it means for Scotland and to what the UK Government can do for Scotland and for the 545,000 jobs that the Fraser of Allander Institute says rely on the internal market of the United Kingdom. In 2018, that internal market ensured £51.5 billion of trade between Scotland and the rest of the United Kingdom—three times more than the trade that Scotland does with the whole European Union put together.

This Bill's protecting and enshrining our internal market in the United Kingdom is about protecting those jobs and those businesses. It is about ensuring that businesses in Forres and Fort William can do the same trade across all four nations of the United Kingdom as those in Felixstowe and Farnborough. That is what is important about this legislation. That is why we have to ensure that it is there, and that it is capable of delivering for individuals, for businesses, for their jobs and for the communities that they serve. That is why I believe that

at the heart of this legislation we should be speaking about what it means for our communities, our businesses and our jobs the length and breadth of the country.

I want to focus on remarks by the hon. Member for Perth and North Perthshire (Pete Wishart), and by the SNP the whole time, about how this is somehow a power grab. It cannot be a power grab when more than 100 extra powers are going to Holyrood, to the Scottish Parliament and to the Scottish Government, and not one is being taken away. That cannot be explained as a power grab.

Alan Brown: Will the hon. Gentleman give way?

Douglas Ross: I apologise to the hon. Gentleman; I like debating with him and he has tried to get in plenty of times, but I must say to Members on both sides that debating time is about to be constrained by a further minute for each speaker and there are more than 100 Members on today's call list, so I will not take interventions.

There is no power grab; 100 extra powers are going to the Scottish Parliament, and not a single one is being taken away. For some reason, SNP Members are now against the UK Government investing in Scotland. This is the same SNP and Scottish Government who are saying, "We don't want your money in Scotland." Well, I do. In my nation of Scotland, I want to see our two Governments working together as they do on city and growth deals the length and breadth of the country. Every part of Scotland is now covered by a city and growth deal, which shows our two Governments working together and investing together. That is what people want: not a rehash of the division of the past, which the SNP continually wants to drag us to, but looking to the future of Scotland—looking to the future of what we can achieve together as a United Kingdom, with our UK internal market delivering for jobs, communities, the economy and businesses. That is what we want to focus on.

I understand the concerns of Members across the House, but by voting for this legislation at stage 2—Second Reading—tonight, we will allow it to go into Committee and allow the democratically elected Parliament of the United Kingdom to scrutinise, debate and, potentially, amend it. That is what we should be doing.

7.37 pm

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): It has been a pleasure to hear the erudite legal arguments tonight from Members including the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright) and the hon. Member for Bromley and Chislehurst (Sir Robert Neill). I am not an erudite international lawyer, so I see it as it is, and perhaps I will put it in simpler terms. It is an utter shambles. It is chaotic.

We have a history of cheap slogans that are now coming home to roost. When people boil down major international issues into three-word slogans and believe that they are true, this is what happens. We had "Take back control", when we already decided the vast majority of our laws. We had "Get Brexit done", when it is not as simple as that at all, as we can see from our being here today discussing it. Then we had the "oven-ready deal"—the deal that was then delivered by the current Prime Minister but is now being undermined by his very own Bill.

It threw up squarely and clearly the problems between Brexit and the hard-fought Good Friday agreement, and it is now being ripped up and is causing huge problems, playing fast and loose with devolution.

The impact on the independent decision making of the Welsh Government, the Scottish Government and the Northern Ireland Executive is frankly shocking, especially for a party that describes itself as the Conservative and Unionist party, but that is not entirely surprising. This is a Government who think that the law can be applied differentially. We saw it with the shutting down of Parliament illegally before the last general election. We have seen it with the breaking of lockdown rules for some favoured few. Shockingly, we see it now with the breaking of international law. The hon. Member for Harwich and North Essex (Sir Bernard Jenkin) says that, if we break international law, it should not be done casually. Well, this seems rushed and casual to me. Less than a week ago, none of us knew that this was coming—perhaps not even the Prime Minister—but it has huge long-term impacts.

This afternoon, I chaired the Public Accounts Committee. We were looking seriously at the Government's proposals around export strategy; the Government have a target to boost exports, which we would all expect. We were challenging the Department about how it was going to achieve that. There is a real will to deliver it, but what country will trust us now if we pass this Bill, which says that we will legislate our way out of any international deal?

In short, this Government are not competent. They have been cavalier, they are undermining the Union and they are damaging the UK's international reputation irrevocably.

7.41 pm

Andrea Leadsom (South Northamptonshire) (Con): It is always a great pleasure to follow the hon. Member for Hackney South and Shoreditch (Meg Hillier). I have a lot of respect for her opinions, but I fundamentally disagree with her on this.

I look around the Chamber at so many dear colleagues with whom I have debated at quite some length over the past four years—nearly four and a half years. This has been so frustrating. Leaving the EU has been the most divisive subject since June 2016. We now have to get to the end of the transition period. We really want a free trade deal as an independent sovereign nation with our EU friends and neighbours that works in the interests of every part of our United Kingdom, and also works in the interests of our EU friends and neighbours and protects their single market. On that, surely, we can agree—apart from perhaps a few of those who still wish we were having a second referendum, but let us not go there.

We negotiated the withdrawal agreement in good faith, as, I think, did the EU member states. The problem is that the Joint Committee, which was set up by that withdrawal agreement, was designed to provide the definitions. It was designed to give us clarity around what "goods at risk" meant, how the Northern Irish protocol would work, and all the details that, as yet, have not been ironed out. What we have discovered—

I can say this, having been part of Cabinet Sub-Committee meetings that discussed some of the EU's proposals—is that the EU has not acted in good faith. I

[*Andrea Leadsom*]

am very sorry to say that, because EU leaders do, as a rule, want to have good relationships with the United Kingdom, but the Commission has sought to reach into our sovereign United Kingdom and force us, as a member state that has left the EU, to abide by its rules on an ongoing basis, and that is utterly unacceptable.

I will be supporting the Bill today. The reason for that is that we, as the United Kingdom Government, must always be able to hold our heads up high to say that we have acted with integrity in the interests of our United Kingdom, that we are protecting the Belfast Good Friday agreement, and that we are giving the essential clarity and certainty to businesses that they desperately need. I urge all colleagues to please support the Bill tonight.

7.43 pm

Alyn Smith (Stirling) (SNP): I am appalled by this Bill, and I have been trying to think why. The conclusion that I have reached is that we have two genuinely opposing world views conflicting tonight. From the perspective of the SNP, on behalf of Scotland's interests, we have a fundamentally different view from the Members on the Government Benches—not illegitimate but different. We are two nations going in two different directions with different ambitions, and this Bill cuts across deep visceral principles of my party. We believe in the rule of law. We are a constitutional party. We believe in a multilateral, rules-based order. We have a clear vision of how we want Scotland to fit into that organised, binding international solidarity. We believe that agreements should be honoured. I would not have thought that that was a controversial statement, but it is in the face of this Bill, and it shames this House that we are even considering it.

We believe that the people best placed to make decisions for Scotland are the people who live in Scotland. In 1997, by 74%, the people of Scotland endorsed that principle, and endorsed the model of devolution that said that, unless specifically reserved to this place, decisions should be made in Scotland by our democratic authority. It is that principle that this Bill undermines.

Members should be in no doubt: the operation of this Bill is a wholesale, calculated, deliberate reversal of the devolution principle. There is no amount of bluster that will distract from that—not that we have heard much of it; they have all gone quiet. It is there in the Bill for all to see. In clause 46, there is an explicit assumption of budgets in Scotland, without Scotland's consent. In clause 48, a power of subsidy is explicitly assumed, again without Scotland's consent. In part 1, on the mutual recognition rules, it is clear that the operation of the UK internal market will undermine out of existence the competence and capacity of the Scottish authorities to make different decisions.

The most egregious part for me is part 4, on the role of the Competition and Markets Authority. For people who talked about unelected bureaucrats, here are unelected bureaucrats on steroids: people who will sit above each and every public organisation and authority in Scotland and gainsay every budget and every decision going forward—a politically appointed death panel that will sit above every democratic decision of every organisation in Scotland. We reject it. It is not in Scotland's name.

This is a bad Bill. It undermines devolution. It actually strengthens the case for independence, if Conservative Members really want to have some pause. This House should reject this appalling piece of legislation.

7.46 pm

Mr David Jones (Clwyd West) (Con): The withdrawal agreement is a profoundly self-contradictory document, and never more so than in respect of Northern Ireland. It declares ringingly, for example, that Northern Ireland is part of the customs territory of the United Kingdom, whereas the substance of it is that it is part of the customs territory of the European Union. Similarly, it provides that Northern Ireland should have unfettered access to the mainland British market, but at the same time it sets up arrangements to frustrate that. These provisions can potentially have the most serious adverse consequences on the integrity of the UK market.

The position is that unless provisions to the contrary are agreed in the joint committee or in the future relationship negotiations, trade between Northern Ireland and the rest of the UK will be severely impeded. Checks will apply to goods passing between Northern Ireland and Great Britain, and the EU customs code will apply to Northern Ireland, potentially meaning tariffs applied on goods passing between Great Britain and Northern Ireland. Part 5 of the Bill amounts to a safeguard against the potential consequences of this state of affairs. Of course, if a free trade agreement can be concluded, there will very probably be nothing to worry about. An acceptable free trade agreement could subsume the withdrawal agreement and thus the problem, and put relations between the UK and the EU on a more regular footing.

The EU is crying foul at the publication of this Bill, but the fact is that the EU's own conduct in the negotiations has simply not adhered to the provisions of the withdrawal agreement. As the right hon. Member for East Antrim (Sammy Wilson) pointed out, these obligations move in both directions. The agreement provides that both parties should attempt to negotiate a free trade agreement acting in good faith and using best endeavours. The political declaration provides that the negotiations should respect UK sovereignty and the integrity of the United Kingdom market. However, the EU's conduct has not reflected the obligations it has under the withdrawal agreement. It has refused to discuss anything apart from its own red lines of fisheries and the so-called level playing field. It is therefore essential that we should put in place measures that will protect us and our internal market in the event that the negotiations do not result in the sort of free trade agreement we are seeking.

It would be contrary to the national interest of this country if this Bill were not passed. The consequences for our constituencies and the livelihoods of their residents would be very serious if the Bill were not enacted, and it therefore has my full support.

7.49 pm

Chris Bryant (Rhondda) (Lab): This law is a scoundrel's charter. I was taught as a child that it was the quintessence of Britishness and the quintessence of honour that my word was my bond—that what I had signed up to I was pledged to and I would stand by. We, the United Kingdom, Her Majesty's Ministers on behalf of the whole nation,

and this Parliament—the newly elected Parliament—signed this into law. We signed on the dotted line. The Prime Minister called it a “fantastic moment”. He said it was a great, great deal. The Tory manifesto was absolutely clear that it was a wonderful ready-made deal for the United Kingdom. Now the Government intend to trail our honour through the mud, and I will do everything I possibly can to prevent that.

If this goes through in the way that it is drafted at the moment, we will become the scoundrels of international law. The Government have even put their bad faith into the Bill. With the single word, “notwithstanding”, they have made Government Ministers do contortions. Who ever thought that we would hear a Government Minister say that the Bill breaks international law in a “specific and limited way” as if that is fine—some kind of Cummings get-out clause? Even worse, the Justice Secretary said, “I’ll quit if the rule of law is broken in an unacceptable way.” So now, according to the Justice Secretary, there is an acceptable way for somebody to break the law—again, the Cummings rule.

Clause 45 actually uses the word “notwithstanding”. I thought I might hear Vladimir Putin say, “notwithstanding the Budapest accord, which guarantees the territorial integrity of Ukraine”, or President Xi say, “notwithstanding the Sino-British joint declaration”. I never thought that I would see in a British Bill signed off by British Government Ministers, who are meant to respect the rule of law, a line that says:

“notwithstanding any relevant international or domestic law with which they may be incompatible or inconsistent”.

The hon. Member for Harwich and North Essex (Sir Bernard Jenkin) said, “It’s just a mistake; we should say it’s a mistake.” Well, why did everybody vote for it? What honour can you possibly have if you think that this is just a mistake?

There is another fib at the heart of the Bill, which is that it purports to say that there is going to be lots of extra money for constituents like mine in the devolved areas of the country. I do not think we will get a single extra penny, because we have been waiting for the shared prosperity fund for weeks and months and years, and not a single word has yet been published about it.

The truth is that we need the rule of law in this country; we rely on international treaties. It guarantees contracts. It makes us honest and protects us from overbearing government. I say to the Government: if you try to sack members of your own party because they have a conscience, you are on the route to dictatorship.

7.52 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): It is always a pleasure to follow the hon. Member for Rhondda (Chris Bryant).

This is of course an essential Bill for the good order of the internal market. It is essential for our economic success, wellbeing, jobs and employment, and I support it. I am very surprised at the EU’s negotiating strategy and purpose, particularly in offering my right hon. Friend the Member for Maidenhead (Mrs May), in effect, the Canada deal, and then declining, to date, to offer the same terms to the Prime Minister. I therefore have no hesitation in supporting the Bill’s Second Reading, and I give the Government my strong support for reaching a deal.

But I am not going to vote to breach international law, and I want to explain why. As International Development Secretary in the coalition Government, I consistently spoke up for the rule of law. Britain has been a beacon, in some very difficult places in the world, for support for the rule of law. Our support is relied on in that respect, and it matters, whether we are dealing with the rights of gay people in Uganda or ensuring the last vestiges of law in Zimbabwe, never quite snuffed out by dint of Britain’s strong support for the rule of law. Many in this House have rightly spoken up for the rights of Hong Kong citizens when China has sought to resile from international agreements it had signed. We are one of the five permanent members of the United Nations Security Council. We have a duty to uphold international law. The rule of law is incredibly important for our basic liberties and human rights, and failing to do so will do incalculable damage to our reputation all around the world.

I have two further points to make. The first is that Members of the House should read with the greatest care what John Major and Tony Blair have said about the dangers of all this for the Good Friday agreement and peace across Northern Ireland. I have been here long enough to remember the awful statements about violence in Northern Ireland, with innocent civilians maimed and worse. Secondly, we have one of the largest national debts of any country in the world, and confidence in our debt depends on an absolute understanding that Britain will always stand by its word.

In the past, I have voted in this House in ways that I have regretted. I voted for section 28, I voted for the poll tax and I voted with the then Prime Minister on Iraq. But I do not believe I have ever gone into a Lobby to vote in a way that I knew was wrong, and I will not be doing it on this occasion either.

7.55 pm

Sir Edward Davey (Kingston and Surbiton) (LD): I agree with the right hon. Member for Sutton Coldfield (Mr Mitchell): this Bill breaks the rule of law. It is against the national interests, and my party will oppose it. That might not surprise people. We have argued for Britain to work with our European partners at the heart of Europe, but in our opposition to the Bill, I am determined that we represent the views of leave voters as well as remain voters.

From the Prime Minister’s promise that he had an oven-ready deal to his promise that he wanted a global Britain, this Bill breaks those promises made to leave voters. If the Government were to carry out their threat and breach the international treaty that the Prime Minister himself signed, it is clear that there would be no deal. The oven would not even be opened. If the Government deliberately and intentionally break international law, global Britain’s ability to exercise influence in the world would be weaker than at any time since the first half of the 18th century.

As the arch Brexiteer and former Conservative party leader Michael Howard said, what message does this send to China, Russia or Iran? What credibility will Britain have in urging other countries to uphold international law if our great Parliament votes for this Bill? What about the future trade deals that Britain so desperately needs as we leave the world’s largest single market while trying to recover from covid and this deep recession?

[*Sir Edward Davey*]

Our Prime Minister likes to portray himself as a modern-day Churchill, but Churchill said that the rule of law is part of the “title deeds of freedom”. Churchill will turn in his grave if this Bill passes tonight. Let us remember what we teach our children in every school across this country. We teach them about British values of democracy, individual liberty and the rule of law. This Bill is against the very values that we teach our children about the importance of obeying the law.

For a Government to send this law-breaking signal would be appalling at any time, but we are in the middle of a pandemic, and if we are to beat this dreadful virus, people need to obey the law, even when the emergency covid laws were among the most draconian that the British people have faced for centuries. The rule of law has never been more precious to the health of our nation, and yet the Prime Minister has chosen this moment to trash the rule of law. This House must stop him tonight.

7.57 pm

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): In the short time available to me, I want to focus on the aspects most relevant to Scotland. This Bill is about protecting those who work or do business across the four nations of our United Kingdom. That single internal UK market has served us well for centuries, creating a barrier-free internal market that was one of the core purposes of the Acts of Union. Until we joined the European Communities in 1973, that internal market was regulated by this Parliament. From the point that we joined the European Economic Community, the crucial aspect of market control passed to the European level. Europe took those powers for pragmatic reasons, because they were simply needed to operate its single market. That is the spirit behind this Bill too.

We have heard a lot about devolution in the context of the Bill, including from a number of Members during the debate. The devolution settlements were made in the late 1990s, when there was virtually no thought that the UK would leave the EU. EU law was binding on the devolved Assemblies, and the UK Government, acting on behalf of the whole UK, represented all four nations at the Council of Ministers, including in devolved areas.

Stuart Anderson (Wolverhampton South West) (Con): Does my hon. Friend agree that the Bill strengthens the Union rather than weakens it as Opposition Members are saying?

John Lamont: I am grateful for that point and completely agree with my hon. Friend. The Bill not only protects jobs but strengthens the bonds of the Union that ties the United Kingdom together. As well as remembering the history, we must understand what devolution is in the United Kingdom. It is a means of giving people in Scotland, Wales and Northern Ireland the freedom to craft policies and take decisions on matters that affect them, while continuing to derive all the benefits of membership of a unitary United Kingdom. Right from the very beginning, it has been a central assumption of devolution that matters essential to the operation of the United Kingdom would be decided at UK level.

This Parliament is the democratic embodiment of the United Kingdom, and it contains Members who have been elected on an equal basis and who represent every

square inch of the United Kingdom. It is here that decisions affecting the UK as a whole should be taken, just as those that affect the whole of the European Union are taken in Brussels—a fact with which very few Opposition Members had any problems at the time. That inconsistency speaks volumes, especially when the net effect of Brexit will be a massive increase in devolved powers, including those on air quality, energy efficiency and elements of employment law. It is a further irony that SNP policy is to hand those new powers straight back to Brussels at the first available opportunity.

Sir John Hayes: As my hon. Friend knows, this Parliament is the guarantor of people’s freedoms. That is not about international arrangements or foreign Governments; this sovereign Parliament guarantees people’s freedoms in this country, and guarantees that the will of the people is expressed here and honoured. That seems to be lost on many critics of the Bill, and I hope that, like me, my hon. Friend will support it with enthusiasm.

John Lamont: I absolutely will support the Bill with enthusiasm. It protects the 500,000 jobs in Scotland that my hon. Friend the Member for Moray (Douglas Ross) mentioned earlier. This is about protecting the Union, and we should not forget that this Parliament is sovereign and a protector of the rule of law.

The Bill is about making the UK work as a fully integrated, seamless internal market. It is in the interests of every business trading across the United Kingdom, and of everyone who wants to make devolution work. It should be of no surprise that it is so hated by those whose sole political purpose is to destroy devolution by ripping Scotland out of this most important single United Kingdom market.

8.2 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): It is a pleasure to follow my fellow Unionist from Scotland, and I agree with him. The first question I ask myself about the Bill is this: will it strengthen the Union? In as far as it goes, I believe it will. We would like more to be done, but let me briefly mention the points raised about the Good Friday agreement. I grew up in a Northern Ireland that was deeply troubled. I lost members of my family, who were murdered during those troubles. I do not want to go back to those dark days.

Who is it that threatens the peace process in Northern Ireland? It is not Her Majesty’s Government who threaten that peace process; it is these men and women in the shadows. Who is playing fast and loose with the peace process? Who is using it as a political football in this situation? I do not believe the UK Government are using the Northern Ireland peace process as some kind of political football or a negotiating point.

Jim Shannon: Clause 47 ensures that as a sovereign nation, the UK will set the rules on state aid for Northern Ireland. Does my right hon. Friend agree that that is a vital means of fending off predatory behaviour from our nearest competitor, and EU threats regarding the supply of food without an agreement and without this Bill? The Bill is necessary to ensure that Northern Ireland has basic food importation from the rest of the UK, if those threats are carried through by the EU in the event of a no deal.

Sir Jeffrey M. Donaldson: I simply pose the question: how does it threaten the Good Friday agreement to ensure that people in my constituency can go to their local Tesco, Asda or Sainsbury's and buy the same food that people can buy in any other constituency in the rest of the United Kingdom? How does that threaten the peace process? How does it threaten the peace process to ensure that businesses in my constituency do not have the burden of added paperwork, or the cost of export declarations?

Neil Parish (Tiverton and Honiton) (Con): I very much agree with the right hon. Gentleman and shall be supporting the Bill tonight, because we must keep the United Kingdom together and we must not have a barrier down the Irish sea. Is it not the case that the European Union wants to keep us in the same rules, so that it can integrate the food systems on the island of Ireland? It needs to be much more practical and to come up with a solution whereby we can trade across the border but do not have to comply exactly with its rules.

Sir Jeffrey M. Donaldson: At the heart of the Belfast/Good Friday agreement is the principle that every signatory to that agreement accepts that Northern Ireland remains an integral part of this United Kingdom. Sadly, what the EU proposes breaches that core principle of the agreement. It is that breach that threatens the stability of Northern Ireland, because peace and prosperity go hand in hand. What kind of peace is it in Northern Ireland if we do not have prosperity—if our businesses are failing because of the added burden that the EU wants to impose? How does that bring prosperity, stability and peace to Northern Ireland?

The Bill is fundamental to delivering what we need, but we need even more than this. That is why we will seek to amend the Bill, specifically to address the point my hon. Friend the Member for Strangford (Jim Shannon) made about state aid. It is not enough just to address the state aid issue in the context of Great Britain; it must also be addressed in respect of Northern Ireland. The UK must set the rules on state aid in Northern Ireland, not the European Union. Such a tool is vital to help Northern Ireland businesses fend off predatory behaviour from our nearest competitors, and in Northern Ireland our nearest competitors are in the European Union.

I welcome the progress that is marked by this Bill in dealing with export declarations on goods moving from Northern Ireland to Great Britain, but 65% of the goods that Northern Ireland purchases come from Great Britain. Therefore, we need the Government to go further and guarantee that we will not have export declarations on goods moving from one part of the United Kingdom to another part of the United Kingdom, be that from Great Britain to Northern Ireland or from Northern Ireland to Great Britain. That is what unfettered access actually means, and the European Union signed up to unfettered access and to the United Kingdom Government having the power to ensure that Northern Ireland has unfettered access. The Bill before us will deliver that, subject of course to some amendments that we would like to make.

In conclusion, as someone who represents a Northern Ireland constituency, I do not accept the contention that the Bill threatens the Belfast or Good Friday agreement. I do not accept the contention that the Bill

threatens the peace process. Prosperity is essential to building peace in Northern Ireland. The arrangements proposed by the EU threaten the prosperity of Northern Ireland, and in threatening the prosperity of Northern Ireland they threaten the peace.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): I inform the House that the wind-ups will begin at 9.40.

8.8 pm

Stephen Hammond (Wimbledon) (Con): As ever, it is a pleasure to follow the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson).

Like my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell), I think there is much in the Bill to admire. The general aims of the Bill and much of its content are absolutely necessary to ensure that the competences that return to the UK from the EU are put into UK law. However, like many people across the House, I have serious concerns about part 5 and the effect of those provisions on our international reputation, the rule of law and Northern Ireland.

Many people seem to be justifying part 5 as necessary to avoid an impact on GB-to-Northern Ireland trade. It is one thing to reject a draft treaty on those grounds; it is an entirely different premise to consider breaching existing treaty obligations, freely entered into by the Government. Some level of bureaucracy for trade between Northern Ireland and Great Britain was and is the foreseeable and obvious consequence of the withdrawal agreement that we signed. That point was highlighted at the time, but it was justified as a way to move on to the next phase. Moreover, many of us were reassured at the time that technology would ensure that those checks would be simple and quick.

The withdrawal agreement and the Northern Ireland protocol, and the consequent effects on trade, were negotiated by this Government and were part of our election manifesto. If the Government believe that the EU is acting in bad faith, making threats to food supplies or critically affecting the integrity of the UK, there are already agreed mechanisms in the withdrawal agreement to deal with that. For example, if the Government believed that we could not import food into Northern Ireland, article 16 of the protocol specifically allows the UK to act at that point to remedy the problem however it wants to.

The UK has a proud reputation of upholding the rule of law, as many hon. Members have said, and has been a trusted international partner. This country cannot and does not break international law just because it does not like the compromise that it has signed up to. I was interested in my right hon. Friend the Prime Minister's remarks about regulations being made under these powers and the possibility of the House having a further vote. I would be interested to hear later from the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, my right hon. Friend the Member for Surrey Heath (Michael Gove), whether the Government intend to table an amendment to that effect, because I think that doing so would reassure many people. Nevertheless, clause 45(2)(b), if passed, at the moment of Royal Assent would lead to a breach of international law and the withdrawal agreement. I say to my right hon. Friends on the Front Bench that there is still plenty of time for

[Stephen Hammond]

those of us who have concerns about part 5 to be reassured, and I look to my right hon. Friend the Chancellor of the Duchy of Lancaster to give us those reassurances later this evening.

8.11 pm

Craig Mackinlay (South Thanet) (Con): It seems to me that some arguments we are hearing this evening are broadly about international law and those sorts of obligations, despite France and Germany being in the premier league of infractions of their EU obligations, and many other instances raised by hon. and right hon. Members about other global infractions by various nations. Let us be clear: the provisions of this Bill are fully allowed for within the Northern Ireland protocol. The right hon. Member for Doncaster North (Edward Miliband), who opened for the Opposition, made reference to the exact appropriate article—paragraph 1 of article 16—which says:

“If the application of this Protocol leads to serious economic, societal or environmental difficulties that are liable to persist, or to diversion of trade, the Union or the United Kingdom may unilaterally take appropriate safeguard measures.”

Karin Smyth (Bristol South) (Lab): If these provisions are entirely within the protocol, why are the Government saying that they are breaking the law?

Craig Mackinlay: That is a matter for the Government to answer; I do not believe that we are breaking international law in any way.

What we are proposing in the Bill is also allowed for under section 38 of the European Union (Withdrawal Agreement) Act 2020, which was passed by this House in quick time and by broad measure. There are no surprises in this Bill. Surely any Member could appreciate that these provisions stand to reason, with negotiations going nowhere; best endeavours, as required in the withdrawal agreement, seemingly ignored by the other side; demands that we become the only independent coastal state on this planet that would have its fisheries resource controlled by a foreign power, and that state aid and level playing field rules continue, leaving us as a supplicant nation; and, the latest we hear, a threat to the food supply and supply of goods from GB to NI.

I am going to talk about fists. We all have them and they are potential weapons for illegal acts if we use them wantonly or recklessly, but we do not so they are not. The law gives us the absolute right of self-defence using those physical assets to protect ourselves and/or our family. Northern Ireland is part of our family of this Union of nations. The provisions in this Bill are for self-defence only—defence of our Union, and particularly in defence of the businesses and people of Northern Ireland.

We are elected to this House to stand up to bullies, and I will do everything that is necessary and within my power to deliver Brexit properly and cleanly. If the EU will not discuss future arrangements fairly and with best endeavours, we must take any measure that is necessary to ensure the continuance of normality and trade across our Union. I will be supporting the Bill wholeheartedly this evening.

8.14 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): For over 20 years now, the people of Scotland have had a Parliament to call their own. Since the Scottish Parliament was reconvened in 1999, it has become an established part of Scotland’s political life, delivering on the priorities of the people of Scotland. More importantly, it has demonstrated what a modern Parliament, close to the people it serves, can look like, in contrast to the remote and often stuffy atmosphere in this place.

With the United Kingdom Internal Market Bill, the mask has well and truly slipped. The Tories have revealed their anti-devolution instincts. This Bill is nothing less than a brazen attack on established norms and institutions, setting dangerous precedents for the rule of law and Scotland’s Parliament. A Government Minister admitting that this Bill has been drafted with the intention of breaking international law is a clear sign of just how far the Tory party has been captured by this Dominic Cummings Government.

Since breaching solemn agreements is now a cornerstone of Tory party policy, I will remind Government Members of the agreement they entered into with voters in 2014. They said that the people of Scotland would get the “best of both worlds”—that the Scottish Parliament would be strengthened within the Union. The promises of 2014 could not be further from the reality of what this Bill will do to undermine the devolution settlement. It sticks in the mind when someone breaks an agreement, engendering feelings of anger and betrayal. It is perhaps no surprise that there is a genuine shift towards majority support now for independence for Scotland, as we are seeing the multitude of broken promises made by the Better Together parties mount up throughout the Brexit process.

This Bill is the worst of all worlds. It kicks off a race to the bottom between the four UK nations on food and environmental standards. It re-reserves subsidies in areas previously covered by EU state aid, even if those subsidies relate to devolved areas such as agriculture, infrastructure and culture. To top off this shameless power grab, the Bill will, if it completes its passage unaltered through this place, become a protected enactment under the Scotland Act 1998. As a result, the Scottish Parliament will not be allowed to legislate in a way that is incompatible with the rules laid down in the Bill, even if the proposed legislation falls within the devolved powers of the Scottish Parliament. That is a clear breach of the principle of the Scotland Act 1998 that power devolved is power retained. That is why I and my colleagues on the SNP Benches this evening will be defending devolution by voting against the Bill tonight.

8.17 pm

Sir Charles Walker (Broxbourne) (Con): I hope I will not be too foul tempered tonight, Mr Deputy Speaker; it is not a disposition I warm to.

There is a worrying trend—a worrying narrative—emerging, and this debate is a good opportunity to get a lot of things on the record, as I build an argument in the next 2 minutes and 45 seconds. First, I am extremely concerned that we are placing severe restrictions on people’s liberties without any recourse to Parliament. I would actually vote, in certain circumstances, to take people’s liberties away if I thought it was in the national

interest, but I would like to have the chance to debate it on the Floor of the House and represent the concerns of my constituents.

I am also concerned that we go around arresting old men in Trafalgar Square for having a peaceful protest and fining them £10,000. I never thought I would ever be defending Mr Corbyn in the Chamber, but I am—I am defending a Corbyn. We have to be allowed to protest without fear of arrest and being fined, and today we hear that the public will be urged to inform on their friends and neighbours, because granny has followed grandad into a family home of five. This is a profoundly un-conservative thing.

All these things are un-conservative, and I do think that we are being asked here to put this country—this House, Members of this House, our constituents—on the wrong side of the law before we have exhausted all other options. I am no fan of the EU—I was in every single Division Lobby for Brexit and I think the EU is a pain in the neck—but surely we have to exhaust all other options before we press the nuclear button.

I will not be voting for the Bill's Second Reading, because if you keep whacking a dog, you shouldn't be surprised when it bites you back. We are all Members of Parliament and we deserve to be taken seriously. I accept that there is a pandemic and a national crisis, but surely that is the time when our voices should be heard on behalf of our constituents. It is the most important time, so I hope—I see the Chancellor of the Duchy of Lancaster in his place—the Government go away tonight and the Prime Minister reflects on what is going on, listens to the concerns of this House and comes back with a solution that allows me to skip through the Lobby on Third Reading and support him on this important Bill. I do believe, colleagues, that the Conservative party is the greatest political party ever, and we have to have the courage to live up to that greatness.

8.20 pm

Wes Streeting (Ilford North) (Lab): The Prime Minister said that the Northern Ireland protocol was a very, very ingenious scheme—sorry, a “very, very ingenious scheme”. I will say it one more time, because it is worthy of repetition. He said it is

“a very, very ingenious scheme”.—[*Official Report*, 19 October 2019; Vol. 666, c. 594.]

It is almost Trump-esque in its rhetoric, and as we find so often with populists around the world, it is very easy to make far-fetched promises, but it is much harder to deliver them in practice. Reality is biting the Prime Minister and it is biting him hard.

As we have seen this afternoon, things have not exactly gone to script. The Prime Minister has been turning up at Prime Minister's questions in recent weeks wishing he was facing a former leader of the Labour party. This afternoon, he got one and my right hon. Friend the Member for Doncaster North (Edward Miliband) wiped the floor with the Prime Minister, so much so that he had to scurry away back to his office, so badly battered and bruised was he. He was not even able to defend the Bill. He probably had not read it, because it is certainly clear from what he has said in recent days that he had not read the withdrawal agreement or the Northern Ireland protocol. Even this afternoon, he still did not understand the content that he has signed up to.

Contrary to there being a remainder plot, the script simply does not work. We have left the European Union. We are no longer members of the European Union. We are not going back. The only question now is whether we have a trade deal with the European Union that puts to bed so many of the difficult, thorny, challenging, but not insurmountable issues that many of us warned and argued over recent years would arise. The Prime Minister can hardly be surprised.

What I am surprised by is the scale of their misjudgments and their incompetence, even by this Government's standards. With one decision, they have shaken the foundations of the Good Friday agreement, threatened the prospects of a trade deal with the European Union, and risked the prospects of a trade deal with the United States of America. With that, they have jeopardised future prosperity, jobs and the economy when we are facing the worst recession in hundreds of years. They have given further cause for grievance to the nationalists and threatened the Union. The irony is that a Bill that is supposed to strengthen the Union actually threatens its future. Perhaps worst of all, it threatens the standing and reputation of our country around the world, not only in the eyes of our allies, but in the eyes of our enemies, too.

I ask Members on the Government Benches: what has happened to the Conservative and Unionist party of Disraeli, Churchill, Macmillan and Thatcher? I cannot think of a single former Conservative Prime Minister who would behave in this way. I just say to them that, from experience, it is hard standing up to your own side when they are doing something wrong, but you will be doing the right thing by opposing this Bill and will sleep more soundly for it.

8.23 pm

Mrs Maria Miller (Basingstoke) (Con): We need to come back to some reality about what this Bill is actually about. This Bill is about safeguarding the future of the United Kingdom, because it is about safeguarding the ability of nations to be able to trade with each other. I am sure many of our constituents would be flabbergasted that we even have to pass a Bill to do that. They would think that would come as a matter of course. In doing so, we will be giving businesses the certainty they need during this very difficult period. So many of the details that should have been ironed out by now are still left hanging, so we should be unsurprised that we are discussing this Bill tonight.

When the withdrawal agreement was put to the House of Commons and we voted on it, we did so based on the notion that it would be dealt with in negotiations in good faith and using best endeavours, because that is the way negotiations proceed, but all of us who remember the way that our country has been treated throughout this process perhaps should not be surprised that we find ourselves here today and that the Government feel that this Bill is an essential safety net that needs to be put in place.

Jim Shannon *rose*—

Mrs Miller: I will not give way, as a lot of people need to speak today. This is a safety net to stop the EU being able to determine UK trade policy, not overseas, but within our own countries. Despite a referendum result, votes in this Parliament and the clear will of the British

[Mrs Miller]

people at the last general election, we still find ourselves in this period of uncertainty with the EU. So I believe the debate tonight is as much about British sovereignty as it is about the rule of law, and Members need to reflect on that.

The Government are in an invidious position. They are negotiating with an organisation that is renowned for and thrives on its love of last-minute agreements and all-night negotiations. The truth is that the EU still wants to make this country's exit from its trading bloc as difficult as possible, and its behaviour, in delay upon delay, has to come to an end. If this Bill is part of that process, it gets my full support. The British people can see the tactics being deployed by the EU for what they are. Many Opposition Members know this and sit uneasy when listening to their Front Benchers' rationale for not supporting the Bill tonight, because they know that their electorate are as fed up as everybody else that we are here today again, with the EU attempting to stifle the will of the British people. I speak as somebody who voted to remain in the EU but who has been appalled by the way we have been treated ever since, with the EU using its treatment of the UK as a strong message to other member states. I listened carefully to what was said by my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), and I hope that the Minister will deal directly with the issues he raised.

8.26 pm

Stephen Kinnock (Aberavon) (Lab): The Prime Minister won the last election based on the promise to “get Brexit done”. That was his mandate, given to him by the British people—to move on. He said there would be “no more dither and delay”.

He said, “Let's get our oven-ready deal through.” He won an 80-seat majority based on that withdrawal agreement, and this Parliament ratified it. We are calling on him to deliver the deal he promised, one that would work for Britain in terms of protecting jobs and the Union, and then we can get on with tackling the coronavirus crisis. So why is he dithering and delaying? Why is he introducing legislation designed to reopen old Brexit wounds? He called the withdrawal agreement a “fantastic” deal for the country, but now he says it never made sense. Was he deliberately misleading the British people then, or is he doing so now?

Not only has the Prime Minister undermined trust here at home, but he is trashing his Government's reputation as a trustworthy and reliable member of the international community, because it is absolutely clear that this legislation breaks international law. The Brexiteer who signed off this deal as Attorney General described the Bill as “unconscionable” and all five living former Prime Ministers are united in agreement.

Our greatness as a country is built upon our values and the fact that we have long stood up for the rule of law. This Prime Minister wants to throw all that away. The UK needs to be standing up to the Chinese communist party's breaches of international law and Russia's foul play, but how can we do that with credibility if we are advocating breaking international law? With one stroke of his pen, this Prime Minister has torpedoed the painstaking work that our diplomats do every day.

This is not just a question of trust or morality; it is also about our commercial and economic interests. We are going out into the world to negotiate new trade deals post Brexit, but how can any other country trust us to keep to those agreements? If this Bill passes into statute, the Prime Minister will be sending his trade negotiators naked into the conference chambers. This Bill is not only dismantling the manifesto pledge and our international reputation, but it is creating a constitutional crisis, trashing the common frameworks that are the basis for our devolved constitutional settlement and creating the conditions for a race to the bottom on standards, opening the door to chlorinated chicken and hormone-injected beef becoming the norm. Trade negotiations are never a walk in the park. Both sides will always defend their interests, and that is fair enough, but the rules are the rules. A commitment is a commitment. Our word is our bond. I therefore urge hon. Members to behave with honour and to join us in the No Lobby this evening.

8.29 pm

Dr Jamie Wallis (Bridgend) (Con): I refer Members to my entry in the Register of Members' Financial Interests. This is an important debate for me, considering that I represent Bridgend, a constituency in Wales, which stands to benefit greatly from ensuring that our internal market within the UK remains intact, as it has for hundreds of years. I am proud to say that if the pollsters are to be believed, Wales is now the most Unionist part of the UK, and my constituents voted leave in 2016 and, of course, backed the “get Brexit done” party at the last election. On those bases, and as a staunch Unionist myself, I will support the passage of the Bill through this place.

On the issue of one single internal market, I just cannot imagine a scenario where a Bridgend-based business is unable to export its goods or services, or faces difficulty in exporting its goods or services, to England, Scotland or Northern Ireland. The internal market is vital to the whole of the Welsh economy, and illustrative figures from the White Paper show that any contraction to the GDP of Wales will be five times greater than that of the UK average. I pledged to my constituents to help to make a success of Brexit, and allowing economic barriers between any parts of the UK clearly runs contrary to that.

The people of Bridgend have two Governments: the Welsh Government and the UK Government, and I am particularly pleased that the Bill will facilitate the latter to invest in businesses and communities across Wales as we recover from covid-19, and I look forward to meeting Ministers to talk about my ideas on how that could be done. To those who argue that somehow the Bill undermines devolution, I remind them that many of the powers ceded to the EU, many of which were ceded before devolution existed, will be transferred to the devolved Administration. Around 60 to 70 new policy areas will now be decided in Cardiff Bay, making the Welsh Government more powerful than it has ever been. For those reasons, I will support the Government tonight, and do so wholeheartedly.

8.32 pm

Bell Ribeiro-Addy (Streatham) (Lab): The Bill is a very grave mistake, and there are numerous reasons to oppose it. Any one of them by itself would be enough,

but taken together they make this quite possibly the worst piece of legislation brought before this House by this Government, and that is saying something. The legal consequences of passing the Bill are largely negative. It drives a coach and horses through the withdrawal agreement. Ministers should not need reminding that the withdrawal agreement is part of a solemn and binding international treaty, and that breaching a treaty breaches international law.

The passage of this Bill has wider international legal consequences. It undermines the basis of the Good Friday agreement, another solemn, agreed international treaty, which has laid the basis for peace in Ireland. It is absolutely not the case that the withdrawal agreement undermines the Good Friday agreement, as some Ministers now wish to claim. None of the main political parties in Ireland agrees with Ministers on that point.

While I am on the theme of undermining different parts of these isles, I point out that this legislation risks the integrity of our Union by undermining the devolution settlement. Any Government who claim to be truly Unionist would not develop legislation without the co-operation, collaboration and, above all, consent of the devolved Administrations. That is not what this legislation does.

The Bill also calls into question the good faith of this Government in their entire dealings with international partners. Must they now factor the integrity of Her Majesty's Government into discussions and agreements? Do the Government really want to make us that country, known for renegeing on its agreements because we later find them inconvenient?

I will focus my remaining remarks on the wider impact on this country of what the Government propose. It is now clear that the Government are aiming for an enormously damaging no-deal outcome to the Brexit negotiations. Let me be clear: a no-deal outcome will be disastrous for the living standards of people in this country.

As if the shocking revelations of the Operation Yellowhammer leak were not bad enough, forecasts by the Cabinet Office's EU transition taskforce go considerably further and combine the potential issue of no deal with a second wave of coronavirus. The forecasts include shortages of fresh food, medicine and fuel, and even of chemicals for water purification, as well as price hikes on everyday items. Worst-case scenario, yes, but would a Government who cared even risk it?

I simply cannot get my head around the fact that the Government are attempting to push through a project that the Treasury's own analysis says will lower GDP by 6.9% and destroy jobs. That analysis was made even before the effects of the pandemic. It is a far cry from the Conservative party posters we saw that said, "We are taking back control to protect jobs and businesses". The Bill is an enormous act of self-harm. It damages us legally, reputationally and economically and, as Government Ministers admit, it is literally criminal to pass it.

8.35 pm

Claire Coutinho (East Surrey) (Con): As Conservatives, we believe that this family of nations bound together by the Union forms the bedrock of our prosperity. Central to that prosperity is the freedom to trade unhindered across these islands—an internal market without barriers knitted together over 300 years. For the past 40 of those

years, the framework underpinning our single market was EU membership but, now that we have left, it is vital that we set our own framework as we forge our future as an independent nation state.

In 1707, the Act of Union brought England and Scotland together. Of its 25 articles, 15 were economic in nature, including the creation of a customs and monetary union. The reasons that spurred us on 300 years ago still exist today: to unlock our full financial power by pooling and sharing our resources; to defend the security of our nations; to provide access across the four nations to our international trading opportunities; and to create an integrated economic internal market. Those four goals are just as valuable to the British people today as they were then, and the Bill will help to us achieve them. It will ensure that Scottish and Welsh businesses can continue to export their goods and services to their main trade destination—the rest of the UK—unhindered. That destination accounts for a greater proportion of their trade than the rest of the world combined.

The Bill also allows the UK Government's spending powers to benefit all UK citizens—to join up and level-up infrastructure spending with UK-wide strategies to create a stronger economy for Scotland, Wales, England and Northern Ireland—and it protects Northern Ireland's position in our Union by ensuring that the Good Friday agreement is protected and that east-west economic relations are maintained.

I sincerely hope that the negotiations with the EU will, as intended, find a way to de-dramatise checks between Great Britain and Northern Ireland, either through the protocol or through a new free trade agreement. I was glad to hear the Prime Minister say earlier that we will continue to use the mechanisms—such as the Joint Committee—set out in the withdrawal agreement to resolve disputes. However, given the EU's reluctance to uphold the withdrawal agreement's clear and stated aim of ensuring that Northern Ireland businesses can have unfettered access to Great British markets, I support our holding the new powers in reserve.

Despite what those on the Opposition Benches might say, the Bill will give more control, which will flow to Cardiff, Belfast and Edinburgh. From fishing to farming to the environment, the devolved Parliaments will gain 74 powers across the different policy areas in the Bill. In fact, the Bill will be the greatest power-up of the devolved Parliaments since their formation.

8.37 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): The Bill started out as quite a sensible measure to protect the internal market, but it has become a monster that threatens devolution and our standing in the world. I listened carefully to the Prime Minister, but all I heard were the same old distortions, prevarications and half-truths. It is not good enough. I will vote for the reasoned amendment, and if that fails, I will vote against the Bill, because I am clear that lawmakers cannot be lawbreakers.

Conservative Members won their seats by telling the electorate that they had secured a deal. The Prime Minister toured the country and TV studios telling us that it was a great deal; now he claims that it is full of flaws and holes. What is becoming all too clear is that it is our Prime Minister who is full of flaws and holes. Did he not know what he was signing when he toured those studios? Was he simply talking tosh?

[*Steve McCabe*]

We are being asked to risk our country's reputation and our ability to negotiate or seek to enforce any future treaty or trade deal. International treaties are either binding or not; we cannot have limited non-compliance. A lifetime ago, I worked with young offenders. I came across plenty who had broken the law in a specific and limited way; it did not make any difference. No one present should countenance the idea that what we are being asked to agree is anything other than lawbreaking.

People who remember the troubles know that we cannot take chances with Northern Ireland. We should not risk the security provided by the Good Friday agreement. The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, the right hon. Member for Surrey Heath (Michael Gove) told us that the protocol was about ensuring continued peace and preserving the agreement. Surely we have enough on our plate trying to combat the pandemic. Maybe the Prime Minister should apply himself a bit more thoroughly to that task. We risk a return to mass unemployment, with all the suffering and societal tensions that will bring. He should apply himself to that. We do not need juvenile brinkmanship; we need mature leadership and responsible behaviour. We need the Government to knuckle down and fulfil their obligations under the agreement they signed and get us the deal they promised. Anything else is a betrayal of the British people.

8.40 pm

Christian Wakeford (Bury South) (Con): I rise to support the Bill. Our internal market of the United Kingdom, which has been established and has flourished for hundreds of years despite what Opposition Members claim, supports millions of jobs and livelihoods across all four nations of the United Kingdom. It is right that we act to preserve the status quo of the internal market. It is what businesses are crying out for and is what the Bill sets out. The Bill ensures that goods can move freely throughout these isles to benefit our numerous sectors, from Scotch whisky and Welsh farming to manufacturing in the north-west of England. In 2016, and again last December, the UK voted to take back control. We must do just that and the Bill intends to do just that.

The Scottish National party claims that the Bill takes powers away from Scotland. That could not be further away from reality. Scotland sells more to the UK than to the rest of the world combined and we on the Government Benches wish for that to continue. Those on the SNP Benches wanted to revoke article 50. If they had succeeded, they would have received no new powers whatsoever. The Bill sees one of the biggest transfers of power to the devolved nations in the history of devolution, but, alas, that transfer of power does not fit with their narrative.

Like most Members, I have received a full mailbox about this Bill, with correspondence from both sides of the argument. It has been mainly from those with hashtags such as #FBPE and #rejoin on Twitter, or from those urging me to back my promise to the British people by getting Brexit done and delivering on the withdrawal agreement. Having signed up to the "Stand up 4 Brexit" pledge, I intend to do just that and back my promise to the British people.

For a successful negotiation, we need both parties to act in good faith. Hearing from my right hon. Friend the Prime Minister and reading what the UK's chief negotiator has said, it is clear that that is no longer the case. The Bill addresses the lack of good faith from the European Union and maintains tariff-free, border-free trade within the internal market. Government Members want the internal market to prosper as a truly global Britain, as my right hon. Friend the International Trade Secretary highlighted today with the Great Britain-Japan trade deal.

I am happy to see that the Opposition have finally come out of hiding with regard to anything Brexit related for the first time in months. However, Opposition Members seek to hold back our opportunities, as they have over the past four years, in a bid to reduce the great ship Britannia to nothing more than a sluggish canal barge.

8.43 pm

Stephen Farry (North Down) (Alliance): We now have a different range of voices from Northern Ireland in this Parliament and I want to make a few things clear at the outset. The majority of people in Northern Ireland voted to remain. They also supported the wrongly maligned backstop and they now pragmatically recognise the need for the protocol, despite its challenges. To be very clear, the majority of people and businesses in Northern Ireland do not want the Government to break international law on their behalf.

Northern Ireland only works on the basis of sharing and interdependence. The problem with any form of hard Brexit is that it requires some form of interface between the UK and the single market and customs union. The protocol is the inevitable consequence of a hard Brexit, in order to address the particular circumstances of Northern Ireland and to protect the Good Friday agreement. We are working off decisions taken here in the UK, not something that the European Union has foisted upon us.

Indeed, I am deeply concerned that the Prime Minister and the Government are twisting and distorting the meaning of the Good Friday agreement for their own political ends. The principle of consent is certainly one major component of the Good Friday agreement, and it is entrenched in the withdrawal agreement, so the Union is not up for grabs in this situation. That is a matter for the people of Northern Ireland to determine in due course. The Good Friday agreement is, in fact, a broad range of relationships across our islands.

The protocol is, in effect, the bare minimum to avoid a hard border on the island of Ireland. If we default on that, we risk a return of some form of border in that context. The European Union is entitled to protect the integrity of the single market and customs union, and that will create a fresh form of tension.

It is pragmatically easier to manage an interface down the Irish sea than across the land border. We are talking about seven air and sea crossings versus 270 land crossings, and the number of daily movements on the island far outweighs the number across the Irish sea. However, we must do all we can to reduce that interface to a minimum—to make it a dotted line. The way to achieve that is through building trust and good faith with the European Union and by working through the mechanisms of the withdrawal agreement—the Joint Committee

and, if necessary, the arbitration mechanism—rather than circumventing it. We need to define what flexibilities and modalities we can.

Through their action, the Government are risking having no future relationship with the European Union. That brings huge consequences for the UK economy and makes the impact of the Northern Ireland protocol down the Irish sea even more stark. I support a trade deal with the United States, which is the dream of many Brexiteers who are forgoing the relationship with the European Union. I am not sure that they are picking up that that is a complete dead end if the Good Friday agreement is compromised by this Parliament.

8.46 pm

Danny Kruger (Devizes) (Con): This evening there has been much criticism of the Prime Minister, and I think he was at fault. He was at fault for believing the EU when it said that it would negotiate in good faith. He was at fault for believing it when it said it would respect the integrity of the UK and of our internal market. But he is not at fault for trying to remedy the situation with this legislation.

I think it is quite simple: if we do not get a deal that we like, we really have three options. First, we can accept the EU's idea of a deal by accepting a rule-taking role in relation to Europe. That would breach our manifesto and would fail to deliver Brexit in a form that the people would recognise. That is option one. Option two is to get no free trade agreement but to accept a border within the UK. That would breach the Act of Union and threaten the Belfast/Good Friday agreement. Option three is to make a reasonable and legal change to the withdrawal agreement, on terms that were understood and acceptable when that agreement was first framed, in order to safeguard the Union and deliver Brexit. I suggest that those changes would be legal, on the simple grounds that when laws conflict, as they do at this sort of transition phase, domestic law takes precedence.

I pay tribute—I wish he were in his place—to my hon. Friend the Member for Stone (Sir William Cash), who has done more than any Member of this House, past or present, to deliver the sovereignty of this nation. In the negotiations this time last year, he stood up more than anybody for the sovereignty of the UK, and it is because of him that we have enshrined in the European Union (Withdrawal Agreement) Act 2020 the commitment to UK sovereignty that we rely on now.

There is a fourth option, of course. There are those three unpalatable options—the third, which I hope we are legislating into force now, is an unpalatable one—but there is a fourth option. It is to get a deal that we can all accept—a deal that the EU itself accepted in principle in the negotiations last year and said at the outset of our trade negotiations would be possible: an agreement based on the deal that it has with Canada. That is the deal that would be acceptable, and it would mean that we did not have to do any of the unpalatable options I mentioned. The way to do that is to pass this Bill to give the Government the negotiating hand they need.

8.49 pm

Ruth Jones (Newport West) (Lab): It is clear from the Bill and from many of the contributions from Government Members, bar some notable exceptions, that there appears

to be little or no respect for democracy, devolution or international diplomacy on the Government Benches. I have heard from many people in Newport West in the past few days and, like them, I believe that the Bill represents the starting gun of a crude and unacceptable race to the bottom. If approved, it will ultimately lead to the undermining of our high food standards, our animal welfare rights and the environmental standards that have helped to save lives and clean our air.

The principle of mutual recognition in the Bill will mean that if, say, the Welsh Government legislate to ban the sale of chlorinated chicken, a company based in England could add chemicals to its poultry, sell it across the border and face no penalties. In fact, if any attempt were made to prevent the sale of its produce, the company could sue for loss of profits. To quote my colleague the Welsh Counsel General, Jeremy Miles, the UK Government plan to

“sacrifice the future of the union by stealing powers from the devolved administrations”.

The Bill is an attack on democracy and an affront to the people of Wales, Scotland and Northern Ireland, who have all voted in favour of devolution on numerous occasions. This is nothing but a shameless power grab, and it must be stopped.

The First Minister of Wales, my right honourable friend Mark Drakeford, has said that he is willing to negotiate in good faith with the UK Government on the content, scope and structure of the frameworks that regulate the internal market, but he wishes to do so on a genuine national approach. I want to see the Welsh Government, the Scottish Government, the Northern Ireland Executive and the Westminster Government working together to agree common frameworks. Anything forced on Wales, Scotland and Northern Ireland by Westminster is simply unacceptable.

Our Prime Minister, who has developed a taste for breaking international law, now claims that the Bill is necessary because the withdrawal agreement was rushed through. I have not been here as long as some Members, but I have never heard such claptrap. The withdrawal agreement was negotiated by this Prime Minister, agreed by his Cabinet and taken to the country in a general election. I say to Members on the Treasury Bench: “Don't try to take the people of Newport West or any other part of our country for fools, because you won't get away with it.”

We have heard from two former Conservative Prime Ministers, including the right hon. Member for Maidenhead (Mrs May); we have heard from former Conservative party leaders; we have heard from many senior Tory Back Benchers in this House and in the other place. They all raised caution, all recognised the importance of our international leadership, and all made it clear that we can never sanction law-breaking. I urge Ministers to heed their calls. Sir John Major said:

“If we lose our reputation for honouring the promises we make, we will have lost something beyond price that may never be regained.”

It is 2020, and my constituents in Newport West and millions across the country have a Government who seek to undermine treaty obligations, who openly admit to breaking international law, and who have failed miserably at giving the country the leadership that it needs. Britain deserves better than this.

8.52 pm

Joanna Cherry (Edinburgh South West) (SNP): Great consternation is felt in Scotland about the way in which part 5 of the Bill seeks to flout international law by breaking a treaty into which the Prime Minister entered freely barely a year ago. There is a long tradition in Scotland, going back to the declaration of Arbroath, that neither the monarch nor the Government are above the law. The Prime Minister should really remember that, because it was Scotland's Supreme Court that led the way last year in ruling his Prorogation of Parliament unlawful, but it seems that he has learned nothing from that debacle.

Nor has the Prime Minister learned anything from the revulsion that was felt when he allowed his adviser Cummings to flout the lockdown restrictions that the rest of us had to obey. Over the past few days, we have watched a succession of Tory Government lawyers make mealy-mouthed excuses for what the Bill seeks to do. The Lord Chancellor says that he will resign only if the Government break the rule of law in a way that is "unacceptable". What—pray tell, Lord Chancellor—is an acceptable way to break the law? I am sure that the thousands of ordinary men and women who have been fined for breaking lockdown restrictions will be very interested to know the answer to that question.

The Attorney General tells us that the English doctrine of parliamentary sovereignty means that she is happy to support the Bill; she cites the case of *Miller I*. Seemingly, she is in ignorance of the fact that at paragraph 55 of its judgment on that case, the UK Supreme Court affirmed that

"treaties between sovereign states have effect in international law and are not governed by...domestic law".

If she were capable of applying the most rudimentary legal analysis, she would realise that that means that, so far as international law is concerned, the English doctrine of parliamentary sovereignty cannot supersede the UK's freely given agreement and obligations in the withdrawal agreement.

I am ashamed to say, as a member of the Scottish Bar, that my fellow Scottish advocate, the Tories' man in Scotland, the Advocate General, also seems to think it is okay to defend the Bill. I can only assume he is happy to ignore the fact that, in seeking to oust the jurisdiction of the Court of Session in respect of judicial review, clause 45 breaches another treaty—the treaty of Union, of which we have heard much this evening, article 19 of which protects the supervisory jurisdiction of the Court of Session.

The Prime Minister and others have described the Bill as a necessary safety net to protect the Union, but if he looks at the opinion polls in Scotland, including the one commissioned by his own Government, or reads the newspapers over the weekend, he will realise that far from protecting the Union, the Bill will put a final nail in the Union's coffin.

8.55 pm

Gareth Bacon (Orpington) (Con): The Bill is necessary to secure free trade and prosperity throughout the United Kingdom, but the focus of much of the debate has not been on that; rather, it has been on the legality or otherwise of the Bill and the proposals before us. In response, it must be noted that Parliament is sovereign.

Parliament is supreme. Parliamentary sovereignty is one of the cornerstones of our constitution and always has been. Legislation and the content of legislation, whether to pass it or otherwise, is for Parliament and Parliament alone.

The withdrawal agreement signed by the EU and the UK acknowledged that there might be difficulties with the Northern Ireland protocol. That was acknowledged earlier by the right hon. Member for Doncaster North (Edward Miliband). The agreement states that if the application of the protocol leads to

"serious economic, societal or environmental difficulties that are liable to persist, or to diversion of trade",

the European Union or the United Kingdom may unilaterally take appropriate safeguard measures. Provision was made for exactly this contingency in the European Union (Withdrawal) Act 2020, section 38 of which states:

"It is recognised that the Parliament of the United Kingdom is sovereign... Accordingly, nothing in this Act derogates from the sovereignty of the Parliament of the United Kingdom."

That was done because of the ambiguities of the withdrawal agreement relating to Northern Ireland. The agreement holds simultaneously that there will be unfettered access between Northern Ireland and the rest of Britain after the transition period and that the EU's customs code will have direct effect in the territory of Northern Ireland. At best, and at the very least, that is ambiguous; at worst, it is a direct contradiction, because it means that access would be fettered to one place but not to another. This was always going to have to be dealt with in subsequent negotiations.

The main clauses in contention this evening—clauses 42, 43 and 45—will come into effect only if the Joint Committee cannot reach agreement. We know that the Joint Committee negotiations have been going badly, particularly in relation to third country listings. It has become apparent that the EU is taking a direction that we cannot possibly support. We also know that the EU is fearful. Why would it not be? A strong, independent Britain prospering on its doorstep is not something the EU would necessarily welcome.

In saying that, I am sure that both sides in the negotiation want to secure a free trade deal, and I wholeheartedly support that outcome. A free trade agreement would be a win-win for both sides, but it must not be at the expense either of our independent sovereignty or of the Union of the United Kingdom of Great Britain and Northern Ireland. We must be honest: the EU is negotiating with its members' best interests at heart, not Britain's. It has always sought to use Northern Ireland as a weapon to gain leverage in free trade talks. We must give the Government the tools to push the EU in the direction of agreeing a strong free trade agreement. The Bill seeks to do just that, and I will support it unamended.

8.58 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am a Unionist. I believe that we are stronger together and I want a functioning UK internal market, but it must be one that is based on respect, on partnership and on consent—the very principles that underpinned the devolution settlement that I and my party have proudly supported for the past few decades. That settlement

respects our different histories, cultures, languages and perspectives, but couples those with the pooled benefits of working together. To undermine and disrespect that settlement, which is underpinned by multiple referendums and the Good Friday agreement, is both a breach of trust and deeply dangerous.

On Northern Ireland specifically, let us not forget that it was this Prime Minister who personally negotiated with the Taoiseach on the Wirral and gave his word to the Taoiseach and all the communities of Northern Ireland, so to renege on those commitments now is both dangerous and devoid of moral principle, quite apart from the fact that it also imperils the Government's stated wider goals for so-called global Britain such as a US trade deal. As Nancy Pelosi said, "What were they thinking?" All the chumminess of the Prime Minister and the Chancellor of the Duchy of Lancaster with President Trump will not circumvent the United States Congress.

The other fundamental issue at stake is international law and the rule of law. I commend what the former Attorney General, the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright), said. Clauses 42, 43 and 45 are, in his words, not a clarification, but a contradiction, not only of our commitment to international law, but of the very principle of the rule of law, for which Britain has stood as a beacon for many centuries. That saw us being instrumental in the founding of the United Nations, which has its 75th anniversary this year. The first General Assembly took place across the square from here. We stood for the rule of law in the establishment of the global human rights regime, the International Criminal Court and a rules-based financial and trading system, let alone the defence of our own interests from the Falklands to Gibraltar. We ask Iran to abide by its nuclear commitments, the Communist party of China to adhere to the Sino-British joint declaration and Russia to respect the territorial integrity of Ukraine or take responsibility for poisoning its citizens or using chemical weapons on the soil of this country, or when we rightly support the prosecution of those who committed genocide in Bosnia, Rwanda and now in the case of the Rohingya or the Uyghurs.

This goes well beyond Brexit. We all have our views on Brexit and the Prime Minister's failure to produce an oven-ready deal. It is about Britain and the type of country we want to be: whether we want to be one that upholds the rule of law and standards, and stands as a beacon for democracy and rule of law in the world, or whether we want to become a pariah. I know that there are many Conservative women and men of courage who say things in the corridors of this place. The question is whether they will stand by their consciences in the vote tonight.

9.1 pm

Brendan Clarke-Smith (Bassetlaw) (Con): We should not be here today debating the Bill, not because it is wrong but because it should not be necessary. We entered into an agreement with the European Union in good faith and it is a shame that that has not been reciprocated. Using third country listings, which should be a formality, as leverage on state aid and fisheries policy is not negotiating in good faith. Does the EU believe that its own rules and standards are not good enough now? Those are the rules and standards that we currently

operate under. The EU knows them well, although it should be said that it is not always the best at following them.

We must now be explicit: Northern Ireland is not on the table, nor are the people who live there. They never have been. We will not accept the blockading of agriculture within our own country. The Bill is about making the choice very clear: Canada or Australia. The EU told us that the Canada deal was on the table, so what has suddenly changed?

The Bill gives us the option of protecting our internal markets and the status of Northern Ireland as an equal partner in this United Kingdom, not as a bargaining chip or an afterthought. I hope we never have to use it, but we owe it to the people of this country to make the provisions. We must stand in solidarity with the people of Northern Ireland and our hon. Friends in the Chamber from Northern Ireland to protect the status of the Union and the Belfast agreement. We will not allow the EU to divide us.

If the Opposition want us chained to EU rules and to make concessions on fisheries and state aid, they should say that. There is an old saying that starts with the phrase, "Give a man a fish". Unfortunately, some would give a man as many fish as he wants. We should not run the risk of a blockade on agriculture between Great Britain and Northern Ireland. Perhaps the EU wants to cut off its nose to spite its face, whatever the cost to itself and its economies at this difficult time. Perhaps it wants huge tariffs on our lamb, our pork and our beef, though I doubt it. It knows the risks and that, if my hon. Friends will excuse the term, the "steaks" are too high. That is why the Bill is so vital.

The European Union needs to learn that Northern Ireland and our precious Union are off the table. Our Opposition now need to come off the fence. I wholeheartedly support the Bill and urge others in the Chamber to do the same.

9.4 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Mr Dirprwy Lefarydd. It is difficult to know where to start with the Bill, so numerous are the egregious assumptions, the pitfalls and the Trojan horses lurking within it, so I will be brief and specific.

For Wales, the Bill is damaging without precedent, emerging fully fledged as the single biggest sustained assault yet to threaten devolution and our powers. It scorns two referenda and seeks to overturn the reiterated will of the Welsh people, not only weakening the powers of the Senedd, but explicitly reserving new powers to this place.

This Bill would render Wales powerless to stop low-quality produce, such as chlorinated chicken, flooding our supermarkets and undercutting Welsh farmers by being cheaper. This Bill would permit a 21st-century Tryweryn by giving Westminster more spending powers directly over water infrastructure. It would invalidate "buy local" policies in Wales by making it illegal to place goods from another part of the UK at a disadvantage compared with local goods in Wales.

The Conservative party would hold the whip hand over our Senedd's attempts to protect our NHS against privatisation through damaging trade deals. The Bill holds up the spectre of no trade deal with the UK due

[Liz Saville Roberts]

to the Prime Minister breaking international law, which would wreak havoc on businesses already suffering the effects of covid-19. It could force Wales to accept abuses of animal welfare and food production, with the Senedd powerless to block such produce from entering our markets if they were to be tolerated in other parts of the UK, and who is even speaking for the future of the port of Holyhead?

Whatever some Conservative Members like to say, devolution is no experiment; it lives and breathes in Wales. Our democracy has been growing in the last two decades and more, in confidence and in power, and our wings will not be clipped. Plaid Cymru will stand up for our powers and our Senedd every step of the way, and we will not be supporting this Bill.

9.6 pm

Nicola Richards (West Bromwich East) (Con): I would like to start by saying that the Government are right to bring this Bill forward. It protects the Union of the United Kingdom, safeguards Northern Ireland and paves the way for the return of many of our laws from Brussels. There has been a lot of talk in the media and from the Opposition about the supposed illegal nature of this Bill if it becomes law, but this Bill does not itself break international law. Many commentators seem to think that passing the Bill means that we are immediately breaching the withdrawal agreement, but the Bill is simply a safeguard in case no trade agreement is reached with the EU. Should Ministers end up using the powers made available to them under this Bill, the withdrawal agreement could indeed be broken, but it is clear that this is very much the last resort.

Let us face it: most EU member states are not squeaky clean on these issues. On Thursday 10 September, the European Court of Auditors reported that 15 EU states had breached EU rules in agreeing bilateral commercial deals with China that it has identified as having both political and economic risks, as well as having violated EU rules by bypassing the European Commission before they completed those trade deals. It is this level of hypocrisy and double standards that I and the people of West Bromwich East recognised prior to casting our votes in 2016, and it is what spurred 68% of my constituents to vote to leave. As has been made obvious throughout these negotiations, it is the EU that is not for turning.

I have spoken before about this level of hypocrisy, both in this Chamber and to Mr Barnier himself when he appeared before the Committee on the Future Relationship with the European Union. On 5 May, the German Federal Constitutional Court ruled that the European Central Bank's 2015 policy to buy bonds as part of its quantitative easing stimulus package was not covered by its mandate. The German courts ruled that they had the ability to determine when and if Germany is subordinate to EU law. Mr Barnier dismissed my points. He said it was unfortunate, but not relevant to Brexit, but it most certainly is because, for the first time in history, a national court refused to submit to the European Court of Justice as a member state. So why, as an independent state, should the UK be subject to EU law in our future relationship, while Germany seems to believe its domestic courts can supersede ECJ rulings on monetary policy?

The EU does not recognise this hypocrisy, but my constituents do, so if the EU does not like this Bill, there is a very simple solution. It should drop its arbitrary red lines, get around the table in a good spirit and do a trade deal that we can accept. The fact that we have to go to these lengths to protect the Union of the UK further highlights the absurdity of the situation and why we voted to leave. I would urge all Members in this place to put the Union of the United Kingdom above the European Union and pass this Bill tonight.

9.9 pm

Claudia Webbe (Leicester East) (Lab): By rushing through this legislation, this Government are treating the people of Leicester and the entire British public with utter contempt. Perhaps more than any election in recent memory, the 2019 general election was decided by a single issue. The Prime Minister promised to get Brexit done, and his party boasted time and again about an oven-ready deal that would settle the divisive issue of Brexit for good. "Very good", "great", "wonderful", "fantastic"—those were just some of the words that the Prime Minister used during the general election campaign to describe the Brexit deal, which he is now openly willing to break international law in order to rewrite.

This is an agreement that the Prime Minister negotiated and signed himself, yet he now says that it contains grave problems that could break up our country. I do not know of any instance in which a Government have openly admitted to flouting their central election promise less than a year into their Administration. This is an unprecedented failure that raises serious questions about the Government's entire mandate. Sadly, it comes as no real surprise. This Government are the embodiment of elitist double standards, where it is one rule for them and another for everyone else.

The Prime Minister is apparently not satisfied with misleading the public once by claiming that his half-baked deal was oven-ready. In addition, his Government are now being dishonest about the reasons why the deal must be changed. The issues of state aid and customs declarations are not a revelation but were repeatedly and explicitly spelled out to the Government last year, not least by their confidence and supply partners, the DUP. In this House, we cannot risk the sanctity of the Good Friday agreement or threaten peace on the island of Ireland, yet that is what this legislation proposes to do.

Why? This self-inflicted crisis is either a counterproductive negotiating tactic or a pathetic attempt to distract from this Government's calamitous record over the last few months. After all, this Government have overseen the worst coronavirus death rate of any European country. Boris Johnson and his Ministers are used to U-turning—[*Interruption.*] The Prime Minister and his Ministers are used to U-turning, but tearing up their own international—

Mr Deputy Speaker (Mr Nigel Evans): Order. I am sorry, but we have to move on, and please remember not to refer to other Members by their names.

9.13 pm

Lee Anderson (Ashfield) (Con): I agree with the people of Ashfield who tell me that British Members of Parliament should act in the best interests of the UK and not the EU. Let us face it: the EU has negotiated in bad faith

throughout, and we need to protect ourselves by showing strong leadership when dealing with the EU. We have a proud tradition of standing up for ourselves in Europe, and be in no doubt: there are other European countries looking at us right now for leadership.

This time last year, I was just a normal member of the public watching this place on the telly, shouting and screaming at these green Benches because of the deadlock and the daily nonsense we had to put up with. Well, I am here now, and the people of Ashfield will be listened to. On 31 December, we will lose rules that have regulated the home nations for the past 45 years, and this legislation will ensure that we retain internal trade, which hundreds of jobs in Ashfield depend on. Business leaders in Ashfield and Eastwood tell me that they cannot go into next year with unnecessary barriers for business and additional costs for consumers. They need certainty, and this oven-ready Bill provides certainty.

We are at a critical moment in ensuring that we have a prosperous future post Brexit, and we need a system in place that allows a free market in goods and services for all four nations in the UK. This Bill allows that. This Bill will protect jobs and encourage growth across the whole of the United Kingdom, while allowing Northern Ireland unfettered access to the rest of the UK. I cannot understand why anyone would not be in favour of it.

Our Prime Minister is right to put our country first, and he is right to try to secure trade for the UK. I strongly believe that he has our best interests at heart and I back him 100%. We voted to leave and he is making sure that we do so on our terms while putting the whole of the UK first. Once again, it is disappointing to see the Opposition oppose what the British people want. Perhaps they need to speak to some real people, not their mates in the Tea Room reading *The Guardian*. By real people I mean people like those in Ashfield, which is now a safe Tory seat.

There is nothing illegal about bringing this Bill to Parliament. We voted to leave to take back control and to make our own laws, which is what we are doing right now. Members of this House need to decide where their loyalties lie. Is it with the EU or with the United Kingdom? On behalf of the people of Ashfield and Eastwood, my loyalties are with the UK.

9.15 pm

Karin Smyth (Bristol South) (Lab): I first raised the issue of the Northern Ireland border on the Monday after the referendum—I have skin in the game, with family on both sides of the border. I have watched every twist and turn of events since. I despair at the language, at the deep ignorance, at the disregard for fragile settlements and for the 1.9 million people who live there who, frankly, deserve better.

The Tories got themselves caught up in a toxic triangle of the ERG Brexit, the differential rules across the Union and their obligations under the Belfast Good Friday agreement, and the Prime Minister chose his party. He did so through the protocol and now we need to make it work, because he agreed the differential rules across his precious Union.

I take a lot of interest in the constitutional settlement across these islands. I am vice-chair of the British-Irish Parliamentary Assembly, and I have visited many of those legislatures: in Edinburgh; Cardiff; Belfast; Dublin; Jersey; Guernsey; Sark and the Falklands. Those places

reflect their history as part of the United Kingdom family. They take great pride in it and in what we do, and they are watching.

I read the White Paper in July with some dismay. In the past two decades in particular our constitution has changed, but after reading that White Paper it felt as if nothing had changed in 200 years. The Acts of Union that got us to this place did not just happen: they were violent; they were disputed; and they involved an awful lot of money and land passing hands. There are different readings of our history, which has resulted in many years of debate across these islands. It is an evolving dynamic situation and one that is actually very precious and it is something of which we need to be mindful.

I am also a member of the Public Administration and Constitutional Affairs Committee. This summer, we expressed our great reservations about the Bill, particularly with regard to the speed of the consultation and the constitutional aspects. It is primarily an economic Bill, but it is also deeply constitutional. We have asked for an independent monitoring body to report directly to the House of Commons, as we are concerned about the provisions in the Bill and the need to take account of the intergovernmental relations that are coming.

Last week, the Chancellor of the Duchy of Lancaster appeared before the Committee and we were told that the Dunlop review would be published before the Bill hits the statute book at the end of this year. It is a case of putting the cart before the horse. It would have been much better to have these discussions and a respect for the common frameworks before bringing this Bill forward. The Government need to dial down the rhetoric. They need to get back to the negotiating table, and they need to treat this Parliament and the devolved legislatures with much greater respect.

9.18 pm

Saqib Bhatti (Meriden) (Con): I will not spend what precious minutes I have talking about what the people voted for in December, because, frankly, the mandate given to us by the British people should already be reverberating around the Chamber. The mandate was clear: we were expected to leave the European Union. Certainly, as a member of the Conservative and Unionist party, I have an obligation to do everything that I can to protect the integrity of the Union.

I do not think that we can ignore the context of this Bill. We are in the midst of a negotiation. In fact, we are quite near the end of it; we are almost there. It is a negotiation that both parties entered into in good faith and it was a reciprocal obligation. Clearly, the European Union is not acting in good faith, and, naturally, it will do everything in its own interests. Why would it not? It will want to do everything that it can to make it harder for us to do a deal, but threatening the integrity of our Union is not negotiation in good faith and it goes just too far.

Too often, I hear that the EU is some noble entity—as is so often argued not only in many parts of the Chamber, but across the country—but it is one that has no objection to overturning the mandate of the people when it does not get what it wants. It has a track record that is anything but noble, but that is not us. This Bill protects the Union and also says that Northern Ireland is part of our Union and is not a negotiating football. Our job is to strengthen the hands of our negotiating team.

[Saqib Bhatti]

This Bill is a plan B, but it is a plan B that says we will not be bullied. It is a plan B that says that this is one mandate that the European Union cannot ignore.

9.20 pm

Bill Esterson (Sefton Central) (Lab): The Labour party stands for the rule of law. We stand for the international rules-based system. We stand for peace in Northern Ireland and the settlement that has lasted for 22 years, and we stand for keeping promises to the British people, which then go on to be enshrined in British law. That prompts the question: what do Conservative MPs stand for anymore if they are prepared to break promises on all three of those areas? Why is what they are promising different now from what they promised in a general election—an oven-ready deal, a deal that was the easiest in human history? What changed? What went so wrong? Why are they shouting for more time and saying that they did not have enough time then when they were telling us then that that was all the time they needed and that they did not need to spend any longer scrutinising the legislation, which suddenly they find to have flaws?

There is a serious lack of trust and credibility, as we can see around the world and across these islands, as a result of the behaviour of this Government, supported by far too many of their Back Benchers so far this evening. We heard a Cabinet Minister say at the Dispatch Box last week, in a breathtaking, brazen way, that it was okay to break international law in a “specific and limited way”. It is breaking the law, whether it is in a specific and limited way or not, and that is the reality.

The withdrawal agreement, of which the Northern Ireland protocol is part, is part of the answer to guaranteeing the peace that has been so sacrosanct for the last 22 years. The Government are in denial. They are pretending that it is the opposite. They are pretending that what they said last year was the way of defending the peace is no longer true, and it simply does not stack up.

What of state aid? Today we hear of a deal being done with Japan—that is good news—but with a completely different state aid regime from the one that the Government say they want with the EU. They cannot operate two different state aid regimes. It will not work. When is the penny going to drop for them?

As for standards, the Bill undermines farmers. It undermines our animal welfare standards. It undermines the devolution settlement and it lacks the scrutiny, just as the Trade Bill did before and continues to do—so, too, with this Bill. Ministers will be able to act as they want. This is a bunch of incompetents and chancers at their worst, and they need to think again.

9.23 pm

Nick Fletcher (Don Valley) (Con): It is my understanding that the Government have done nothing illegal in putting this Bill before Parliament. After all, debating and amending Bills is the purpose of this place. For the Government to bring this Bill before Parliament for it to be scrutinised, amended and put through only reaffirms the sovereignty of Parliament. As the withdrawal Act

reasserts the sovereignty of Parliament, it would be flawed to conclude that the laying of this Bill breaks any law.

Furthermore, right hon. and hon. Members should remind themselves that the reasoning behind the Bill is to protect the greatest Union of nations that has ever existed. In 2016, it was the people of that Union who voted to leave the European Union in a referendum. They did not vote to be broken up. My constituents in Don Valley voted overwhelmingly for our country to leave and re-establish our place in the world as a sovereign, independent state once again. The European Union needs to accept that. After all, it was only yesterday that the Leader of the Opposition wrote in *The Sunday Telegraph* that “both sides” should

“hunker down in good faith and break the logjam.”

Unfortunately, after recent reports from our own negotiating team, the EU does not appear to be conducting negotiations in any form of good faith. It is due to this lack of good faith from the EU that the Government, and rightly so, have formulated this Bill to protect the Union. While I understand the reasons why some hon. and right hon. Members have reservations about the Bill, it is the best way for the Government to send a clear message to the European Union that we are serious about protecting the internal market.

Before I became a Member of Parliament, I watched this House debate our withdrawal from the EU and tear itself apart in front of the eyes of the country, the European Union and the world. It was this chaos that strengthened the European Union’s position and led it to pressure the then Government to sign up to a withdrawal agreement that was rejected three times by this House. We must not let this happen again. Most Members, including me, still want to deal with the European Union, yet only by uniting behind this Bill can we sufficiently strengthen our negotiating team’s position. I fear that if the European Union yet again sees this place divided, it will carry on acting in bad faith and continue to act unreasonably. I therefore urge hon. and right hon. Members to support the Bill so that this Parliament can show unity, protect the Union, and uphold the will of the British people.

9.26 pm

Anna McMorris (Cardiff North) (Lab): This is a deeply shameful moment for our country—showing how far this toxic Government are willing to threaten peace, erode co-operation and trust, and strip devolved Governments of their decision-making powers. How easy they find it to dangle the safety and security of our fragile and covid-hit economies, businesses and livelihoods. How unashamed this Government appear when faced with risking Britain’s reputation and breaking international law. I stand here speaking for my constituents in Cardiff North, who are aghast at this Government’s behaviour.

This Bill should actually be about how the internal market works, but it is instead a full attack on democracy—on the people of Wales, Scotland and Northern Ireland who have voted for devolution several times over. We need an efficient, functioning internal market, but this Bill does not just threaten more than two decades of devolution: it rips right through the devolution settlements without consent. It is a power-grab preventing Wales from imposing its own standards on goods and services, leading inevitably to a race to the bottom, undermining

the people of Wales and their democratic rights and overriding the Welsh Government in acting in their best interests. This issue should be determined by the Welsh people and those they elect to the Senedd. The Government are preventing a common framework and stealing powers from Wales, riding roughshod over the Welsh Government's right to set food standards and to create laws on single-use plastics, animal welfare standards and the environment, to name but a few. It is simply an assault on the people of Wales.

I will continue to fight for my constituents in Cardiff North against this blatant power-grab, against the dilution of rights and standards, and against a Bill that breaks international law. It does not just steal powers: it robs the Welsh people of a way of life and values that we have come to expect. The people of Wales and the people of Cardiff North deserve better, and that is why I will be voting against this Bill tonight.

9.29 pm

Alexander Stafford (Rother Valley) (Con): We have heard time and again tonight that the people are watching and our reputation is on the line. I could not agree more: the people of the world are watching and our reputation is on the line. But the people who are watching are asking whether we are a sovereign independent nation. Do we have a reputation for upholding the will of the people, or do we want to be shackled to the European Union—a body that our public have, time and again, voted in one way or another to make us leave? Are we willing to be subservient? Are we willing to backslide against our own voters? Are we so ashamed of our own country that we cannot stand on our own two feet?

That is what the Bill is about: standing on our own two feet. It is about our internal market and, yes, it about the Union. It is about the most successful Union ever in the world: the United Kingdom—that Union of four great nations. It is not about the failed ideology of the European Union—a failed organisation that is willing not to play with a straight bat, that is going against its word and that is willing to break up our Union for the sake of itself. That is not playing things straight.

The European Union reminds me of a spoilt child in the playground that we do not want to play with anymore. Instead of allowing us to borrow their ball, they will happily break our ball. They will happily break up our United Kingdom. All Members of the House have to realise who we are dealing with. We are not dealing with people who are treating us equally. These are people—an organisation—who are willing to sacrifice our country, our very essence, for their own project.

The European Union is perfectly entitled to do that, because it is fighting for its own members' rights, but I am here to fight for the people of Rother Valley. I am here to fight for the rights of the people of England. I am here to fight for the rights of the United Kingdom of our four countries. I am not here to represent the European Union. I am not the hon. Member for Brussels East or for Warsaw West. I am here to represent the people of Rother Valley, because they want a United Kingdom and they want to leave the European Union.

This opposition and this disunity is no more than people once again saying, "You don't know what you voted for. You are too stupid to negotiate. You can't do this." And I say no. We voted again and again for our

country, and again and again the Opposition—the Labour party, in hock with the SNP, who of course want to break up our country—are willing to destroy everything.

Joanna Cherry: It is not your country.

Alexander Stafford: It is our country. We had the Acts of Union and a referendum to have it our country. We are one family. Just like when we fall out with our nephews or nieces, we are still family. We have disagreements. I will tell hon. Members who is not a part of the family: the European Union. We have had the divorce Bill—we have divorced it and we are going our own free way. We need to be united together against the European Union and its backsliding, and say, "We are one country. We are a proud nation, and together we will go forward as one United Kingdom."

9.32 pm

Kate Osborne (Jarrow) (Lab): I have been contacted by a number of constituents about the Bill. It is of concern to many in the Jarrow constituency. Whether the constituents of Jarrow voted to leave or remain, the majority of them want the Government to get on with securing the best possible deal with the EU. They want a deal that governs future trade and relations, and one that protects and promotes jobs, employment rights and peace in Northern Ireland. I share that view.

I am disappointed that the Government are stalling over their Brexit deal. It is extremely frustrating, when we were told that the UK and the EU were so close to agreeing an oven-ready Brexit deal and that progress was being made on the outstanding issues. The Prime Minister is willing to tear up the withdrawal agreement in preparation for a no-deal end to the transition period. That would be an absolute disaster. The Government are no strangers to U-turns, but tearing up an international agreement that they negotiated has to be a new low.

We do not have time for this. We are in the middle of a public health emergency and an economic crisis. The Government need to stop frustrating their deal so that we can all focus our efforts on tackling the coronavirus crisis. A competent Government would never have entered into a binding agreement with provisions they intended to go back on. Or did the Government just not read the small print? For the Government to openly flout international law tells me that we are in dangerous territory. Just as the Prime Minister is no stranger to a U-turn, he is no stranger to breaking the law, as we saw last year with the unlawful shutting down of Parliament.

We may need a strong internal market, but this should have been a straightforward piece of legislation. Instead, it has caused chaos in the party of Government, it risks our international reputation and it advocates breaking international law. For those reasons, among others, I cannot support it and will vote against it.

9.34 pm

Dr Ben Spencer (Runnymede and Weybridge) (Con): Our Union benefits us all, and I support those measures in the Bill that strengthen our Union, support our businesses, and create more opportunities for those living and working in the UK. However, several clauses in part 5 cause me great concern, and I wish to lay out my thoughts and concerns to the House.

[Dr Ben Spencer]

Parliament is sovereign. The critical question is not whether Parliament “can” do this, but whether it “should”. Parliament can, if it wills, create, amend, or rescind any domestic legislation or, as we are discussing today, break an international treaty enshrined in domestic legislation. It is not unimaginable that there may be situations where that is necessary, such as in response to a national crisis or a dire emergency. However, such a decision must never be taken lightly, and we must do everything reasonably possible to avoid that, so important is the rule of law and our commitment to international obligations. The consequences of breaching an international treaty are grave, and if we do that, or even propose to do it, not only must our justification be clear, but it must also be the last thing we do after we have exhausted all arbitration and legal recourse. Such action must be taken in extremis, not pre-emptively.

We trade and benefit from our international reputation. The United Kingdom has an old and proud democracy. My constituency, Runnymede and Weybridge, is the birth place of the Magna Carta and the rule of law. As we go out into the world as global Britain, seeking to make new trade deals, we will depend on our reputation more than ever. That means respecting the rule of law. If we damage our reputation, we will hamstring global Britain and our ability to seize the opportunities that Brexit presents.

I know that my neighbour, the Chancellor of the Duchy of Lancaster, and the Government, are mindful of the issues I have raised about our international reputation and obligations, the difficulty we will have in calling out Russia and China when they breach their commitments, and the importance of squaring that with protecting our Union. I ask them to think again about a resolution to the issues we face. I hope they see the constructive nature and spirit of my words, and hear the concerns of many fellow Members across the House.

More than anything we need a Canada-style free trade deal with the EU, which the Government are pushing hard to get. With or without a free trade agreement with the EU, the UK needs this Bill. There is a lot of good in it, and I want to support it, but for the reasons I have laid out, I regret I cannot support it unamended.

9.37 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): This Bill is an outrage. We are thumbing our nose at international law, our Irish friends and EU allies, even while still in negotiations with them. It would be farcically funny, were it not so deadly serious. The Prime Minister has been double dealing not only with our international partners but with ordinary people, because the oven-ready deal he sold has been shown to be nothing more than a pig in a poke. That the Bill has been introduced, never mind that it will almost certainly be passed by the Chamber, is extraordinary. It is hugely damaging to the reputation of the UK, and it speaks starkly to the drastic weaknesses and feeble checks and balances at the heart of the UK constitution.

The Bill lays bare the Government’s attitudes to devolution and democratic accountability—in short, they do not care for it one jot. The Government pretend

they are merely adopting an EU-style approach to creating a single market, but they are doing nothing of the sort. Where we should have had consent and co-operation, we have imposition; instead of subsidiarity, we have centralisation; instead of minimum standards, we have the starting gun for a race to the bottom; instead of protecting devolved powers, devolved powers are being reserved or utterly undermined.

The Bill speaks more broadly to the direction of travel that we face in the United Kingdom. Instead of a partnership of equals, it is “Westminster knows best.” Yet again, one Parliament—this Parliament—is unilaterally altering the competencies of another, and giving Ministers the power to do so again and again at the stroke of a pen. That does not happen in other western democracies where there would be double majorities, super majorities, and referendums before one Parliament or Government could take powers from another. Perhaps the one positive from the Bill is that it makes plain like never before that the constitution of the British state is not fit for purpose, and it flags up the real dangers that lie ahead if Scotland remains part of it.

9.39 pm

Rachel Reeves (Leeds West) (Lab): The UK has left the European Union, and we all agree on the need for clear terms for the UK’s single market to operate effectively. Many, although not all, of us believe in a United Kingdom, but we should all value devolution and its contribution to the rich tapestry of our country. The Good Friday agreement, whose groundwork was begun under a Conservative Government and fulfilled under a Labour one, has rightly been a source of admiration around the world, as has our adherence to the rule of law. I want to read out a few lines that have really resonated with me.

“The rule of law is the most precious asset of any civilised society...which makes sure that when those who hold power abuse it, they can be checked”.

Those words are from the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, the right hon. Member for Surrey Heath (Michael Gove), and in a few moments’ time he is going to urge hon. and right hon. Members to vote for a piece of legislation that he and the Government accept seeks to break international law. How on earth did the Government get in this place? That is a question that many hon. and right hon. Members have asked in the Chamber throughout the debate.

We have heard some incredibly powerful contributions today, and it would probably be unwise to single out any of them, but let me mention just a few. The hon. Member for Foyle (Colum Eastwood) invoked John Hume as having been a pathfinder for peace in Northern Ireland. The right hon. and learned Member for North East Hertfordshire (Sir Oliver Heald) said that breaking the law was something that this country just did not do. My hon. Friend the Member for Wallasey (Ms Eagle) spoke about the gigantic act of self-harm that we are embarking on, masquerading as a negotiating strategy. The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) spoke about the danger of watering down our standards. And of course, the hon. Member for Bromley and Chislehurst (Sir Robert Neill) made a powerful speech. He and I have history: he roundly defeated me in the Bromley and Chislehurst by-election in 2006, but I did not hold that against him. He is held

in high esteem on both sides of this House. He is motivated by trying to get the Government to move, and I hope that they do.

However, whatever the Bill lays down about when the provisions come into force, the very act of Parliament passing this legislation is in itself a breach of international law. That is because it breaches article 5 of the Government's withdrawal agreement—an international treaty—by going against the Government's commitment to refrain from measures that jeopardise the attainment of the objectives of the withdrawal agreement. It is important to understand this, because this is merely the starter for the law-breaking that this Government envisage. As we know from the Prime Minister's speech today, the main course on GB-NI trade is still to come, presumably in the Finance Bill. So hon. and right hon. Members should be under no illusions. If they vote for this Bill tonight, they will find themselves on a slippery slope, being asked to vote for yet another law-breaking Bill. We say that it is time to draw a line and stand up for the rule of law.

There is a certain degree of irony in all this. Today we are asking the public to adhere to much stricter guidelines about who they can meet and where. Breaking those laws can result in police action. Indeed, this morning in a radio interview, the Minister for Crime and Policing, the hon. Member for North West Hampshire (Kit Malthouse), said that if people were concerned about others breaking the law, they should consider phoning the non-emergency police number. Madam Deputy Speaker, I wonder whether you could give some guidance to the House. If the British public observe this Government breaking the law, who should they telephone? A party that once treasured institutions, traditions, conventions and the rule of law now trashes them in plain sight with the whole world looking on in despair. This was once the party that claimed to be the party of law and order, but Sir Robert Peel would not recognise the modern Conservative party promoting the Bill this evening.

The Government say that they have no choice, so let me directly address the latest claims that the Government make. The Prime Minister's project fear speaks of food blockades and that the Northern Ireland protocol could enable "a foreign power" to break up our country. The question has to be asked: how could any responsible Prime Minister sign up to such an agreement, campaign on it throughout a general election and ratify it as an international treaty if that were the case? Is the message to the House and the country that the Prime Minister was too incompetent to notice the contradictions? Or that he noticed them and simply did not care? And if that really was the case, why then does this legislation only address trade from Northern Ireland to Great Britain? The Bill even fails under the terms of the Prime Minister's own arguments. He has not thought this through.

Or is the real justification for all this to serve other political purposes? Is this some unorthodox negotiating strategy, trashing our good name in the process? Reputations are hard won but they are easily lost, and that is what the Government are embarking upon this evening. In doing so, they are using Northern Ireland as a political football. That is wrong—so wrong. Not one of the explanations to justify the Bill this evening speaks well of the Prime Minister's integrity, and it does not speak well of his judgment either.

I urge the Government to take a step back. It is not too late. Ministers will have heard this afternoon and this evening from hon. and right hon. Members in all parts of the House urging them to take a step back, think again and not go down this route. It is not too late. I urge both sides, the United Kingdom and the European Union, to drop the rhetoric, stop the posturing, as my right hon. Friend the Member for Leeds, Central has argued this afternoon, start negotiating properly and take this seriously. That message is for both sides in these negotiations.

Let me end by saying this. I have spoken in many debates in this House in the 10 years that I have been a Member of Parliament, but few have had the gravity or the implications of today's debate on the Bill that we are voting on this evening. Every living Prime Minister—five of them in total, three of them Conservatives—tells us that this Bill does serious damage to our standing in the world. The two former Prime Ministers who were the architects of the Good Friday agreement, so vital for our United Kingdom and peace within the United Kingdom, warn us of the dangers of what the Government are doing. Every Member of this House should heed those warnings and listen to those words. No one knows more than those former Prime Ministers the risks that we are taking and the risks of the slippery slope that we are embarking on. Around the world, people are looking at us and asking who we really are. What kind of country do we want to be on 1 January next year, outside the orbit of the European Union? Let us stand up for our proudest traditions. Let us stand up for the Britain that I know and love—a Britain that stands proud on the world stage and stands there with moral authority; a country that cares about the rule of law, here and abroad, and stands up for it. I urge Members in all parts of the House to support our reasoned amendment this evening and vote against this squalid Bill.

9.48 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): It is always a pleasure to follow the hon. Member for Leeds West (Rachel Reeves), who always makes her case with clarity, with force and from principle. I know that everyone who listened to her speech will have recognised the powerful case that she was making. I did not agree with everything that she said, but I am sure everyone in the House recognises that she is a strong and effective advocate for her party and her principles.

I thank all those who spoke in this debate. We had more than 60 speeches, all of them I think contributing to the reputation of this House. We had very thoughtful speeches of course from a variety of Select Committee Chairs and also some very passionate speeches, including, as the hon. Lady mentioned, from the hon. Member for Foyle (Colum Eastwood) and the right hon. Member for East Antrim (Sammy Wilson). Those two representatives of Northern Ireland constituencies took passionately different views on the merits of this legislation. It is that very passion and, indeed, the importance of democracy, not just to Northern Ireland but to the whole United Kingdom, that means we should all try to look calmly at the Bill before voting tonight and before looking at the various amendments that may be tabled in Committee.

It is important that I remind the House of what the Bill does and what it does not do, as well as how, together, we can address the legitimate concerns that

[Michael Gove]

have been raised in good faith by hon. Members. The Bill protects, enhances and strengthens our Union and the prosperity of all our people. It is all the more crucial that we take these steps as we recover from the dreadful covid-19 pandemic. We need to work together as one United Kingdom, displaying solidarity and resolve, to ensure that the prosperity that we generate is shared for all the people we represent. It is a fact that each of the parts of the United Kingdom trade more with each other than with anyone else. It is a fact that each of the peoples of the United Kingdom rely more on each other than anyone else. All the peoples of the United Kingdom are stronger when we work together, act together and stick together.

No one summed up the essence of the Bill better than my hon. Friend the Member for Moray (Douglas Ross). He said it is a Bill about jobs and businesses. As he reminded us, some 545,000 jobs in Scotland rely on the integrity of our internal market. He reminded us that, coincident with this Bill, there is a power surge for all the devolved Administrations, with hundreds of powers going to the devolved Assemblies to strengthen devolution. He also stressed that the importance of devolution was that all our citizens could see our Governments working together—the United Kingdom Government working with the Northern Ireland Executive, the Senedd in Wales and, of course, the Scottish Government.

Ian Blackford *rose*—

Michael Gove: Not at this stage.

The Bill does not walk away from negotiations with the European Union. Those negotiations go on with David Frost and Michel Barnier and with myself and my friend Maroš Šefčovič in the Joint Committee. We are committed to making a success of the negotiations. The Bill is not about abandoning the withdrawal agreement. The withdrawal agreement is there. We are safeguarding the rights of 3 million EU citizens in the UK, just as EU nations are safeguarding the rights of 1 million UK citizens in the EU.

The Bill is certainly not about declining to implement the Northern Ireland protocol. As the right hon. Member for East Antrim reminded us, with some regret on his part, we are erecting border-inspection posts for sanitary and phytosanitary checks in Northern Ireland, even now. We are investing hundreds of millions of pounds in helping Northern Ireland businesses to be ready for the new processes that come with the protocol. If we were not serious about implementing the protocol, we would not be incurring the inevitable resistance, from some, as we see those border-inspection posts erected and traders being prepared for the implementation of the protocol. The idea that we are abandoning it is simply for the birds.

The Bill is also not a threat to devolution. I must turn to my old friend, the right hon. Member for Ross, Skye and Lochaber (Ian Blackford). He gave the longest speech in this debate and, like all his speeches, it was true to the John Lewis guarantee: no argument was knowingly undersold. In his gusto to make his arguments and the lyricism with which he made his case, I fear he obscured one or two details. He talked about the threat to water in Scotland, but the Bill and the schedule are

clear that water is excluded from the provisions of the Bill. He talked about the threat to the NHS, a UK institution, but if we look at the schedule to the Bill, we see that healthcare services are excluded.

I am perfectly happy to spend more time with the right hon. Gentleman, because it is always a pleasure to take him through the Bill, to calm him and to point out the ways in which it not only strengthens the Union but respects devolution. And devolution is what, indeed, it does respect—

Alison Thewliss (Glasgow Central) (SNP): Will the right hon. Gentleman give way?

Michael Gove: No.

The other thing about the right hon. Member for Ross, Skye and Lochaber is that sometimes in his speeches he employs the Humpty Dumpty principle: a word means what he wants it to mean, whatever else the rest of us understand by it. He talked about defending devolution; well, what is devolution? It is two Governments working together—the Scottish Government and the UK Government; the Welsh Government and the UK Government. He says he wants to protect devolution, but how does he want to do that? By going for independence, smashing the devolution settlement, separating this family of nations and undermining the prosperity of the people who he and I love in Scotland. Even though he spoke at length, and lyrically, when he was challenged he could not give one single example of any power that the Scottish Government or the Scottish Parliament currently has that is not being retained. Indeed, powers are increasing.

Let me turn briefly to the speech given by the shadow Secretary of State for Business, Energy and Industrial Strategy, the right hon. Member for Doncaster North (Edward Miliband). I think we can all agree that it was an excellent speech. He raised a number of legitimate concerns and fair questions, which I hope to address. He talked about the importance of common frameworks, and we agree on that, which is why progress has been made on them. Indeed, one of those common frameworks specifically covers food standards and provides reassurance that the fears that he and others have about a race to the bottom will not be realised. It is also the case, as is acknowledged widely, including in his speech, that common frameworks are important but they are not enough. Progress on common frameworks is a good thing, but we also need legislation to underpin the internal market overall. I also noted his passionate commitment in his speech to getting Brexit done, and I am pleased to welcome him to the ranks of born-again Brexiters.

One thing the right hon. Gentleman will know—indeed, the Chairman of the Select Committee on the future relationship with the European Union, the right hon. Member for Leeds Central (Hilary Benn), repeated the point—is that the EU has not always been the constructive partner that all of us might have hoped. In excellent speeches, my hon. Friend the Member for South Thanet (Craig Mackinlay), my right hon. Friend the Member for Basingstoke (Mrs Miller) and my hon. Friend the Member for Bassetlaw (Brendan Clarke-Smith) pointed out that the EU has not always done what we might have hoped it would do. The EU is bound by a system of what are called autonomous processes to ensure that we have equivalence on data and financial services, and

that we are listed as a third country for the export of food and other products of animal origin. There has been no progress on any of those. We were told that we would get a Canada deal, but that is not on the table. The Prime Minister has reminded us that the threat on third country listing could mean an embargo on the transport of goods from Great Britain to Northern Ireland. The EU has also insisted on an interpretation of an end to the common fisheries policy that would mean that they could carry on fishing in our waters just as before, even though we had pledged to take back control. I am not a diplomat but let me try to put it in diplomatic language: some people might think that the EU had not been negotiating absolutely 100% in line with what all of us might have hoped. Given that, it is important that we redouble our efforts to seek agreement but that we are also prepared for any eventuality.

Importantly, it is not just me who acknowledges that the EU might not have been doing everything it should to secure agreement. As I say, the Chairman of the Select Committee made the point that there is no need for exit declarations for goods coming from Northern Ireland to Great Britain. He made the point that it is a shame that we have not got third country listing, and I agree with him—and I agree with the hon. Member for Leeds West that the EU must up its game.

It is also crucial that we recognise what this Bill seeks to do in order to ensure that we can get an appropriate resolution, and here I turn to the remarks made by my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill). He is an old friend of mine and he is on to something here. He made the point that we need to show that we are operating in a constructive spirit, and I agree. That is why we want to secure agreement through the Joint Committee, which is why we met last week. It is why Maroš Šefčovič and I have been working, setting aside our differences, in order to achieve agreement. It is also why our first recourse will be to the arbitral panel if we do have problems. We recognise, as my hon. Friend pointed out, that if we cannot secure agreement, under section 16 there are steps we can take in extremis, as a safety net, to ensure that our interests are protected. It is the case in international law that we can take those steps, if required, in order to achieve the goals we wish.

Tom Tugendhat (Tonbridge and Malling) (Con): My right hon. Friend is making some clear points. Will he make it absolutely clear that any breach of the withdrawal agreement will come only at the very end of a long process, at which point the only resolution in respect of keeping food flowing between GB and Northern Ireland is this Bill?

Michael Gove: My hon. Friend, the Chairman of the Foreign Affairs Committee, makes an important point. It is the case that patient negotiation is the way forward. *[Interruption.]* No, I entirely agree with him. This time last year, we and the EU were at loggerheads. There were obstacles and roadblocks, but we negotiated with rigour, with determination and not without some bumps in the road in order to achieve progress. If we apply the same determination now as we did then, I believe that we can make progress in these negotiations, but just as last year, when we were ready to support our Prime Minister in showing steely resolve to get the best possible deal and to make sure that our negotiators had everything

that they needed, so now we must back our Prime Minister and our negotiators and recognise that this safety net is a critical part of making sure that we can achieve everything that we wish. We should support the Bill this evening.

Question put, That the amendment be made.

The House divided: Ayes 213, Noes 349.

Division No. 93]

[10 pm

AYES

Abbott, rh Ms Diane	Efford, Clive
Abrahams, Debbie	Elliott, Julie
Ali, Rushanara	Elmore, Chris
Ali, Tahir	Eshalomi, Florence
Allin-Khan, Dr Rosena	Esterson, Bill
Amesbury, Mike	Evans, Chris
Anderson, Fleur	Farron, Tim
Antoniazzi, Tonia	Farry, Stephen
Ashworth, Jonathan	Fletcher, Colleen
Barker, Paula	Fovargue, Yvonne
Beckett, rh Margaret	Foxcroft, Vicky
Begum, Apsana	Foy, Mary Kelly
Benn, rh Hilary	Furniss, Gill
Betts, Mr Clive	Gardiner, Barry
Blake, Olivia	Gill, Preet Kaur
Blomfield, Paul	Glindon, Mary
Brabin, Tracy	Green, Kate
Bradshaw, rh Mr Ben	Greenwood, Lilian
Brennan, Kevin	Greenwood, Margaret
Brown, Ms Lyn	Griffith, Nia
Brown, rh Mr Nicholas	Gwynne, Andrew
Bryant, Chris	Haigh, Louise
Buck, Ms Karen	Hamilton, Fabian
Burgon, Richard	Hardy, Emma
Butler, Dawn	Harman, rh Ms Harriet
Byrne, Ian	Harris, Carolyn
Byrne, rh Liam	Hayes, Helen
Cadbury, Ruth	Healey, rh John
Campbell, rh Sir Alan	Hendrick, Sir Mark
Carden, Dan	Hill, Mike
Carmichael, rh Mr Alistair	Hillier, Meg
Chamberlain, Wendy	Hobhouse, Wera
Champion, Sarah	Hodgson, Mrs Sharon
Clark, Feryal	Hollern, Kate
Cooper, Daisy	Hopkins, Rachel
Cooper, Rosie	Howarth, rh Sir George
Cooper, rh Yvette	Huq, Dr Rupa
Corbyn, rh Jeremy	Hussain, Imran
Coyle, Neil	Jardine, Christine
Creasy, Stella	Jarvis, Dan
Cruddas, Jon	Johnson, Dame Diana
Cryer, John	Johnson, Kim
Cummins, Judith	Jones, Darren
Cunningham, Alex	Jones, Gerald
Daby, Janet	Jones, rh Mr Kevan
Davey, rh Sir Edward	Jones, Ruth
David, Wayne	Jones, Sarah
Davies, Geraint	Kane, Mike
Davies-Jones, Alex	Keeley, Barbara
De Cordova, Marsha	Kendall, Liz
Debbonaire, Thangam	Khan, Afzal
Dhesi, Mr Tanmanjeet Singh	Kinnock, Stephen
Dodds, Anneliese	Kyle, Peter
Doughty, Stephen	Lake, Ben
Dowd, Peter	Lammy, rh Mr David
Dromey, Jack	Lavery, Ian
Duffield, Rosie	Lewell-Buck, Mrs Emma
Eagle, Ms Angela	Lewis, Clive
Eagle, Maria	Lloyd, Tony
Edwards, Jonathan	Long Bailey, Rebecca

Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Nichols, Charlotte
 Norris, Alex
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Percy, Andrew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina

Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Bambos Charalambous and
Jeff Smith

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan

Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve

Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chope, Sir Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinéage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine

Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkins, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David

Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark

Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stewart, Bob
 Stewart, Iain
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian

Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill

Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Maggie Throup and
James Morris

Question accordingly negatived.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Question put forthwith (Standing Order No. 62(2)),
 That the Bill be now read a Second time.

The House divided: Ayes 340, Noes 263.

Division No. 94]

[10.15 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinéage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David

Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark

Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse

O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Purslove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, Royston
 Solloway, Amanda
 Spencer, rh Mark
 Stafford, Alexander

Stephenson, Andrew
 Stevenson, Jane
 Stewart, Bob
 Stewart, Iain
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
Maggie Throup and
James Morris

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty

Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa

Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gale, rh Sir Roger
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian

Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McLaughlin, Anne
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla

Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Percy, Andrew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip

Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Smyth, Karim
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
Bambos Charalambous and
Jeff Smith

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Bill read a Second time.

UNITED KINGDOM INTERNAL MARKET BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the United Kingdom Internal Market Bill:

Committal

(1) The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee

(2) Proceedings in Committee of the whole House shall be completed in four days.

(3) The proceedings—

(a) shall be taken on each of those days as shown in the first and second columns of the following Table;

(b) shall be so taken in the order shown in the second column of that Table; and

(c) shall (so far as not previously concluded) respectively be brought to a conclusion at the times specified in the third column of that Table.

TABLE

Day	Proceedings	Time for conclusion of proceedings
First day	Clauses 28 to 39; new Clauses and new Schedules relating to Part 4; other new Clauses and new Schedules relating generally to the internal market for goods and services in the United Kingdom	Six hours from the commencement of the proceedings on the Bill on the first day
Second day	Clauses 46 and 47; new Clauses and new Schedules relating to Part 6	Six hours from the commencement of the proceedings on the Bill on the second day
Third day	Clause 11; Clauses 40 to 45; Clause 50; new Clauses and new Schedules relating to Part 5	Six hours from the commencement of the proceedings on the Bill on the third day
Fourth day	Clauses 1 to 10; Schedule 1; Clauses 12 to 16; Schedule 2; Clauses 17 to 27; new Clauses and new Schedules relating to Parts 1 to 3; Clauses 48 and 49; Clauses 51 to 54; remaining new Clauses; remaining new Schedules; remaining proceedings in Committee on the Bill	Six hours from the commencement of the proceedings on the Bill on the fourth day

Proceedings on Consideration and up to and including Third Reading

(4) Any proceedings on Consideration, any proceedings in legislative grand committee and proceedings on Third Reading shall be taken in two days.

(5) Any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on the second day.

(6) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Programming committee

(7) 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.

Consideration of Lords Amendments

(8) Any proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

(9) Any further Message from the Lords may be considered forthwith without any Question being put.

(10) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(David Duguid.)

Question agreed to.

**UNITED KINGDOM INTERNAL MARKET BILL
(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 United Kingdom Internal Market Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(1) sums required for providing financial assistance to any person for or in connection with any of the following purposes—

(a) promoting (including contributing directly or indirectly to) economic development in the United Kingdom or any area of the United Kingdom;

(b) providing (including, acquiring, designing, constructing, converting, improving, operating or repairing) infrastructure at places in the United Kingdom;

(c) supporting cultural activities, projects and events that directly or indirectly benefit the United Kingdom or particular areas of the United Kingdom;

(d) supporting activities, projects and events relating to sport or other physical recreation that directly or indirectly benefit the United Kingdom or particular areas of the United Kingdom;

(e) supporting international educational and training activities and exchanges;

(f) supporting educational and training activities and exchanges within the United Kingdom;

(2) any administrative expenditure incurred by a Minister of the Crown or the Competition and Markets Authority by virtue of the Act.—(David Duguid.)

The House divided: Ayes 343, Noes 49.

Division No. 95]

[10.30 pm

AYES

Adams, Nigel	Bradley, Ben
Afolami, Bim	Braverman, rh Suella
Afriyie, Adam	Brereton, Jack
Ahmad Khan, Imran	Bridgen, Andrew
Aiken, Nickie	Brine, Steve
Aldous, Peter	Bristow, Paul
Allan, Lucy	Britcliffe, Sara
Amess, Sir David	Brokenshire, rh James
Anderson, Lee	Browne, Anthony
Anderson, Stuart	Bruce, Fiona
Andrew, Stuart	Buchan, Felicity
Ansell, Caroline	Buckland, rh Robert
Argar, Edward	Burghart, Alex
Atherton, Sarah	Burns, rh Conor
Atkins, Victoria	Butler, Rob
Bacon, Gareth	Cairns, rh Alun
Bacon, Mr Richard	Campbell, Mr Gregory
Badenoch, Kemi	Carter, Andy
Bailey, Shaun	Cartlidge, James
Baillie, Siobhan	Cash, Sir William
Baker, Duncan	Cates, Miriam
Baker, Mr Steve	Caulfield, Maria
Baldwin, Harriett	Chalk, Alex
Barclay, rh Steve	Chope, Sir Christopher
Baron, Mr John	Churchill, Jo
Baynes, Simon	Clark, rh Greg
Bell, Aaron	Clarke, Mr Simon
Benton, Scott	Clarke, Theo
Beresford, Sir Paul	Clarke-Smith, Brendan
Berry, rh Jake	Clarkson, Chris
Bhatti, Saqib	Cleverly, rh James
Blackman, Bob	Clifton-Brown, Sir Geoffrey
Bone, Mr Peter	Coffey, rh Dr Thérèse
Bottomley, Sir Peter	Colburn, Elliot
Bowie, Andrew	Collins, Damian

Costa, Alberto	Hancock, rh Matt	Mayhew, Jerome	Scully, Paul
Courts, Robert	Hands, rh Greg	Maynard, Paul	Seely, Bob
Coutinho, Claire	Harper, rh Mr Mark	McCartney, Jason	Selous, Andrew
Crabb, rh Stephen	Harris, Rebecca	McCartney, Karl	Shannon, Jim
Crosbie, Virginia	Harrison, Trudy	McPartland, Stephen	Shapps, rh Grant
Crouch, Tracey	Hart, Sally-Ann	McVey, rh Esther	Sharma, rh Alok
Daly, James	Hart, rh Simon	Menzies, Mark	Shelbrooke, rh Alec
Davies, David T. C.	Hayes, rh Sir John	Mercer, Johnny	Simmonds, David
Davies, Gareth	Heaton-Harris, Chris	Merriman, Huw	Skidmore, rh Chris
Davies, Dr James	Henderson, Gordon	Metcalfe, Stephen	Smith, Chloe
Davies, Mims	Henry, Darren	Millar, Robin	Smith, Greg
Davies, Philip	Higginbotham, Antony	Miller, rh Mrs Maria	Smith, Henry
Davis, rh Mr David	Hinds, rh Damian	Milling, rh Amanda	Smith, Royston
Davison, Dehenna	Hoare, Simon	Mills, Nigel	Solloway, Amanda
Dinenage, Caroline	Holden, Mr Richard	Mitchell, rh Mr Andrew	Spencer, rh Mark
Dines, Miss Sarah	Hollinrake, Kevin	Mohindra, Mr Gagan	Stafford, Alexander
Djanogly, Mr Jonathan	Hollobone, Mr Philip	Moore, Damien	Stephenson, Andrew
Docherty, Leo	Holloway, Adam	Moore, Robbie	Stevenson, Jane
Donaldson, rh Sir Jeffrey M.	Holmes, Paul	Mordaunt, rh Penny	Stewart, Bob
Donelan, Michelle	Howell, John	Morris, Anne Marie	Stewart, Iain
Dorries, Ms Nadine	Howell, Paul	Morris, David	Stride, rh Mel
Double, Steve	Huddleston, Nigel	Morrissey, Joy	Stuart, Graham
Dowden, rh Oliver	Hudson, Dr Neil	Morton, Wendy	Sturdy, Julian
Drax, Richard	Hughes, Eddie	Mullan, Dr Kieran	Sunak, rh Rishi
Drummond, Mrs Flick	Hunt, Jane	Mumby-Croft, Holly	Sunderland, James
Duddridge, James	Hunt, rh Jeremy	Mundell, rh David	Swayne, rh Sir Desmond
Duguid, David	Hunt, Tom	Murray, Mrs Sheryll	Syms, Sir Robert
Duncan Smith, rh Sir Iain	Jack, rh Mr Alister	Murrison, rh Dr Andrew	Thomas, Derek
Dunne, rh Philip	Jayawardena, Mr Ranil	Nici, Lia	Timpson, Edward
Eastwood, Mark	Jenkin, Sir Bernard	Nokes, rh Caroline	Tolhurst, Kelly
Edwards, Ruth	Jenkinson, Mark	Norman, rh Jesse	Tomlinson, Justin
Ellis, rh Michael	Jenkyins, Andrea	O'Brien, Neil	Tomlinson, Michael
Elphicke, Mrs Natalie	Jenrick, rh Robert	Offord, Dr Matthew	Tracey, Craig
Eustice, rh George	Johnson, rh Boris	Opperman, Guy	Trevelyan, rh Anne-Marie
Evans, Dr Luke	Johnson, Dr Caroline	Paisley, Ian	Trott, Laura
Evennett, rh Sir David	Johnson, Gareth	Parish, Neil	Truss, rh Elizabeth
Everitt, Ben	Johnston, David	Patel, rh Priti	Tugendhat, Tom
Fabricant, Michael	Jones, Andrew	Pawsey, Mark	Vara, Mr Shailesh
Farris, Laura	Jones, rh Mr David	Penning, rh Sir Mike	Vickers, Martin
Fell, Simon	Jones, Fay	Penrose, John	Vickers, Matt
Fletcher, Katherine	Jones, Mr Marcus	Percy, Andrew	Villiers, rh Theresa
Fletcher, Mark	Jupp, Simon	Philp, Chris	Wakeford, Christian
Fletcher, Nick	Kawczynski, Daniel	Pincher, rh Christopher	Walker, Mr Robin
Ford, Vicky	Kearns, Alicia	Poulter, Dr Dan	Wallace, rh Mr Ben
Foster, Kevin	Keegan, Gillian	Pow, Rebecca	Wallis, Dr Jamie
Francois, rh Mr Mark	Knight, rh Sir Greg	Prentis, Victoria	Warburton, David
Frazer, Lucy	Knight, Julian	Pritchard, Mark	Warman, Matt
Freer, Mike	Kruger, Danny	Pursglove, Tom	Watling, Giles
Fuller, Richard	Kwarteng, rh Kwasi	Quin, Jeremy	Webb, Suzanne
Fysh, Mr Marcus	Lamont, John	Quince, Will	Whately, Helen
Gale, rh Sir Roger	Largan, Robert	Raab, rh Dominic	Wheeler, Mrs Heather
Garnier, Mark	Latham, Mrs Pauline	Randall, Tom	Whittaker, Craig
Ghani, Ms Nusrat	Leadsom, rh Andrea	Redwood, rh John	Whittingdale, rh Mr John
Gibb, rh Nick	Levy, Ian	Rees-Mogg, rh Mr Jacob	Wiggin, Bill
Gibson, Peter	Lewer, Andrew	Richards, Nicola	Wild, James
Gideon, Jo	Lewis, rh Brandon	Richardson, Angela	Williams, Craig
Gillan, rh Dame Cheryl	Lewis, rh Dr Julian	Roberts, Rob	Williamson, rh Gavin
Glen, John	Liddell-Grainger, Mr Ian	Robertson, Mr Laurence	Wilson, rh Sammy
Goodwill, rh Mr Robert	Lockhart, Carla	Robinson, Gavin	Wood, Mike
Gove, rh Michael	Loder, Chris	Robinson, Mary	Wragg, Mr William
Grant, Mrs Helen	Logan, Mark	Rosindell, Andrew	Young, Jacob
Gray, James	Longhi, Marco	Ross, Douglas	Zahawi, Nadhim
Grayling, rh Chris	Lopez, Julia	Rowley, Lee	
Green, Chris	Lord, Mr Jonathan	Russell, Dean	
Green, rh Damian	Mackinlay, Craig	Rutley, David	
Griffith, Andrew	Mackrory, Cherylyn	Sambrook, Gary	
Griffiths, Kate	Maclean, Rachel	Saxby, Selaine	
Grundy, James	Mak, Alan		
Gullis, Jonathan	Malthouse, Kit		
Halfon, rh Robert	Mangnall, Anthony	Bardell, Hannah	Blackford, rh Ian
Hall, Luke	Mann, Scott	Black, Mhairi	Blackman, Kirsty
Hammond, Stephen	Marson, Julie		

Tellers for the Ayes:
Maggie Throup and
James Morris

NOES

Bonnar, Steven
 Brock, Deidre
 Brown, Alan
 Cameron, Dr Lisa
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Crawley, Angela
 Day, Martyn
 Docherty-Hughes, Martin
 Doogan, Dave
 Dorans, Allan
 Edwards, Jonathan
 Fellows, Marion
 Ferrier, Margaret
 Flynn, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hanvey, Neale
 Hendry, Drew
 Hosie, Stewart
 Lake, Ben

Law, Chris
 Linden, David
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McLaughlin, Anne
 Monaghan, Carol
 Nicolson, John
 O'Hara, Brendan
 Oswald, Kirsten
 Saville Roberts, rh Liz
 Sheppard, Tommy
 Smith, Alyn
 Stephens, Chris
 Thewliss, Alison
 Thomson, Richard
 Whitford, Dr Philippa
 Wishart, Pete

Tellers for the Noes:
Gavin Newlands and
Owen Thompson

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Business without Debate

Madam Deputy Speaker (Dame Rosie Winterton):

With the leave of the House, we shall take motions 4 to 10 together.

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (INTELLECTUAL PROPERTY)

That the draft Intellectual Property (Amendment etc.) (EU Exit) Regulations 2020, which were laid before this House on 13 July, be approved.

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft Square Kilometre Array Observatory (Immunities and Privileges) Order 2020, which was laid before this House on 14 July, be approved.

EXITING THE EUROPEAN UNION (ENVIRONMENTAL PROTECTION)

That the draft INSPIRE (Amendment) (EU Exit) Regulations 2020, which were laid before this House on 15 June, be approved.

INVESTIGATORY POWERS

That the draft Investigatory Powers (Communications Data) (Relevant Public Authorities and Designated Senior Officers) Regulations 2020, which were laid before this House on 21 April, be approved.

That the draft Functions of the Investigatory Powers Commissioner (Oversight of the Data Access Agreement between the United Kingdom and the United States of America and of functions exercisable under the Crime (Overseas Production Orders) Act 2019) Regulations 2020, which were laid before this House on 6 July, be approved.

MOBILE HOMES

That the draft Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, which were laid before this House on 8 July, be approved.

CRIMINAL LAW

That the draft Sentencing (Pre-consolidation Amendments) Act 2020 (Exception) Regulations 2020, which were laid before this House on 24 June, be approved—(*David Duguid.*)

Question agreed to.

EUROPEAN STATUTORY INSTRUMENTS COMMITTEE

Ordered,

That Vicky Ford and Mark Garnier be discharged from the European Statutory Instruments Committee and James Grundy and Jacob Young be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

UK Steel Industry

Motion made, and Question proposed, That this House do now adjourn.—(David Duguid.)

10.44 pm

Jessica Morden (Newport East) (Lab): I am grateful to have the opportunity tonight to talk about some of the challenges and the opportunities facing our steel sector, both as co-chair of the all-party parliamentary group on steel and metal related industries along with the hon. Member for Scunthorpe (Holly Mumby-Croft) and the secretary, my hon. Friend the Member for Aberavon (Stephen Kinnoch), and on behalf of my constituents who work in Tata's Llanwern site and Liberty Steel in Newport East.

I pay tribute to all those who work in the UK steel industry. They are a dedicated and highly skilled workforce, making world-class products.

Holly Mumby-Croft (Scunthorpe) (Con): I am proud to have spent eight hours in our local steelworks in Scunthorpe in the recess. Choosing to do it on the hottest day of the year was perhaps not my finest move, but I agree with the hon. Member that our steelworkers are incredibly hard-working, dedicated people, and it is hot and difficult work. I hope that she will join me this evening in calling for the Minister to consider setting targets for the amount of UK steel used in public projects; for steel specifications to be published using UK norms; for the long overdue steel public procurement pipeline to be published consistently; to push for other Departments to sign the UK steel charter and for Government-linked projects such as HS2—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I suspect that there might be quite a few interventions in the debate. It is only half an hour, and it is the debate of the hon. Member for Newport East (Jessica Morden). I hope that any interventions will be short.

Jessica Morden: I thank the hon. Member for Scunthorpe for her intervention and wholeheartedly agree with what she said. I will go on to say more about that later.

Our steelmakers have a pride in and passion for making steel, despite the sacrifices they have made in difficult times—and there have been some. During the pandemic, some steelworkers have had to be furloughed as demand has dropped.

Ruth Jones (Newport West) (Lab): I commend my hon. Friend and neighbour for bringing this important debate to the Chamber tonight. Does she agree that the UK Government must do all they can to ensure that the jobs of steelworkers across the UK are protected as we come out of the furlough scheme?

Jessica Morden: That is important for so many sectors and jobs, including the steel industry in our city.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing the debate to the Chamber. This will be a short intervention. Is she aware that Northern Ireland has a strong steel industry based on many individual contractors and that consideration must also be given to supporting the subsidiary jobs and industry throughout the United Kingdom? It is not just Wales; it is Northern Ireland, Scotland and England.

Jessica Morden: It is the UK steel industry. The hon. Member makes an important point, and I hope the Minister will address it later.

Some steelworkers have had to be furloughed as demand dropped in their parts of the business, but others have continued to make the essential steel we have needed in this crisis for the beds in the Nightingale hospitals, the urgent hospital extensions, the food and drink industry and more. As hon. Members here tonight with an interest in steel know—I am pleased to see so many here tonight at this late hour, including on the Front Bench—steel is everywhere and fundamental to our lives. Steel must play a crucial part in the UK's post-pandemic recovery. Our plants stand ready to play their part in that with the right Government support, and that is what we ask for tonight.

Like almost every other sector of the economy, the UK steel industry has been hard hit by the pandemic, with steel producers reporting that orders have fallen by around 50% since March. At the start of the pandemic, the Chancellor promised the British public that they would not face the crisis alone and that the Government would undertake unprecedented measures for unprecedented times. However, as of today, only one company has received vital emergency funding. There has been much talk of Project Birch, but little news. I know that the Government have been in ongoing talks with steel companies in the last month about liquidity support.

Mark Tami (Alyn and Deeside) (Lab): The issue is that the steel industry was not in a great place before covid, and the danger is that if we get steel being dumped by China or other countries, then we really are on the brink.

Jessica Morden: I absolutely agree and will come on to say more about that later. I know that hon. Members would appreciate an update from the Minister about how that is going and the plan to secure jobs and the future of our plants.

The UK steel sector employs about 32,000 people directly and 41,000 more through supply chains. It is estimated that these jobs pay 28% higher than the average salary. In steel strongholds like south Wales and Yorkshire, this increases to about 46% higher than the average wage. These are better-paid jobs in communities that really need them. The impact of the pandemic on our steel industry has consequences not only on a local level but on a national level. UK steel contributes a combined £5.5 billion to the UK economy and £3.2 billion to mitigating the national trade deficit through exports produced. That is because steel is a foundation industry for many other sectors: engineering, construction, transport and renewable energy, to name just a few. Steel forms the backbone of our manufacturing sector, and the industry stands ready to supply the world-class steel that will help us to build back better. This is the key message of the "Britain, we need our steel" campaign, which has been launched by the Community, Unite and GMB trade unions, to which I pay tribute for the work they do to stand up for our steel industry in this country. I hope that all hon. Members here tonight will be actively supporting this campaign.

We need the Government to ensure that all Government Departments now sign up to the UK steel charter. I am pleased that the Welsh Government were one of the

[Jessica Morden]

first signatories. This would commit the Government to prioritise UK steel in procurement for infrastructure projects. Back in June, the Prime Minister said that the Government will

“do absolutely everything we can...to ensure that UK steel manufacturers are at the front of the queue for the great projects that we are going to construct.”—[*Official Report*, 24 June 2020; Vol. 677, c. 1311.]

We will hold the Prime Minister to that.

Getting procurement right is key. There are concerns, which some of my constituents share, that any benefits from HS2 will not be greatly felt in our communities in south Wales or, indeed, those outside striking distance of the proposed route. The APPG’s “Steel 2020” report argued that Government procurement and other incentives should be used to increase domestic steel content in manufacturing and construction, as there is clearly a market opportunity. A study of future demand by the Department for Business, Energy and Industrial Strategy shows that UK consumption will climb from 9.5 million tonnes of steel to 11 million tonnes by 2030—a £4 billion a year opportunity for UK producers if the right measures are in place. Currently, less than 50% of steel used in Government-funded projects is British-made. This simply must change going forward: there is much, much more to do. Phases 1 and 2 of the HS2 project combined will require 2 million tonnes of steel, including for tracks, train components, bridges, tunnels, gantries, wire and more. UK steel producers could and should provide 90% of the steel needed for HS2. This is steel that should be made here and not imported.

The broader steps for the UK Government are set out in the UK Steel paper, “Covid-19—Restart and Recovery”. Will the Minister tell us what steps the Government are taking to ensure that all major infrastructure projects set minimum targets for UK steel content, and that all Government-funded projects establish a clear preference for sourcing steel from domestic producers? Will he outline the actions that he has undertaken to encourage all Government Departments to sign up to the steel charter? The Government must do what they can to create the right environment for UK steelmakers in the long term, including a UK sector deal to sit alongside the existing deals for manufacturing industries such as aerospace, construction and automotive, all of which are inherently linked to steel.

Matt Western (Warwick and Leamington) (Lab): My hon. Friend is making some very important points. On the automotive sector in particular, we need to concentrate on the supply of electrical steels from the Orb plant, which is of course mothballed. I understand that with £50 million of investment support from the Government, it could be resurrected in a matter of months.

Jessica Morden: My hon. Friend makes an important point about the Orb steelworks, which closed recently. I will expand on that at the end of my speech, if that is okay.

Change is needed to help UK businesses compete internationally, particularly on energy costs, which I and other colleagues on the APGG have been banging the drum on for a number of years now. This significant challenge for UK steel producers has not gone away.

British steel producers pay the highest electricity prices in Europe—80% more for energy than their French counterparts and 62% more than German companies. This creates an enormous additional cost burden on the UK steel sector every year and hampers productivity. Will the Minister update the House on what the Department is doing to extend the indirect carbon price compensation scheme for energy-intensive industries, which is currently due to expire at the end of the year?

In response to parliamentary questions, Ministers have said that the ability of industries to compete across Europe and globally is a priority. It is now time to back up those words with action. It is vital to the sector to maintain current trade flows with key markets. A central concern for the steel industry as we get closer to January is trade with Europe.

Stephen Kinnock (Aberavon) (Lab): My hon. Friend is making a powerful speech. On the issue of safeguards to ensure that we can continue to sell our steel into the EU, does she agree that the UK Government should now be making a unilateral offer to suspend all trade dumping measures against EU steel coming into this country, so that we can unlock the stalemate around the trade defence measures?

Jessica Morden: I do indeed. I believe that would be a generous offer to unblock the current stalemate. On the treatment of EU exports and EU safeguards, an estimated 70% of UK steel exports—some 2.6 million tonnes a year—go to EU countries. That is 1,400 trucks and six trains a week, making it the largest export market for steel. As UK Steel has highlighted, it is crucial for our industry that the UK Government demonstrate as early as possible that they are taking steps to positively resolve the issue with UK trading partners. What progress has the Minister made on EU and UK steel safeguards? An update from him on that is urgently needed tonight.

There is also a lack of clarity about what is happening in the US-UK free trade agreement negotiations on the removal of section 232 tariffs on steel projects. Since 2018, UK steel exports to the US have fallen by 32%, so can the Minister update us on those talks too?

Finally, do we want to be a country that manufactures goods or one that just imports them? The Government’s strategy must address the present and future needs of the industry. That means providing the UK steel industry with the vital liquidity support that it needs to protect businesses.

Miriam Cates (Penistone and Stocksbridge) (Con): The hon. Lady is absolutely right to say that steel has a future in the UK. I recently visited Stocksbridge steelworks in my constituency, and some of its work is absolutely cutting-edge and high-tech. Steel is not just an industry of the past and our heritage; it is vital for our future, our research and development, and all that makes Britain a great trading nation.

Jessica Morden: I thank the hon. Member for that intervention and agree entirely.

There are significant opportunities for UK steel as we begin to build back greener. The Prime Minister spoke earlier this year of a new age of opportunity in making the UK a world leader in, for example, electric vehicles. Steel will also play a vital role in the production of

other green technologies, such as wind turbines, rail electrification, renewable projects, solar panels and more. If the Prime Minister wishes for the UK to be a world leader in those things, we must have an industrial strategy that puts steel at its centre.

Before its tragic closure earlier this year, Tata's Orb steelworks in Newport was the only manufacturer of electrical steel in the UK. With the right strategy and the right investment, Orb could and should have played an instrumental part in a move to electric vehicles. We need vision from the Government to work with the industry to do that. While it may be too late for Orb, it is not too late for the Government to produce a Budget that incentivises automotive demand, so that the plants at Llanwern, with world-class steel for the automotive sector, can get involved. Steel that is manufactured in Britain also enjoys a significantly lower carbon footprint than imported steel. Not only does imported steel take more carbon dioxide than sourcing a tonne of steel domestically, but steel produced in Britain is subject to higher environmental standards than steel produced abroad.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I absolutely agree with that point. Does my hon. Friend agree that offshoring carbon emissions to China, Turkey and Iran is exactly the way we do not want to go, when we can make that steel in this country in green ways?

Jessica Morden: My hon. Friend is absolutely right, and I agree entirely.

It is also vital that the Government recognise developments such as Liberty's Greensteel hub in Newport, which uses renewable and low-carbon energy to recycle scrap steel to meet the challenges of decarbonisation and growing consumption of steel globally.

Steel can play a vital part in rebuilding Britain after the pandemic. Despite the significant challenges posed by coronavirus, the Government have a unique opportunity to create a 21st-century manufacturing sector that has a revitalised steel sector at its core, so that we can build back. However, the Government must act—something that they have been slow to do in the past. I look forward to the Minister's comments tonight.

10.59 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): I congratulate the hon. Member for Newport East (Jessica Morden) on securing this evening's debate. She has been a passionate advocate for the UK steel industry, including in her role as co-chair of the all-party group on steel and metal-related industries. Clearly, this sector is important to the United Kingdom and testament to that is the number of colleagues who are present in the Chamber at 11 pm on a Monday night. One colleague who is unable to intervene or speak tonight is my hon. Friend the Member for Corby (Tom Pursglove). Although he cannot make his voice heard in this place, he certainly does on behalf of his constituents who work in the important steel industry in his constituency.

This debate represents a welcome opportunity to discuss the UK steel sector, which will continue to play a critical role as a foundation industry as we secure our economic recovery and long-term prosperity following the impact of the coronavirus. Madam Deputy Speaker,

you will know that the steel sector provides well-paid, highly skilled jobs, as we have just heard from the hon. Lady. It also plays a key role in critical UK supply chains across many important parts of the UK economy, including automotive construction, power generation and, of course, defence.

Earlier this year, we welcomed the acquisition of British Steel by Jingye following a period of insolvency.

Holly Mumby-Croft: Will my hon. Friend give way?

Nadhim Zahawi: Very briefly, because I have a lot to get through tonight.

Holly Mumby-Croft: I just want to say that the constituents in Scunthorpe regularly mention to me the support that they receive from the Government. Does my hon. Friend agree that support for other steel plants such as Celsa is vital?

Nadhim Zahawi: It certainly is and I hope that I can cover that in the time that I have left to me.

Both officials and Ministers invested considerable time and effort in closing the deal with Jingye and the planned £1.2 billion investment that will go into the operations of British Steel. I hope the hon. Lady agrees that this represents a huge vote of confidence in the UK steel industry and the high-quality steel produced here in the United Kingdom. Notwithstanding this positive outcome for British Steel prior to the pandemic, the global steel industry was already facing significant headwinds. This included demand slowing across developed economies and persistent global excess production capacity, which depresses prices and harms the profitability of UK steel producers.

In the past few days, Tata Steel has published its accounts, which show a challenging position across its UK and European operations. While it is not appropriate for Ministers to comment on the performance of individual companies, I wish to reassure the hon. Lady that we continue to work very closely with the entire UK steel sector and the trade unions, and that we understand the challenges facing the industry in the UK.

While the coronavirus has come at a challenging time for the industry, we have been working intensively over this period to ensure that the UK steel industry has been able to access the support that it needs since the start of the covid-19 pandemic. The Government have set out a far-reaching package of support to protect jobs, incomes and businesses across every part of the economy. Those working in the steel industry have been among the 9.6 million individuals across the country who have been able to access the job retention scheme. The scheme has protected people's livelihoods in the industry and ensured that steel manufacturers have been able to retain high-skilled staff while managing the impact of reduced demand caused by the pandemic.

Importantly, we have worked closely with the steel industry representatives over this period to ensure that the furlough scheme—the job retention scheme—was sufficiently flexible to accommodate some of the real key asks from the industry and from the unions to meet the changing requirements of the industry as the wider situation evolved. I have been engaging personally on a regular basis with companies, trade associations, and, of course, the trade unions to gather their feedback.

[*Nadhim Zahawi*]

Direct input from the steel sector has helped to shape a number of our covid-19 support schemes. The coronavirus large business loan interruption scheme, the tax deferrals and the trade credit reinsurance scheme, which we launched with £10 billion, clearly came through as a result of that particular engagement with the industry. They were developed rapidly in response to that particular challenge faced by companies in the industry.

In addition to those far-reaching economy-wide schemes, we have committed to consider bespoke support on a last-resort basis where a viable company of strategic importance has exhausted all other options available to it. The House will be aware—the hon. Member for Newport East mentioned it—that such circumstances apply to Celsa Steel, which is a critical supplier to our construction industry. Government support in that case secured over 1,000 jobs, including 800 positions at the company's principal site in south Wales. Commercial confidentiality prevents me from setting out further details on that case, or indeed from commenting on any discussions we have had with individual steel companies over this period. However, I hope that hon. Members agree that that is a clear signal from the Government of our continued commitment to the UK steel industry and the 30,000 individuals who are employed in the sector.

Stephen Kinnock: The support to Celsa was absolutely welcome and we certainly appreciate that, but what about Tata Steel? The Minister says he is looking for strategic importance and a viable business that will play a critical role in the future of our manufacturing sector. Surely, Tata Steel qualifies on all three counts?

Nadhim Zahawi: The hon. Gentleman will know, because he is deeply involved with Tata Steel in his constituency, that that is absolutely right with regard to the strategic importance of Tata Steel. I hope he will forgive the fact that I will be unable to go any further at this stage because of the need to protect commercial confidentiality. Suffice to say that he is absolutely right that it ticks all those boxes.

As we transition from managing the immediate challenges presented by covid-19 to securing the long-term recovery of the UK economy, we will continue to work with representatives of the steel industry, the unions and the devolved Administrations to address the strategic challenges faced by the sector. We are committed to working collectively with those partners to shape a steel industry that is sustainable, productive and innovative. To that end, we are taking action in key areas. I want to outline a few of the priorities for UK steel companies, including on energy prices, procurement, research and innovation, and international trade.

Jacob Young (Redcar) (Con): On energy pricing, it obviously still remains an inhibitor to our steel industry and to bringing steelmaking back to Teesside. What steps are the Government taking to improve innovation in the energy sector to bring about cleaner steelmaking?

Nadhim Zahawi: My hon. Friend's timing is impeccable, because I am just about to come on to our focus on energy and the clean steel fund. As we set out our focus on the recovery, our objective is both to boost the sector's short-term competitiveness and to support the

longer-term transformational investment that colleagues have spoken about that will drive productivity and efficiency, and support our net zero goals.

On energy prices specifically, the ability of our steel industry to compete internationally is a priority for the Government. We remain committed to minimising energy costs for business. Since 2013, the Government have provided £480 million in compensation to the steel sector to make energy costs more competitive. Moreover, we are investing £315 million in the energy transformation fund to help energy-intensive businesses such as steel companies to cut their bills and transition to a low-carbon future.

On innovation, supporting our steel industry in the UK to decarbonise and make the most of clean growth opportunities is a key priority for us. This is part of our wider agenda to put the UK at the forefront of research and innovation in the coming years. Last year, we announced two important new research and innovation programmes, which will help the steel industry in its effort to reduce emissions and support the decarbonisation of the UK economy to achieve our ambitious 2050 net zero target.

Mark Tami: This is all well and good, but the Minister has not addressed the crucial issue of dumping. Even with all these measures in place, if steel is being dumped on this country, it will not take long before it kills our industry.

Nadhim Zahawi: I will come back to anti-dumping at the end of my remarks.

To finish my point on innovation, another £250 million—a quarter of a billion pounds—of clean steel fund will support the sector's transition to new low-carbon technologies and processes. A £100-million low-carbon hydrogen production fund will support the deployment of low-carbon hydrogen in industry to help decarbonise a range of sectors, including steel.

Stephen Kinnock: Will the Minister give way?

Nadhim Zahawi: I want to make some headway. If there is time at the end, I will come back to the hon. Gentleman.

The hon. Member for Newport East rightly mentioned procurement. It is a priority for the Government to ensure that UK steel producers have the best possible chance of competing for and winning the contracts associated with our domestic infrastructure investment. We have published a steel pipeline on national infrastructure projects worth about £500 million over the next decade. For the first time, we have also published data on public sector steel procurement, which will be refreshed in the coming weeks and on an annual basis thereafter. That information serves as a testament to our ambitious plans for UK-sourced steel within our pipeline of major infrastructure projects. It will also serve as an accountability mechanism. We will work with the sector to achieve this shared aim.

We recently welcomed the commencement of construction work on the largest of these infrastructure projects, which the hon. Lady mentioned—HS2. We are keenly aware of the opportunity it represents for our domestic steel sector. The Department's steel pipeline update from last year indicated that HS2 will require more than 2 million tonnes of steel over phases 1 and 2.

We are mindful that there are mechanisms by which we can actively support the sector to realise this opportunity and future ones within the parameters of our legal framework. To take just one example, the Department for Business, Energy and Industrial Strategy has signed up to the UK steel charter, which has been mentioned several times tonight. We recognise it as an important initiative, developed by industry, and we are actively encouraging other Departments to sign up. We look forward to making continued progress on the issue of procurement over the coming months.

International trade and EU exit, which were both mentioned in the debate, are huge areas of strategic significance for the UK steel industry. Overcapacity in steel production remains a global systemic challenge for the sector. We continue to work as part of the G20 global forum on steel excess capacity to address this problem. Unfair market-distorting practices have been partly to blame for the situation. We want all countries to act on and implement the recommendations agreed by G20 Ministers, and we will maintain pressure on them to do so.

In preparation for the end of the transition period, the Government have legislated for the full suite of tools permitted under the WTO to address unfair trading practices. We are working closely with the Department for International Trade to ensure that the UK has a suitable trade remedies system in place for the future to maintain the protection of our steel industry. We are also engaging with our European Commission colleagues

to discuss how the steel safeguards should operate after the transition period, with the aim of preserving traditional trade flows and providing as much continuity to the industry as possible. We are committed to transitioning the definitive safeguard measures on those steel products and categories where there is a UK interest. We continue to make a strong case to the EU on behalf of the UK steel sector to ensure that appropriate tariff rate quotas are provided to UK exporters as soon as is practicably possible following the end of the transition period.

These are unprecedented times and the challenge for the UK steel industry is big. I have half a minute left, but I will take the hon. Gentleman's intervention.

Stephen Kinnock: Will the Minister underline our commitment to blast furnaces as a central part of the steel-making process? With the right investment, we can make the transition to hydrogen and so on, but blast furnace production is absolutely central.

Nadhim Zahawi: The hon. Gentleman is absolutely right that we have to make sure that, as a foundation industry, steel continues to innovate. Whether it is electric arc or other emerging technologies, such as hydrogen, which we are seeing the adoption of, we are absolutely committed to that.

11.15 pm

House adjourned without Question put (Standing Order No. 9(7)).

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington)	Bell Ribeiro-Addy
Tahir Ali (Birmingham, Hall Green)	Chris Elmore
Dr Rosena Allin-Khan (Tooting)	Chris Elmore
Tonia Antoniazzi (Gower)	Chris Elmore
Mr Richard Bacon (South Norfolk)	Stuart Andrew
Siobhan Baillie (Stroud)	Stuart Andrew
Hannah Bardell (Livingston)	Patrick Grady
Mr John Baron (Basildon and Billericay)	Stuart Andrew
Margaret Beckett (Derby South)	Clive Efford
Sir Paul Beresford (Mole Valley)	Stuart Andrew
Jake Berry (Rossendale and Darwen)	Stuart Andrew
Clive Betts (Sheffield South East)	Chris Elmore
Mhairi Black (Paisley and Renfrewshire South)	Patrick Grady
Bob Blackman (Harrow East)	Stuart Andrew
Kirsty Blackman (Aberdeen North)	Patrick Grady
Mr Peter Bone (Wellingborough)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill)	Patrick Grady
Andrew Bridgen (North West Leicestershire)	Stuart Andrew
Ms Lyn Brown (West Ham)	Chris Elmore
Richard Burgon (Leeds East)	Zarah Sultana
Conor Burns (Bournemouth West)	Stuart Andrew
Lisa Cameron (East Kilbride, Strathaven and Lesmahagow)	Patrick Grady
Dan Carden (Liverpool, Walton)	Chris Elmore
Sarah Champion (Rotherham)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady
Feryal Clark (Enfield North)	Chris Elmore
Simon Clarke (Middlesbrough South and East Cleveland)	Stuart Andrew
Theo Clarke (Stafford)	Stuart Andrew
Damian Collins (Folkestone and Hythe)	Stuart Andrew
Rosie Cooper (West Lancashire)	Chris Elmore
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy
Alberto Costa (South Leicestershire)	Stuart Andrew
Ronnie Cowan (Inverclyde)	Patrick Grady
Mr Geoffrey Cox (Torrington and West Devon)	Alex Burghart
Angela Crawley (Lanark and Hamilton East)	Patrick Grady
Stella Creasy (Walthamstow)	Chris Elmore
Tracey Crouch (Chatham and Aylesford)	Caroline Nokes
Janet Daby (Lewisham East)	Chris Elmore
Geraint Davies (Swansea West)	Chris Evans
David Davis (Haltemprice and Howden)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk)	Patrick Grady
Marsha De Cordova (Battersea)	Rachel Hopkins
Thangam Debbonaire (Bristol West)	Chris Elmore
Martin Docherty-Hughes (West Dunbartonshire)	Patrick Grady
Allan Dorans (Ayr, Carrick and Cumnock)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
Peter Dowd (Bootle)	Chris Elmore
Jackie Doyle-Price (Thurrock)	Gagan Mohindra
Jack Dromey (Birmingham, Erdington)	Chris Elmore
Philip Dunne (Ludlow)	Jeremy Hunt
Mrs Natalie Elphicke (Dover)	Maria Caulfield
Florence Eshalomi (Vauxhall)	Chris Elmore
Sir David Evennett (Bexleyheath and Crayford)	Stuart Andrew
Michael Fabricant (Lichfield)	Stuart Andrew
Marion Fellows (Motherwell and Wishaw)	Patrick Grady
Stephen Flynn (Aberdeen South)	Patrick Grady
Vicky Foxcroft (Lewisham, Deptford)	Chris Elmore
Mr Mark Francois (Rayleigh and Wickford)	Stuart Andrew
George Freeman (Mid Norfolk)	Bim Afolami
Marcus Fysh (Yeovil)	Stuart Andrew
Sir Roger Gale (North Thanet)	Caroline Nokes
Preet Kaur Gill (Birmingham, Edgbaston)	Chris Elmore
Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Mary Glendon (North Tyneside)	Chris Elmore
Mrs Helen Grant (Maidstone and The Weald)	Stuart Andrew
Peter Grant (Glenrothes)	Patrick Grady
Neil Gray (Airdrie and Shotts)	Patrick Grady
Margaret Greenwood (Wirral West)	Chris Elmore
James Grundy (Leigh)	Stuart Andrew
Andrew Gwynne (Denton and Reddish)	Chris Elmore
Fabian Hamilton (Leeds North East)	Chris Elmore
Ms Harriet Harman (Camberwell and Peckham)	Chris Elmore
Sir Mark Hendrick (Preston)	Chris Elmore
Mike Hill (Hartlepool)	Chris Elmore
Simon Hoare (North Dorset)	Fay Jones
Mrs Sharon Hodgson (Washington and Sunderland West)	Chris Elmore
Adam Holloway (Gravesham)	Maria Caulfield
Sir George Howarth (Knowsley)	Chris Elmore
Dr Neil Hudson (Penrith and The Border)	Stuart Andrew
Imran Hussain (Bradford East)	Judith Cummins
Christine Jardine (Edinburgh West)	Wendy Chamberlain
Dan Jarvis (Barnsley Central)	Chris Elmore
Ranil Jayawardena (North East Hampshire)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North)	Chris Elmore
Alicia Kearns (Rutland and Melton)	Stuart Andrew
Barbara Keeley (Worsley and Eccles South)	Chris Elmore
Afzal Khan (Manchester, Gorton)	Chris Elmore
Sir Greg Knight (East Yorkshire)	Stuart Andrew
Julian Knight (Solihull)	Stuart Andrew
Ian Lavery (Wansbeck)	Kate Osborne
Chris Law (Dundee West)	Patrick Grady
Clive Lewis (Norwich South)	Rosie Duffield
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew
Tony Lloyd (Rochdale)	Chris Elmore
Rebecca Long Bailey (Salford and Eccles)	Cat Smith
Julia Lopez (Hornchurch and Upminster)	Lee Rowley

Member eligible for proxy vote	Nominated proxy
Mr Jonathan Lord (Woking)	Stuart Andrew
Holly Lynch (Halifax)	Mark Tami
Kenny MacAskill (East Lothian)	Patrick Grady
Angus Brendan MacNeil (Na h-Eileanan an Iar)	Patrick Grady
Karl McCartney (Lincoln)	Stuart Andrew
Stewart McDonald (Glasgow South)	Patrick Grady
John McDonnell (Hayes and Harlington)	Cat Smith
Anne McLaughlin (Glasgow North East)	Patrick Grady
John Mc Nally (Falkirk)	Patrick Grady
Khalid Mahmood (Birmingham, Perry Barr)	John Spellar
Shabana Mahmood (Birmingham, Ladywood)	Chris Elmore
Ian Mearns (Gateshead)	Chris Elmore
Mark Menzies (Fylde)	Stuart Andrew
Carol Monaghan (Glasgow North West)	Patrick Grady
Layla Moran (Oxford West and Abingdon)	Wendy Chamberlain
David Morris (Morecambe and Lunesdale)	Stuart Andrew
James Murray (Ealing North)	Chris Elmore
Ian Murray (Edinburgh South)	Chris Elmore
John Nicolson (Ochil and South Perthshire)	Patrick Grady
Dr Matthew Offord (Hendon)	Rebecca Harris

Member eligible for proxy vote	Nominated proxy
Guy Opperman (Hexham)	Stuart Andrew
Kate Osamor (Edmonton)	Nadia Whittome
Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Yasmin Qureshi (Bolton South East)	Chris Elmore
Christina Rees (Neath)	Chris Elmore
Mr Jacob Rees-Mogg (North East Somerset)	Stuart Andrew
Ellie Reeves (Lewisham West and Penge)	Chris Elmore
Naz Shah (Bradford West)	Chris Elmore
Mr Virendra Sharma (Ealing, Southall)	Chris Elmore
Mr Barry Sheerman (Huddersfield)	Chris Elmore
Tommy Sheppard (Edinburgh East)	Patrick Grady
Henry Smith (Crawley)	Stuart Andrew
Jo Stevens (Cardiff Glasgow Central)	Chris Elmore
Sir Gary Streeter (South West Devon)	Stuart Andrew
Mel Stride (Central Devon)	Stuart Andrew
Julian Sturdy (York Outer)	Stuart Andrew
Gareth Thomas (Harrow West)	Chris Elmore
Emily Thornberry (Islington South and Finsbury)	Charlotte Nichols
Jon Trickett (Hemsworth)	Olivia Blake
Karl Turner (Kingston upon Hull East)	Chris Elmore
Dr Philippa Whitford (Central Ayrshire)	Patrick Grady

Written Statements

Monday 14 September 2020

CABINET OFFICE

UK's Future Relationship with the EU

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 eighth round of negotiations.

Led by the UK's chief negotiator, David Frost, negotiators from the UK and the EU held discussions in London on 8 to 10 September 2020. There were substantive discussions on almost all issues.

Discussions covered all workstreams including:

Trade in goods: core areas of the goods elements of the FTA, including the UK's regulatory regime on SPS and proposals for product specific rules of origin.

Trade in services, investment and other FTA issues: including professional qualifications, investment, telecommunications and intellectual property (including geographical indications).

Fisheries: quota-sharing and stock lists.

"Level playing field": covering subsidies, tax and dispute settlement.

Energy: including civil nuclear co-operation, nuclear safety and electricity trading.

Transport: road haulage standards, aviation security and air traffic management (ATM).

Law enforcement: including mutual legal assistance, Prüm, extradition, and criminal records exchange.

Mobility and social security co-ordination: social security co-ordination arrangements.

Participation in Union programmes: financial management, EGNOS (European geostationary navigation overlay service), EU SST (space surveillance and tracking) and Peace+.

These were useful exchanges. However, a number of challenging areas remain and the divergences on some are still significant. We have been consistently clear from the start of this process about the basis on which agreement is possible between us and these fundamentals remain.

We remain committed to working hard to reach agreement by the middle of October, as the Prime Minister set out in his statement of 7 September. Negotiators have agreed to meet again, as planned in line with the terms of reference, in Brussels this week to continue discussions.

[HCWS451]

HOME DEPARTMENT

Serious Violence Reduction Orders

The Minister for Crime and Policing (Kit Malthouse): Every knife crime is a tragedy, and any victim is one too many. The Government are taking action on every level to cut crime and make our streets safer, but we know there is much more to do to protect the public and end the scourge of serious violence.

The case for urgent action is clear. In the year to March 2020 alone, 256 people were stabbed to death in England and Wales. Recorded knife crime rose to 46,265 in the

same period, with a staggering 4,547 weapons offences committed by children last year. Thousands of people are seeking hospital treatment for stab wounds each year, with some offences never reported.

To save lives and prevent injury we must stop serious violence from happening in the first place. Too many people who carry knives and weapons go on to offend time and again, with 29% of offenders in 2019 having previous convictions. Our determination to break this deadly cycle of persistent offending led to our manifesto commitment to introduce serious violence reduction orders (SVROs).

Frontline police have long told us that stop and search is a vital tool to crack down on violent crime; it acts as a deterrent and helps keep knives and weapons off our streets. We have listened to them, and to the recommendation of the Centre for Social Justice, to propose a new court order to bear down on known offenders. These SVROs would give the police personalised powers to target those already convicted of certain knife offences—giving them the automatic right to search those who pose the greatest risk. These searches could take place without suspicion so that these known criminals could be stopped at any time.

The intention is for SVROs to complement existing stop and search powers and to prevent known offenders carrying weapons with impunity. Subject to the outcome of the consultation, a court would have the power to impose them following conviction for any relevant offence. They could then set the length of the order, which would apply from the moment the offender walked free, either while on licence or where there was no immediate jail time. The offender would then be more likely to be stopped by the police and searched to see if they are carrying a knife again. If caught out they would be brought back before the court where they could expect to receive a custodial sentence under the existing "two strikes" legislation brought in by the Criminal Justice and Courts Act 2015.

SVROs would empower the police to stop and challenge those who are known to carry knives. They will help to keep communities safer by giving officers a tool to help tackle the most dangerous offenders.

The Government hope that they will also help the police more effectively target their approach. We know that stop and search disproportionately affects black people, with the latest figures showing they are 9.7 times more likely to be stopped than those who were white. We are clear that no one should ever be targeted because of the colour of their skin.

We are consulting on the design of SVROs and welcome views on how we can ensure these important tools are used appropriately. Anyone with an interest in this important issue is invited to contribute, including those involved in law enforcement, victims of knife crime and their families.

This consultation will help inform our next steps in the fight against serious violence. It will run from Monday 14 September to Sunday 8 November, and will be available at:

<https://www.gov.uk/government/consultations/serious-violence-reduction-orders>.

I will also place a copy of the consultation document in the Libraries of both Houses.

[HCWS450]

Ministerial Corrections

Monday 14 September 2020

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Saudi Arabia: Human Rights Defenders

The following is an extract from oral Questions to the Secretary of State for Foreign, Commonwealth and Development Affairs on Tuesday 8 September 2020.

Grahame Morris: I am pleased to hear that the Minister is having robust conversations with the Saudis, but will the UK Government publicly call on the Saudi authorities to immediately and unconditionally release the five women human rights defenders who are still being detained, including Loujain al-Hathloul, Samar Badawi and Nassima al-Sada, and for all charges to be dropped against the 13 women's rights defenders currently on trial for peaceful protest and activism?

James Cleverly: It is important that we recognise that the Kingdom of Saudi Arabia is taking significant steps in the right direction, and we encourage and support it to do so. The Foreign Secretary raised the release of those human rights defenders face-to-face on his visit to Riyadh **just last month**.

[Official Report, 8 September 2020, Vol. 679, c. 488.]

Letter of correction from the Minister for the Middle East and North Africa, the right hon. Member for Braintree (James Cleverly):

An error has been identified in the response I gave to the hon. Member for Easington (Grahame Morris).

The correct response should have been:

James Cleverly: It is important that we recognise that the Kingdom of Saudi Arabia is taking significant steps in the right direction, and we encourage and support it to do so. The Foreign Secretary raised the **cases** of those human rights defenders face-to-face on his visit to Riyadh.

EDUCATION

Early Years Providers: Covid-19

The following is an extract from Education questions on Monday 7 September 2020.

Ms Buck: What steps he is taking to ensure the financial stability of early years providers during the covid-19 outbreak.

The Parliamentary Under-Secretary of State for Education (Vicky Ford): The Government will fund local authorities for our free childcare entitlements for the rest of this calendar year at the pre-covid levels of attendance, even if fewer children are present, so early years providers will continue to benefit from the £3.6 billion investment in the provision this financial year. We have also announced supplementary funding of up to £23 million for maintained nursery schools, which often care for higher numbers of disadvantaged pupils, and will continue to work with local authorities to monitor the sector.

Ms Buck: I thank the Minister for that answer, but last week research was published by the TUC showing that four out of 10 working mothers either did not have or could not rely on childcare to enable them to return to work. Of those, a quarter could not rely on having a nursery place. Given that there is already a £660 million gap in early years funding, what is the Minister doing to make sure that we do not see a further loss of early years providers in the coming months?

Vicky Ford: I thank the hon. Lady for her question. Childcare is vital for working parents, which is why this Government introduced the 30-hour entitlement and why we are investing £3.6 billion in early years this year. Breakfast and after-school clubs are also able to open and schools should be working to resume this provision from the start of this term. We have updated our guidance for providers. Any parent who may be struggling to find early years provision should contact their local authority, but I hope the hon. Lady will join me in welcoming the funding for maintained nursery schools, including three in her constituency.

[Official Report, 7 September 2020, Vol. 679, c. 352.]

Letter of correction from the Under-Secretary of State for Education, the hon. Member for Chelmsford (Vicky Ford):

An error has been identified in the response I gave to the hon. Member for Westminster North (Ms Buck).

The correct response should have been:

Ms Buck: What steps he is taking to ensure the financial stability of early years providers during the covid-19 outbreak.

The Parliamentary Under-Secretary of State for Education (Vicky Ford): The Government will fund local authorities for our free childcare entitlements for the rest of this calendar year at the pre-covid levels of attendance, even if fewer children are present, so early years providers will continue to benefit from the **planned** £3.6 billion investment in the provision this financial year. We have also announced supplementary funding of up to £23 million for maintained nursery schools, which often care for higher numbers of disadvantaged pupils, and will continue to work with local authorities to monitor the sector.

Ms Buck: I thank the Minister for that answer, but last week research was published by the TUC showing that four out of 10 working mothers either did not have or could not rely on childcare to enable them to return to work. Of those, a quarter could not rely on having a nursery place. Given that there is already a £660 million gap in early years funding, what is the Minister doing to make sure that we do not see a further loss of early years providers in the coming months?

Vicky Ford: I thank the hon. Lady for her question. Childcare is vital for working parents, which is why this Government introduced the 30-hour entitlement and why we are **planning to spend over** £3.6 billion **on the entitlements** this year. Breakfast and after-school clubs are also able to open and schools should be working to resume this provision from the start of this term. We have updated our guidance for providers. Any parent who may be struggling to find early years provision should contact their local authority, but I hope the hon. Lady will join me in welcoming the funding for maintained nursery schools, including three in her constituency.

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Monday 21 September 2020**

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