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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 16 September 2020

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The House met at half-past Eleven 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

WALES

The Secretary of State was asked—

Support for Self-employed: Covid-19

Chris Bryant (Rhondda) (Lab): How many self-employed people in Wales have not received support from the Government's covid-19 support schemes. [905954]

The Secretary of State for Wales (Simon Hart): There are 205,000 self-employed in Wales, 110,000 of whom are receiving direct cash grants, totalling over £295 million, through the Government's self-employment income support scheme. The scheme is one of a range of Government initiatives supporting the self-employed during the coronavirus outbreak.

Chris Bryant: If you will indulge me, Mr Speaker, I want to pass on my commiserations to everyone involved in the horrific car crash in Trebanog in the Rhondda earlier today. I thank the police and the fire brigade, who have been helping.

The Secretary of State is right that lots of people have received help, but an awful lot of people in the Rhondda have not had a single penny. There are people who set up a company just two years ago and have now lost their business, their home and their livelihood. There are people who have gone from having £3,000 a month in the bank to £300 a month. When we come to the next round of decisions by the Government and the Treasury, we have to do something for the 3 million people who have been excluded from every single scheme. They feel that this has been massively unfair, and we have hundreds of tradespeople in the Rhondda who have not had a single penny off the Government.

Simon Hart: I know the whole House will join me in expressing our sympathy for those involved in the accident in the hon. Gentleman's constituency this morning. I know what a blow it is for him and everybody involved, and our thoughts are with them.

In relation to the schemes, I suspect that we all, as constituency MPs, have examples of people who have fallen through the net. I can only reiterate what the Chancellor has said on numerous occasions, which is that we will always try to look at every possible way to ensure that those who qualify for help, but for some

reason, are not getting it, do get it. If the hon. Gentleman wishes to raise any individual cases—which we have all had—I am happy to look at them.

Nia Griffith (Llanelli) (Lab): My thoughts are with those caught up in the awful crash in the Rhondda.

Many self-employed people in Wales who have already been hard hit by lockdown now fear the impact on their customer base of the looming spectre of mass unemployment that is hanging over their communities—industrial communities that still bear the scars of the damage wreaked by the Tories in the '80s. When will this Government grasp the urgency of the situation and bring forward specific measures for sectors such as aviation that need longer to recover, in order to support the thousands of Welsh workers who depend on them?

Simon Hart: The hon. Lady makes an unnecessary political point. This Government, along with the Welsh Government, have done everything they can to ensure that the smallest possible number of people in Wales have gone without important assistance during the pandemic. If she is hinting that the extension of furlough is the only answer, I can tell her that it is not. The Treasury has said that that is one option, but there are numerous other options that ought to help people and are already helping people make their way out of covid and back into a properly functioning economy. Of course, the best way to save jobs across the whole of Wales is to get people safely back to work.

Nia Griffith: Indeed, but there is now barely a month to go until the Government's job protection schemes end, leaving thousands of self-employed people and others at risk of unemployment. It is not just Labour saying that. Businesses, trade unions and the Treasury Committee have all sounded the alarm. Will the Government accept that a one-size-fits-all approach to this jobs crisis is simply not working, and will they come forward with concrete proposals and a real plan to safeguard jobs for people across Wales?

Simon Hart: A third of the workforce in Wales has been supported by the UK Government during the pandemic. We have gone further and deeper than pretty well any Government in the world, with VAT deferrals, mortgage holidays, rental support, increases in universal credit, relaxation of the minimum income floor and VAT reductions. This is not a one-size-fits-all arrangement. This is a whole package of measures that are designed to help as many people as possible to stay in work and get back to work as soon as it is safe to do so. I am surprised that the hon. Lady does not welcome that.

Jessica Morden (Newport East) (Lab): On the issue of the 3 million excluded, my hon. Friend the Member for Rhondda (Chris Bryant) is right. When more local areas are facing lockdowns, I would urge Ministers to do far more to help those who have fallen through the gaps, at the very least by addressing the five-week wait for universal credit—it should be a grant, not an advance.

Simon Hart: I assure the hon. Lady that there will never be a moment when the Government or the Wales Office sit back and think we have done enough as far as this is concerned. We are always striving and will always

strive to ensure that we improve every one of our schemes. Where there are gaps, which we have identified before—Government Members have also been helpful in that respect—we will do everything we can to ensure that they are plugged.

UK Internal Market

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): What discussions he has had with the Welsh Government on legislative proposals for a UK internal market. [905955]

Jo Gideon (Stoke-on-Trent Central) (Con): What recent assessment he has made of Wales's role in the proposed UK internal market. [905956]

Tommy Sheppard (Edinburgh East) (SNP): What recent discussions he has had with the First Minister of Wales on legislative proposals for a UK internal market. [905957]

Ben Everitt (Milton Keynes North) (Con): What recent assessment he has made of Wales's role in the proposed UK internal market. [905961]

Craig Williams (Montgomeryshire) (Con): What recent assessment he has made of Wales's role in the proposed UK internal market. [905964]

The Secretary of State for Wales (Simon Hart): The Government's response to the UK internal market consultation published last week highlighted the broad support for the proposals from businesses and job creators in Wales. The Bill gives businesses the continued certainty of seamless trade across the UK as the transition period ends.

Jonathan Edwards: Much of the rhetoric around the United Kingdom Internal Market Bill is that it is a shared asset, yet what is missing are any shared intergovernmental structures. On Owain Glyndwr Day, why will the British Government not be honest for once and admit that they are using consequential legislation resulting from Brexit, such as this Bill, to effectively reassert direct Westminster rule over Wales?

Simon Hart: I disagree with the fundamental premise of the hon. Gentleman's question. These proposals went to public consultation, and I will quote the response from one business in Wales that is promoting Wales, employing people in Wales and contributing to the Welsh Government. It said:

"The UK Internal Market Bill will be the making of the UK."

It seems to me that those commenting on UKIM are divided into politicians who are anxious to protect their cosy clique in Cardiff, and business, employers and the public in Wales, who recognise that this is an important part of the next stage of our economic recovery.

Jo Gideon: The proposals in the Bill are designed to make sure that UK businesses can continue to enjoy the ability to trade easily across our four home nations in a way that helps them to invest and create jobs, just as they have done for hundreds of years. It is extremely important, therefore, that businesses are on board and happy with our proposals. What conversations has the Secretary of State had with businesses across Wales about these proposals and what sort of a response has he received?

Simon Hart: My hon. Friend raises an interesting point. There have been numerous engagements in person with the Business Secretary and others, and online engagements, and I can safely assure the House that those who have responded have not expressed any great concerns about UKIM. In fact, they see it as a perfectly natural successor to the status quo. They want us to proceed with it, they consider it to be fair, and, more important, they think that jobs depend on it.

Tommy Sheppard: Ministers seem to be in a state of denial about what this internal market Bill actually says. It is quite clear that it will give the power to the UK Government to make spending decisions in Wales on matters that are devolved to the Welsh Parliament. Can the Secretary of State tell the House how on earth that respects the devolution settlement?

Simon Hart: The hon. Gentleman illustrates my point. It seems that in certain nationalist quarters this is all about politics and power, whereas in fact it is all about jobs and the economy and people grafting their way into a post-covid world. The Welsh Government will not lose a single power—not one—after the Bill is passed; in fact, they will have 70 new ones. The fact that the UK Government will be there as well to contribute to the economy of Wales in a way they have not been able to for 45 years should be welcomed by him and his colleagues in Wales as a major step forward.

Ben Everitt: Next spring, Milton Keynes theatre will host Welsh National Opera—a great, historic institution in Milton Keynes hosting a great Welsh institution. Does my right hon. Friend agree that it is not just the free movement of goods, but the free movement of people, culture, ideas and values between our four nations that makes our Union so strong?

Simon Hart: That is a wholly appropriate question because it enables me to say that sometimes when we talk about the strength of the Union, we limit ourselves to talking simply about economic activity, but my hon. Friend is right to point out that the Union is magical for a whole lot of other reasons too. The cultural and social elements he describes sum up why the Union is important. Some of the legislation and ideas we are talking about will enhance and encourage that over the coming years.

Craig Williams: I echo the findings of the public consultation on the internal market Bill and reinforce the reality: in mid-Wales and Montgomeryshire, economic activity, transport links and our public services look to the west midlands economy. My constituents and businesses have been watching the progress of the Bill, they welcome it and they want it. They do not want Cardiff Bay or nationalist politicians distracting people's attention from the fact that they would welcome investment. I look forward to lobbying the Secretary of State and the Department for Transport to build things such as the Middletown bypass.

Simon Hart: I am a former resident of my hon. Friend's constituency and I know exactly what he is referring to. It is worth reminding ourselves that a quarter of his constituency's workforce cross the border every day to make a living, and cross back again in the evening. The border must be porous. The worst things

for jobs and the economy of mid-Wales, or anywhere else, are artificial, political boundaries put up for the advantage of a few people, under a cosy arrangement in Cardiff. We are talking about proper jobs, proper people and proper parts of Wales that require and deserve the support of all the parties, including the nationalists, who make so much noise but never deliver.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On 8 July, the Secretary of State, in response to a question from my hon. Friend the Member for Ceredigion (Ben Lake), said that ending our relationship with Europe would allow public bodies in Wales to buy more local goods, more local products and more local services, yet his own Government's UK Internal Market Bill appears to block local measures that would prioritise local goods or services over those from other parts of the UK. How does he reconcile those two positions now?

Simon Hart: I reconcile the positions by not recognising the claim that is being made. If the public consultation on the UK Internal Market Bill is anything to go by—forget what we politicians may say—the public welcome the idea, because it secures a market that has been enjoyed for hundreds of years. People see it as logical. They see it as a perfectly reasonable step forward to enshrine in UK law what has for 45 years been conducted in Brussels. They see it as good for jobs, and the right hon. Lady seems to have some objection to that.

Liz Saville Roberts: Well, he said it, and it was in the White Paper; procurement was mentioned there. Given that that is one of the weapons in the armoury of the Welsh Government with which to support businesses, it would be fair to expect something on it in the Bill—but I will move on.

Today marks, of course, the anniversary of the proclamation of Owain Glyndŵr as Prince of Wales at the first Senedd or Parliament in Machynlleth.

Chris Bryant (Rhondda) (Lab): There wasn't one!

Liz Saville Roberts: There was a Senedd in Machynlleth. The year 2020 saw the renaming of the Assembly as Senedd or Welsh Parliament. *[Interruption.]* Maybe the significance is lost on a certain Welsh MP; maybe the significance is lost in translation. *[Interruption.]*

Mr Speaker: Order. We are not having a debate across the Benches. Please have the discussion outside afterwards, and let me know the result of that discussion.

Liz Saville Roberts: Maybe even the debate is lost entirely here or lost in translation, but how can the Secretary of State reconcile this historical serendipity with this Government's brazen power-grab?

Simon Hart: It seems astounding to me that the Labour Opposition consider the UKIM Bill to be a threat to the Union and the nationalists consider it to be a threat to separatism. I think they should continue their debate, so that they could inform the rest of the House of their objection. To describe a piece of legislation that would result in 70 new powers and the removal of none as a power-grab is to use a definition of power-grab that I do not recognise.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): Last year, the Tory party promised to strengthen the Union and strengthen the devolved settlements, but their Internal Market Bill does exactly the opposite, as the Secretary of State's colleague David Melding knows. So will the Secretary of State accept that, rather than being about promising more powers to Wales—promises that we simply cannot believe—the Government's Internal Market Bill actually rolls back the powers, undermines the devolution settlement and gives comfort to those who want to break up the Union?

Simon Hart: The answer to that is no, no and no. The reason is that when it comes to testing the temperature and mood of the people of Wales, I rely on public consultations and my engagement with businesses—employers—north, south, east and mid, and none of them make the claims that the hon. Gentleman has made. They see this legislation as a perfectly natural transition from EU rule to UK and Welsh Government collaborative operations in Wales; that seems to them to be perfectly sensible. It seems to me to be perfectly sensible. It seems that the objection is about politics and power, rather than about jobs and livelihoods.

Chris Elmore (Ogmore) (Lab): We all know the interest with which the Secretary of State listens to the No. 10 chief adviser, like every other member of the governing party. The Brexit Minister in the Welsh Government, Jeremy Miles, has been very clear that there are no new devolution powers: the measures are within the existing rules of devolution. Members on the Government Benches may pontificate all they like; the reality is that they are trying to roll back devolution because they do not like what the people of Wales do by electing Labour-led Governments in Welsh Government elections. This is a reversal of 20 years of the Tories' not liking who is elected to Government in Wales.

Simon Hart: The hon. Gentleman needs to remind himself that there was not a single seat in Wales where Labour did not lose votes at the last election. He needs to be a little careful—*[Interruption.]* With respect, he needs to be a little careful about making accusations based on the political reality. The economic reality is that the people of Wales do not share his enthusiasm for defining the next stage of our post-covid and post-Brexit evolution purely in terms of political one-upmanship. They want to see jobs and investment, and that is what we intend to deliver.

Future Relationship with EU

Kevin Brennan (Cardiff West) (Lab): What recent discussions he has had with the First Minister of Wales on the effect on the Welsh economy in the event that the UK does not reach an agreement with the EU on the future relationship by the end of the transition period. [905958]

The Parliamentary Under-Secretary of State for Wales (David T. C. Davies): The Secretary of State and I have had regular discussions with Welsh Ministers, including the First Minister, on a wide range of matters, including preparations for the end of the transition period. Preparations for the end of the year are well advanced, and build on the plans that we had in place for a no-deal scenario in 2019.

Kevin Brennan: When he has had those discussions with the First Minister, has the Minister discussed how the so-called shared prosperity fund will be spent in Wales? I do not know whether he has seen any opinion polls recently, but far from people in Wales regarding the Welsh Government as a “cosy clique in Cardiff”, as the Secretary of State puts it, they much prefer the Welsh Government running their affairs to a swivel-eyed bunch of incompetents in Westminster doing so. Will the Minister commit to the House, now, that every penny of that money will be allowed to be spent by the democratically elected Government in Cardiff?

David T. C. Davies: There are no swivel-eyes on this side of the Chamber. The hon. Gentleman ought to restrain himself a little; I do not think anyone would want to be looking at his eyes at the moment. The reality is that far more people voted for Members of Parliament in Wales than voted for Members of the Welsh Assembly—the turnout is always high, which rather rebuts the hon. Gentleman’s point. We have already said that the shared prosperity fund will match the amount of money that came from the European Union, and that will of course be spent in Wales after discussions with Ministers in both the Senedd and Parliament.

Stephen Crabb (Preseli Pembrokeshire) (Con): The Minister will be aware of the news overnight that Hitachi has decided to pull out of the project to build the Wylfa Newydd nuclear power station on Anglesey—a project that is not only of strategic importance to the Welsh economy but will help the UK to meet its net zero target by 2050. Will my hon. Friend leave no stone unturned in the quest to see whether there is a way forward for the project? In particular, will he continue his discussions with ministerial colleagues here and in Cardiff Bay and continue to work with my hon. Friend the Member for Ynys Môn (Virginia Crosbie), who has worked so hard to get the project moving?

David T. C. Davies: I am happy to confirm that my right hon. Friend the Secretary of State has already had discussions with Horizon about this matter. The announcement was deeply disappointing for us all and came on the back of Hitachi’s concerns, so I am told, about the covid situation and the Japanese economy. None the less, Wylfa is one of the best sites in the world at which to build a nuclear power station, and I understand that Horizon has already been sounding out the possibility of the project going ahead with other developers.

Business Finance: Banks

Geraint Davies (Swansea West) (Lab/Co-op): What discussions he has had with the Welsh Government on the comparative effectiveness of the (a) Development Bank of Wales and (b) high street banks in providing finance to business in Wales during the covid-19 outbreak. [905960]

The Parliamentary Under-Secretary of State for Wales (**David T. C. Davies**): High street banks have been at the forefront of lending to firms impacted by covid-19. They have provided support to Welsh firms through more than £1.1 billion-worth of loans under the Government’s bounce back loan scheme and £300 million

of loans under the Government’s coronavirus business interruption loan scheme. There has also been an additional £100 million of lending through the Development Bank of Wales, which has been a useful contribution.

Mr Speaker: Let us head over to New York with Geraint Davies.

Geraint Davies [V]: Thank you very much from over here in Wales.

The Development Bank of Wales has been found by the Welsh Affairs Committee to be much more effective in the delivery of coronavirus loans to business than high street banks, which have been found to be unresponsive, delayed and risk-averse, and not to understand local businesses. Will the Secretary of State and the Minister impress on the Chancellor the need to provide more funding for the Development Bank of Wales, and to import this excellent idea into England to help all British business?

David T. C. Davies: I suppose it would not come as a great surprise to the hon. Gentleman, or to anyone who understands economics, as he does, that a high street bank is always going to be slightly more risk-averse than a bank backed by the UK Treasury. None the less, I draw the hon. Gentleman’s attention to the figures I gave earlier, which show that around £1.4 billion has been lent to businesses in Wales via high street banks utilising Government schemes, and £100 million has come via the Development Bank of Wales. This is not some sort of competition; we welcome every single pound that has been lent to Welsh businesses, no matter where it has come from.

Covid-19 Testing

Robbie Moore (Keighley) (Con): What recent discussions he has had with the Welsh Government on covid-19 testing in Wales. [905965]

The Parliamentary Under-Secretary of State for Wales (**David T. C. Davies**): My hon. Friend will be aware that testing for covid in Wales is a matter for the Welsh Government and we respect their devolved responsibilities. I understand that the Welsh Government have decided to seek support from the UK Government for testing in Wales, which is a responsibility of the Welsh Government, so the Department of Health and Social Care has been working directly with them to offer the help that they need to deliver an efficient testing and analysis programme.

Robbie Moore: We have made huge progress in rapidly scaling up our testing capacity, and I have witnessed that myself in my constituency of Keighley, but there is always more that we can do. What steps is my hon. Friend taking to explore with the Welsh Government the benefits of repeat population testing, and, if that proves effective, how can it be scaled up across Wales and the rest of the UK?

David T. C. Davies: As my hon. Friend will be aware, we have made enormous strides in increasing the amount of daily testing that is available, but it is not yet enough in either Wales or England, or elsewhere in the United Kingdom, to meet the huge rise in demand that we have seen over the past few weeks. The UK Government have

set a target of a 500,000-a-day testing capacity for the end of October, and we are also increasing the number of testing sites to 500 by the end of October. Across Wales and the United Kingdom, Governments of all sorts of different political persuasions are working hard and working together to increase testing and to meet the demand.

Supporting People back into Work

Fay Jones (Brecon and Radnorshire) (Con): What steps the Government are taking to support people back into work in Wales. [905966]

The Secretary of State for Wales (Simon Hart): By the end of July, more than 400,000 Welsh jobs had been supported by the coronavirus job retention scheme, while £295 million has been provided to support 110,000 self-employed people. Since the start of March, that is at least 510,000 people in Wales who have been supported directly by the UK Government.

Fay Jones: More than 77,000 meals were enjoyed in Brecon and Radnorshire as part of the eat out to help out scheme created by the UK Treasury. This provided a very welcome boost to the hospitality and tourism sectors in my constituency, which I particularly welcome as those sectors largely employ more women than men. Will my right hon. Friend join me in encouraging the Welsh Government to do their part by creating a similar scheme and getting more women back into the workplace?

Simon Hart: My hon. Friend makes a really good point. Having visited her constituency twice, I think, in the recent past, I know just how much she has done to promote these schemes. Another value of the eat out to help out scheme is to remind everybody, whether members of the public or, for that matter, Members of this House, of the importance of supporting local businesses in every possible way we can as we climb out of these horrible few months. The work that my hon. Friend has done, and that of the Treasury, has been a pretty good start.

Simon Baynes (Clwyd South) (Con): A key element in supporting people back into work is access to high-speed broadband, particularly in rural areas. Will my right hon. Friend join me in welcoming the first broadband USO—universal service obligation—connection in Wales, which was launched last week in Tregeiriog in the Ceiriog valley in my constituency as part of the Government's across-the-UK USO scheme to improve broadband where it is currently running at a low level?

Simon Hart: My hon. Friend is a solid champion of that cause. Some 3,500 premises in Clwyd South and over 200,000 in Wales have access to full fibre connection, but, as he says, this is only the start. For those businesses and individuals who really need high-quality broadband to operate, the clock is ticking in their favour. This will help jobs, families and prosperity in Wales.

Support for the Steel Industry: Covid-19

Lucy Powell (Manchester Central) (Lab/Co-op): What discussions he has had with Cabinet colleagues on support for the steel industry in Wales during the covid-19 outbreak. [905967]

The Secretary of State for Wales (Simon Hart): The UK Government share the steel industry's ambitions for a sustainable future in Wales. That is why the Business Secretary, the Chancellor and I worked to reach an agreement with Celsa that saved hundreds of jobs in Wales. I have frequent discussions with Cabinet colleagues about supporting the Welsh steel industry, especially in dealing with the impact of covid-19.

Lucy Powell: In the debate led by my hon. Friend the Member for Newport East (Jessica Morden) held in this House the other evening, we heard about how the Welsh steel sector has been so adversely affected by this economic crisis. The response from the Minister who replied was yet again, I am afraid, lots of warm words. When are we going to see more action, notwithstanding Celsa, to support this vital industry in Wales to save jobs and the economy?

Simon Hart: I would like to think that warm words are better than cold words, but actions speak louder than words, at whatever temperature they come. The fact is that the UK Government absolutely recognise the importance of the sector. That is why we did the deal with Celsa and saved 800 jobs there, and that sends a message to other steel producers in Wales that we mean business. We are not just talking about the survival of the industry during covid; we are talking about having a significant steel manufacturing presence in Wales in five years, 10 years and 15 years. That is why we have continued these discussions. The Celsa deal ought to be a source of encouragement for everyone involved that actually, when it comes to it, we do mean business.

Prime Minister

The Prime Minister was asked—

Engagements

[906144] **James Daly** (Bury North) (Con): If he will list his official engagements for Wednesday 16 September.

Mr Speaker: I call the Prime Minister; congratulations on the christening.

The Prime Minister (Boris Johnson): Today marks 400 years since the sailing of the Mayflower, a reminder to us of the beginning of an enduring alliance between our two nations. Around 35 million Americans today trace their ancestry to a Mayflower passenger, and I am sure that the whole House will want to join me in marking this historic anniversary.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

James Daly: On National Teaching Assistants Day, will the Prime Minister join me in thanking teachers, teaching assistants and all support staff for the extraordinary work they are undertaking to bring our children back to schools, colleges and nurseries in covid-secure environments throughout Bury, Ramsbottom and Tottington, and will he update the House on the implementation of the national tutoring programme, as many of the most vulnerable and disadvantaged children in my seat need this help at the earliest opportunity?

The Prime Minister: I strongly echo my hon. Friend's congratulations and thanks to teachers, and just say that I believe passionately in the tutoring programme we are launching. We expect the first group of tutors to be supporting schools from November, with provision ramping up through the remainder of the autumn and spring term.

Mr Speaker: I call Angela Rayner, who is deputy Labour leader.

Angela Rayner (Ashton-under-Lyne) (Lab): Many people in the Chamber will think that the battle of Britain is today, but actually we marked the 80th anniversary of those veterans yesterday, and I want to put on record our thanks to all those who fought for our country in the past.

Let me start by reading to the Prime Minister a message that I have received from a man called Keir. Keir was not able to go to work today and his children could not go to school because his family had to wait for their coronavirus test results, despite the Prime Minister's promise of results within 24 hours. Keir was able to do the right thing and self-isolate and work from home, but other people are not in this position, and many of them are the very people who were getting us through this crisis, such as the care workers, whom I used to work alongside before I was elected to this House. The Prime Minister once earned £2,300 an hour; can he tell us the average hourly rate of a care worker in this country?

The Prime Minister: I congratulate the hon. Lady on her elevation. She speaks of the constituent Keir, and I can tell her that—allegedly, apparently—he has had a negative test, and I do not know quite why he is not here. But 89% of those who have in-person tests get them the next day, and we are working very fast to turn around all the test requests that we get. I think that most people looking at the record of this country in delivering tests across the nation will see that that compares extremely well with any other European country. We have conducted more testing than any other European country, and that is why we are able to deliver tests and results in 80% of cases where we know the contacts.

The hon. Lady asks about care homes, and I can tell the House that today we are launching the winter care home action plan. She is right to raise the issue of care homes, and we are concerned about infection rates in care homes, but we will do everything we can to ensure that care homes and their workers are protected.

On the hon. Lady's final point, I am proud that it is this Government who have instituted the national living wage to ensure that every worker in this country, including care home workers, is paid substantially more, thanks to the care and the work of the people of this country.

Angela Rayner: Ah, he's finished. The whole country will have seen that the Prime Minister does not know how much a care worker earns—that was my question. The shameful fact is that the average wage in social care is barely more than £8 an hour and half our social care workers earn less than the real living wage. On his first day in office, the Prime Minister said that

“we will fix the crisis in social care once and for all with a clear plan we have prepared.”

Yet still there is no sign of the plan, and the additional funding to prevent infection will run out at the end of this month. So will the Prime Minister commit today to give our social care sector the funding that it needs now to get through the looming winter crisis?

The Prime Minister: The hon. Lady is asking an important question, and we are concerned about the rates of infection in care homes. Clearly, they have come down massively since we instituted the £600 million care home action plan. Tomorrow, we will be announcing a further winter care home action plan. It will not surprise her to know that we want to see a toughening up of the rules governing the movement of workers from one care home to another. We want to make sure that we protect care homes from further infections, and that is the right thing to do. I pay tribute to all the care home workers in this country for what they have done to help us bring down the disease. We will make sure, as we have done over the past few months, that they get the personal protective equipment that they need, that they get the guidance that they need and that they get the cash that they need, and that is what this Government are committed to doing.

Angela Rayner: I do welcome the Prime Minister's comments, but I must say to him, get some skates on it. Those care workers are still not getting the PPE they need. They are still not getting the testing they need. I urge the Prime Minister to get on top of this problem now before the winter crisis hits.

The Prime Minister has put his faith in Operation Moonshot, but, meanwhile, on planet Earth, there were no NHS tests available for several high-infection areas, including Tameside and Oldham in my own constituency. In July, the Government promised that there would be weekly tests in care homes, and they promised this for September, so can the Prime Minister confirm—yes or no—do all care homes in this country have weekly tests?

The Prime Minister: Yes, to the best of my knowledge, care homes in this country should get weekly tests for all staff members and tests every 28 days for the residents in the care homes. Of course the hon. Lady is right to express the frustration of people across this country about the massive demand there is now for tests—it has hugely increased. Everybody can see just in the past few days a colossal spike in the number of people who want tests and who want to ascertain whether they have coronavirus. What we are trying to do now is meet that demand at record speed. Just in the past couple of weeks, we have increased the capacity of our testing systems by 10%. We have four new labs that we are building in Newport, Newcastle, Charnwood and Brants Bridge. Just so she knows the scale of the ambition, we want to get up to 500,000 tests per day by the end of October. As I have said, that is a huge, huge number. I really do pay tribute to all those who are delivering it. I know that Opposition Members like to make these international comparisons, so I will just repeat that we are testing more than any other European country.

Angela Rayner: Well, Mr Speaker, I heard what the Prime Minister had to say, but I have to say to him that, yesterday, the chief executive of Care England said,

“We were promised weekly testing for staff. That has not been delivered.” Time and again, the Prime Minister makes promises and then breaks those promises. In June, he told this House that

“I can undertake...now to get all tests turned around in 24 hours by the end of June.”—[*Official Report*, 3 June 2020; Vol. 676, c. 839.]

The Government have had six months to get this right and yet the Prime Minister still cannot deliver on his promises. The Health Secretary said yesterday that it would take weeks to sort the situation out. Well, we do not have weeks. The Government’s latest figures show that there was an average of 62,000 people tested per day, not 500,000. The Prime Minister has said that testing capacity is at 300,000, but the average is 62,000 a day. How does he explain this?

The Prime Minister: We have delivered on, as I say, the most thoroughgoing testing regime anywhere in Europe. We now have capacity; I think capacity has gone up from—sorry, the number of tests per day conducted, not capacity, has gone up from 210,000 last week to 240,000 this week. Just to repeat the statistics: per thousand people, this country is testing 2.54, Germany 1.88, Spain 1.91 and France 1.89. In other words, we are delivering exactly what we said we would do. What is happening is that the British people, quite understandably, are responding to that system with a huge, huge surge in demand, so it is very important that everybody follows the guidance about when they should be getting a test—the guidance sent out by Public Health England, which has been sent to schools, and from NHS Test and Trace.

Angela Rayner: Once again, I see that the Prime Minister says that it is somebody else’s fault—it is the public who are using up the tests. These were the Government’s own figures and their own targets that they failed on. The next time a man with covid symptoms drives from London to Durham, it will probably be for the nearest covid test.

I want to move on to another very serious issue. Alongside the tragic stories we have heard of relatives dying alone in care homes and people not being able to say goodbye to their loved ones, we have heard from mothers who have had to give birth without the support of their partners or their families. The Health Secretary said yesterday that the new guidance had been issued, but even under that new guidance, many birth partners will not be allowed to join until the moment of established labour, leaving women enduring difficult labours or, even worse, traumatic and devastating miscarriages alone without support. Will the Prime Minister agree to meet me and my hon. Friends and work with us to ensure that no woman is forced to give birth without the support that she needs?

The Prime Minister: The hon. Lady is absolutely right to raise the issue, and I know that Members across the House will share her feelings entirely. I totally agree that birth partners should be able to attend the birth. That is why we changed the guidance in the way that we did. Of course, I am very happy to encourage co-operation between her and my right hon. Friends in the Health Department to take the matter forward. I perfectly understand the point that she makes, and she is entirely right.

Angela Rayner: I welcome the Prime Minister’s comments; I think that was a yes, but I will follow it up. Thank you for those comments.

Infections are rising. The testing system is collapsing. When you are the Prime Minister, you cannot keep trying to blame other people for your own incompetence. We have the highest death toll in Europe, and we are on course for one of the worst recessions in the developed world. This winter, we are staring down the barrel of a second wave, with no plan for the looming crisis. People cannot say goodbye to their loved ones. Grandparents cannot see their grandchildren. Frontline staff cannot get the tests that they need. And what was the top priority for the covid war Cabinet this weekend? Restoring grouse shooting.

I suppose that is good news for people like the Prime Minister’s friend who paid for a luxury Christmas getaway to a Caribbean island and funded his leadership campaign, and just so happens to own two grouse moor estates. So Prime Minister, is this really your top priority?

The Prime Minister: While the Labour Opposition have been consistently carping from the sidelines throughout this crisis and raising, frankly, issues that are tangential, if not scare stories about what is going on, we are getting on with delivering for the British public. We are not only massively ramping up. The hon. Lady has not contested any of my statistics today about the extent to which this country is now testing more than any other European country. She has not disputed the massive acceleration in our programme. [*Interruption.*] I will answer the substance of her question, thank you very much.

We are getting on with delivering on the priorities of the British people: getting us through this covid crisis; delivering on making our country safer, bringing forward measures to stop the early release of dangerous sexual and violent offenders, which I hope she will support; strengthening our Union, which in principle Opposition Front Benchers should support; and building more homes across this country and more affordable homes across this country, which the hon. Lady should support. That is in addition to recruiting more doctors and more nurses, and building more hospitals.

I do not think anybody is in any doubt that this Government are facing some of the most difficult dilemmas that any modern Government have had to face, but every day we are helping to solve them, thanks to the massive common sense of the British people, who are getting on with delivering our programme and our fight against coronavirus. It is with the common sense of the British people that we will succeed, and build back better and stronger than ever before.

[906145] **Anthony Mangnall** (Totnes) (Con): The Prime Minister is rightly levelling up across the country, giving that issue both barrels, but I know that the south-west has often been overlooked. Will he reassure the House and Members from across the south-west that we will invest in digital and transport infrastructure, we will turbocharge opportunity, and we will provide the growth that people need in the south-west? To that effect, will he meet a delegation from the south-west to discuss the opportunities before us?

The Prime Minister: It is precisely because we believe in my hon. Friend’s vision, which I share, of a great south-west that we are allocating considerable sums to

the maintenance and improvement of school estates in his constituency; I might single out West Alvington Church of England Academy and Eden Park Primary and Nursery School, which will benefit from just some of this funding. As for his request, I will happily consult my diary.

Ian Blackford (Ross, Skye and Lochaber) (SNP): In his previous life as a *Daily Telegraph* journalist, this Prime Minister wrote:

“Devolution is causing all the strains that its opponents predicted, and in allowing the Scots to make their own laws, while free-riding on English taxpayers, it is simply unjust.”

So let me ask the Prime Minister two specific questions, which need two specific answers. First, does he still think that devolution in Scotland is unjust? Secondly, where does he believe full spending and decision-making powers over our NHS, education, infrastructure, economic development, culture and sport should be held—is it with Scotland’s Parliament or with Westminster?

The Prime Minister: Obviously, there is a very considerable, and has been a massive, devolution of powers to Scotland, and the Scottish people had the opportunity to vote for more in 2014, as the right hon. Gentleman will recall, in a once-in-a-generation event. They chose decisively to reject that. I think he said it was a once-in-a-generation event as well. They now have the opportunity to vote to support the further devolution of powers in the United Kingdom Internal Market Bill, and I hope that he will join us in the Lobby in support of that.

Ian Blackford: My goodness, what nonsense. I never once talked about “a once-in-a-generation” event, and the Prime Minister should withdraw that.

As usual, the Prime Minister is all over the place. He does not remember what he has written, he does not understand his own Brexit deal and he does not even know what is in the Internal Market Bill. I will tell him. Clause 46 allows this Tory Government to bypass Scotland’s Parliament and take decisions on the NHS, education, infrastructure, economic development, culture and sport—it is a blatant power grab. We all know what the Tory Back Benchers are saying behind closed doors: that the Prime Minister is incompetent, that he cannot govern, and that they want him away before the next election. Scotland’s legacy will be in being a fair, decent, law-abiding, independent nation state. Will the Prime Minister’s legacy be leading the UK to break international law and break this failing Union?

The Prime Minister: I am not quite clear from that question whether the right hon. Gentleman is in favour of the Union or not. I take it from his hostility to me that he wants to support the Union. So do I. The best thing he can do is to support the UK Internal Market Bill, which buttresses a surge of powers transferred to the devolved Administrations in more than 70 areas. I should just remind him that in the recent coronavirus crisis £5.4 billion has been transferred to be spent in Scotland as a result of Barnett consequentials, and I am proud to say that 70% of the testing that has taken place in Scotland has been supported by the UK Government. If he is a convert to the Union, which is what I take from his question, that is just one of the reasons he should back it.

[906146] **Mark Logan** (Bolton North East) (Con): Please allow me to push back against what has just been said. The Prime Minister has done a stellar job in fending off economic depression right across the United Kingdom, including Scotland. Now, my worry turns to a psychological depression. Tighter restrictions have forced more businesses to shut in Bolton and, while 13,900 jobs were saved through furlough, more needs to be done. I invite the Prime Minister, when the time is right, to pound the streets of Bolton North East and, before then, to send in the pennies from the Exchequer and more testing kits from Health.

The Prime Minister: Yes indeed, we will do that, and I am delighted to say that, in addition to the £40 billion we have spent on the coronavirus job retention scheme and the £130 billion plan for jobs, Bolton will receive at least £500,000 from the towns fund to spend on its high street and community.

Sir Edward Davey (Kingston and Surbiton) (LD): Research by the Disabled Children’s Partnership shows that three quarters of families with disabled children had their care support stopped during lockdown. The Coronavirus Act 2020 is partly to blame, as it relaxed the duties to assess and meet the needs of disabled people. As the father of a disabled child and a patron of the Disability Law Service, I have seen legal advice that suggests that the Prime Minister’s Government broke international law when the Coronavirus Act reduced the rights of disabled people. So before the House is asked to renew the Coronavirus Act, will he meet me to discuss how we can protect the right to care of disabled people and act lawfully?

The Prime Minister: First, I congratulate the right hon. Gentleman on securing the leadership of his party. I must say that I am not aware of that particular allegation about the legal effect of the Coronavirus Act, and I would be only too happy to write to him very shortly to clarify the matter.

[906147] **Nigel Mills** (Amber Valley) (Con): The residents of Amber Valley were relieved yesterday when a proposal for a 1,000-strong festival was finally withdrawn, because it had become clear that the council did not have the power to resist it despite the ongoing public health crisis. Will the Prime Minister ensure that, while covid restrictions remain in place, councils can resist such festivals in the interest of public health?

The Prime Minister: I thank my hon. Friend for that important question, because I believe that it illuminates a question that councils are asking themselves. I wish to affirm very strongly that they do have the power to stop such events in the interest of public health, and that the council has taken the right decision.

[906148] **Mr Alistair Carmichael** (Orkney and Shetland) (LD): Last week the Secretary of State for Northern Ireland said that the UK Internal Market Bill would breach our obligations under international law. Yesterday the Advocate General for Scotland said that the Secretary of State was wrong to say that. Today the Secretary of State says that the Advocate General was wrong to say that he was wrong. It is of course possible that they are both right in saying that the other is wrong, but surely

an important matter such as this requires clarity. For that reason, will the Prime Minister now undertake to publish the advice he has had from all his Law Officers so that the House can make an informed decision on the question of legality, come Monday?

The Prime Minister: I thank the right hon. Gentleman. I think he asked substantially the same question last week. As he knows, we do not publish the Attorney General's advice—Governments do not normally publish such advice—but what I can certainly say is what I have said to the right hon. Gentleman the leader of the Scottish nationalists: that, of course, this Bill is intended to uphold the economic, political and territorial integrity of the United Kingdom, and I believe it should be supported by every Member of this House.

[906149] **Selaine Saxby** (North Devon) (Con): My right hon. Friend has always highlighted the importance of gigabit connectivity, and digital infrastructure has been vital in keeping us connected throughout the pandemic. Could he update the House on the Government's progress towards the roll-out of gigabit broadband across the country, and in particular whether the £5 billion of Government funding is being used to connect hard-to-reach areas like those in my North Devon constituency?

The Prime Minister: Yes, I can. I thank my hon. Friend very much. We are rolling out full-fibre broadband to the North Moor area, investing £10 million in partnership with the local authority, and gearing up to invest over £30 million across Devon and Somerset to target 70,000 premises in her constituency that do not have good enough connectivity.

[906150] **Ian Byrne** (Liverpool, West Derby) (Lab): The figures released this week by the Trussell Trust forecast that we will give out six emergency food parcels every minute this winter. Will the Prime Minister commit to two urgent measures to tackle this humanitarian disaster, which is happening in all our communities? First, will he commit to an additional £250 million investment in local welfare assistance schemes to bring England in line with the rest of the UK, as requested by the Children's Trust and the Trussell Trust; and, secondly, will he meet me and partner organisations as a matter of urgency to discuss bringing the right to food into UK law?

The Prime Minister: I thank the hon. Gentleman. What the Government are doing is, of course, supporting local councils to the tune of £3.7 billion for the extra needs occasioned by coronavirus; £380 million has gone into supporting food, with meals for pupils or for young people who need it; and there is a massive programme of investment—a £9 billion investment—to lift up universal credit to support the neediest in our society. But I can tell the hon. Gentleman that my right hon. Friend the Chancellor will continue to apply the maximum creativity to putting our arms around the British people as we go forward through this crisis.

[906154] **Joy Morrissey** (Beaconsfield) (Con): Does my right hon. Friend agree that this Government's Internal Market Bill will protect our United Kingdom, strengthen our mission to level up, and back our negotiators?

The Prime Minister: I could not have put it better myself.

[906151] **Wera Hobhouse** (Bath) (LD): In the week in which the Prime Minister announced the Government's new strategy on obesity, the eating disorder charity Beat experienced a 165% increase in the number of people contacting its support services. I am pleased that the Prime Minister is focused on obesity, which is a very serious national health issue, but as the chair of the all-party parliamentary group on eating disorders, I have been contacted by many who suffer from eating disorders, and who have approached me with concerns about certain aspects of his obesity strategy and the adverse effects it would have on them. Will the Prime Minister take these concerns seriously and commit to a meeting between sufferers of an eating disorder, myself and the relevant Minister in his Health team?

The Prime Minister: Yes. I am acutely conscious that there are no glib, easy answers in this area of public policy, and I happily undertake that the relevant Minister should meet the hon. Lady as fast as possible to understand her concerns and the concerns of her constituents.

[906155] **Steve Double** (St Austell and Newquay) (Con): Regional airports are going to play a crucial role in our recovery from the pandemic and in levelling up our country, but many of them, such as Cornwall Airport Newquay, have been very hard hit not only because of the lockdown, but because of the demise of Flybe. There is a very real concern that if our smaller airports close at this time, they may never open again, which will make the Government's levelling-up agenda even harder to deliver. So could my right hon. Friend please ensure that our regional airports get all the help that they need, whether that be through grants or the Government backing more public sector obligation routes, and would he carefully look at reducing air passenger duty, particularly on domestic flights?

The Prime Minister: Yes. I thank my hon. Friend for sticking up in the way that he does for Cornwall Airport Newquay—a vital airport, which I have happily used many times. We will continue to consider applications for public service obligations on routes into Newquay and elsewhere. We will certainly look at air passenger duty, although it would be wrong of me to make any fiscal commitment at this stage.

[906152] **Rachael Maskell** (York Central) (Lab/Co-op): The Prime Minister holds the power to save jobs or sacrifice the livelihoods of my constituents. Currently, 17,700 people living in my constituency are furloughed; their future rests in his hands. Next month, 22% of my constituents could lose their jobs and futures unless furlough is extended. Reformed, yes; more flexible, a must; targeted, absolutely. Extend and review is the only way forward. My question is: will the Prime Minister do that?

The Prime Minister: I hope the hon. Lady is not saying that she simply wants to extend the furlough scheme, because I do not believe that that is the right way—the hon. Member for Ashton-under-Lyne (Angela Rayner) is shaking her head. I do not think that is sensible. We need to get people off furlough and into work, and that is what the Government are doing. That

is why we have the £2 billion kickstart fund, in particular to help young people into work, and why we have the job retention bonus to encourage employers to take people back on and continue to employ people. To answer the point of the hon. Member for York Central (Rachael Maskell) directly, we will continue to apply, as I said just now, the maximum creativity—as we have—in putting our arms round the workforce of the UK.

[906156] **Mr Gagan Mohindra** (South West Hertfordshire) (Con): I recently visited the beautiful Micklefield Hall wedding venue in Sarratt, run by Anna and Jamie Rankin, to listen to their concerns about the wedding industry. Would the Prime Minister consider changing the number of attendees from a blanket limit of 30 and adopting a fairer system that would allow venues to hold a percentage—say, 50%—of their usual licensed activity? That would allow many venues to bounce back and keep on their furloughed staff.

The Prime Minister: I so understand and appreciate my hon. Friend's constituents' concerns. Similar concerns will have been raised with other Members from across the House, not just about the wedding businesses but about many other businesses that are facing restrictions as a result of the social distancing rules that we have had to bring in. The trouble is that, with all these things, there is an increase in the risk of spread and contagion. We simply have to balance that risk against what we are seeing now with the spread of the virus. I must reluctantly say to my hon. Friend that, although we will work as fast as possible to get our whole economy open and take all these restrictions off, the way to do that is for the whole country to work together, as we have done so far, to enforce social distancing, and obey the basic rules about hands, face, space, getting a test if you have symptoms, and the rule of six, indoors and outdoors. That is the way that we will beat this virus. That is the way we will control it and allow weddings and all other sectors to open up again.

[906153] **Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): I, too, have had constituents in Cardiff South and Penarth contact me with serious concerns about testing. It is clear that the problems originate not in Wales, but with the UK testing and online system, which is leading to rationing, chaos and confusion, and all the while the virus spreads further. We are told that the Prime Minister's chum Cummings has a seeing room. Well, it is clearly not working, because this should have been seen coming months ago, like the exams fiasco. The truth is that the Prime Minister has not got control of this. When is he going to get a grip?

The Prime Minister: Once again, the Opposition are at risk of undermining the colossal work of NHS Test and Trace. Let me give the hon. Gentleman one statistic:

just in the last week, the average distance that people have had to go for a test has come down from 6 or 7 miles to 5 miles. We are continuing to improve this system the whole time, and I remind the House and those who want to run it down that we are conducting more tests than any other European country, testing more people per thousand population than any other European—[*Interruption.*] Those are the facts. He doesn't like it; all he wants to do is score party political points.

[906157] **Dehenna Davison** (Bishop Auckland) (Con): Every day, I receive messages from Bishop Auckland residents about crime and how they want to see us politicians taking a tougher stance. My own history involves learning about violent crime in a way I never wished to learn about it, and that is part of the reason I stand here today. The first duty of any Government is to protect the public they serve, but for too long our criminal justice system has fallen short of the mark. Will my right hon. Friend assure me that the Government he leads will take all steps necessary to keep criminals off our streets, to crack down on crime and to keep the public safe?

The Prime Minister: Yes, and that is why we are not only recruiting another 20,000 police officers, I think about 5,000 of whom have already been recruited, but also—[*Interruption.*] The Opposition Front Benchers are making a noise. We are also introducing measures to stop the early release of serious sexual and violent offenders. I take it from the noises I hear from the Opposition that they approve of that and will support us in the Lobby.

[906158] **Martyn Day** (Linlithgow and East Falkirk) (SNP): Given that the 1950s-born women lost their case at the Court of Appeal yesterday, any restitution for the women affected, 350,000 of whom are in Scotland, needs political action. What will the Prime Minister now do to honour his own words from last year and

“return to this issue with fresh vigour and new eyes” and see what he can do to sort it out?

The Prime Minister: I will have to study the judgment in detail. I will be happy to write to the hon. Member.

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 a few minutes.

12.36 pm

Sitting suspended.

Sentencing White Paper

12.40 pm

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): With permission, Mr Speaker, I will make a statement on the Government's plans to reform the system of sentencing in England and Wales. This morning I laid before Parliament a White Paper entitled "A Smarter Approach to Sentencing", and I wanted to come to the House to outline the measures contained within it.

The first duty of any Government is to protect their people, but the complex system of sentencing in England and Wales does not always command the confidence of the public. At one end of the spectrum of offending, there are serious sexual and violent criminals who, by automatic operation of the law, leave prison halfway through their sentences. We are going to ensure that more of these serious offenders stay in custody for longer.

There are also criminals who, while serving time for their offence, may become a danger to the public but who would currently be eligible for automatic release. We are acting to prevent fewer of those offenders from leaving prison without being assessed as safe by Parole Board experts. These measures will keep offenders who pose a risk to the public off the streets for longer, and help to restore public confidence that robust sentences are executed in a way that better reflects the gravity of the crimes committed.

At the other end of the spectrum, protecting the public from the effects of lower-level offending means finding new ways to break cycles of crime—to prevent a revolving door of short custodial sentences that we know offer little rehabilitative value. Criminals in that category often have chaotic lifestyles and their offending can be driven by substance misuse, poor mental health or learning difficulties. They often have limited education and few job prospects, and experience generational patterns of offending.

Rather than continuing to send them back and forth to prison—doing the same thing but expecting a different result—we want to empower the sentencing system to use more effective community sentencing to get them off drugs and into the jobs that we know can lead them to a better life. We will do that by better identifying individual needs, providing treatment options where appropriate, and utilising technology, such as sobriety tags, to drive compliance. These measures will support offenders to change their lifestyles for good and, in the process, protect the public from the ongoing effects of their crimes.

The reforms will not work unless they are underpinned by a world-class probation system that can understand and implement sentencing properly, backed up by a high-quality probation workforce. I pay tribute to the probation service and everyone who works in it to supervise offenders. We have set ourselves an ambitious target to recruit 1,000 new trainee probation officers in 2020-21, and over the next few years we are determined to invest in the skills, capability and ways of working that probation officers need to do their job to the best standard.

Within the new probation arrangements, we will unify sentence management under the National Probation Service to further increase confidence between probation and

the courts, with which there is a much closer relationship than under the old model. The 12 new probation regions will have a new dynamic framework, making it easier to deliver rehabilitation services through voluntary and specialist organisations. We will legislate to give probation practitioners greater flexibility to take action where offenders' rehabilitative needs are not being met, or where they pose a risk to the public. These measures will empower probation services to be more effective at every juncture of the criminal justice system.

The White Paper also contains measures to reduce stubbornly high reoffending rates by utilising GPS technology to drive further compliance, and to make it easier for offenders to get jobs by reducing the period after which some sentences can be considered spent for the purposes of criminal records checks for non-sensitive roles. In the youth system, it puts flexibility into the hands of judges to keep violent young offenders in custody for longer, while at the same time allowing courts to pass sentences that are tailored to the rehabilitative needs of each young person.

The White Paper builds on the current sentencing framework to create a system that will be much better equipped to do its job effectively, and throughout this document there are contributions from other ministerial colleagues right across Whitehall. That is an acknowledgement of the cross-Government approach that will be required if we are going to make a success of these reforms. We must come together to fulfil our manifesto commitments, to bring in tougher sentences, to tackle drug-related crime, to treat addictions, to improve employment opportunities for offenders, to review the parole system, and much more.

A smarter approach to sentencing will increase confidence in the criminal justice system's ability to deal robustly with the worst offenders and reduce the risk of harm to the public. It will also be smart enough to do the things that will really bring down crime in the longer term. I look forward to bringing its various measures through Parliament. I commend the White Paper and this statement to the House.

Mr David Lammy (Tottenham) (Lab): I thank the Secretary of State for advance sight of his statement. We need to scrutinise the changes the Secretary of State has announced today in detail, but I will start by saying that Labour's priority is always to keep the British public safe. The Secretary of State will remember that it was a Labour Government in 2003 who introduced compulsory life sentences and minimum sentences for over 150 offences. It was a Labour Government in 2010 who raised the minimum prison sentence for knife killers from 15 to 25 years in the wake of the death of Ben Kinsella, and it was a Labour Government who obliged judges to hand down 30-year minimum sentences for murders involving firearms and explosives. There is no doubt that Ellie Gould's killer got too short a sentence for the horrific crime that he committed. I praise Carole Gould's fortitude and dignity amid such a horrendous loss. Her campaigners commanded cross-party support and the Labour party stands with her today.

We are a party that welcomes strengthening sentencing when it is necessary to protect the British public. It is in that spirit that Labour accepts that there are some exceptional cases in which a whole-life sentence might be deemed appropriate for a young person over the age

[Mr David Lammy]

of 18. The murderer who helped to plan the senseless terrorist attack on Manchester Arena is one such case. We will need to carefully scrutinise exactly how the Government's proposed changes are written into law, of course, and it is important to remember that, even without the changes the Secretary of State is announcing today, no one imprisoned for crimes as serious as these leaves prison if the Parole Board is not satisfied that they are no longer a danger to society. It is also the case that the general presumption in criminal law is that when someone is younger there is more opportunity for them to reform, and removing the opportunity for parole can also remove incentives for offenders to rehabilitate and behave well in prison. We will come back to that, I am sure, when the Secretary of State comes forward with the legislation. I hope he will confirm that these changes, while appropriate for the most extreme cases, will not be applied gratuitously, and that it would be wrong to abandon the general presumption in criminal law that when people are younger there is more opportunity for redemption and for them to turn their lives around.

There are other announcements today that we welcome. We welcome the reforming of criminal records disclosure to reduce the time in which offenders must declare offences to employers, and that is sorely needed. It is something that I called for in my review, and I pay tribute to the right hon. Member for Warley (John Spellar), who is in his place and who has campaigned on these issues for many years.

I also welcome the Secretary of State's new pilots for problem-solving courts. He will recall that problem-solving courts were introduced by a Labour Government and cut back by a Conservative Government. I am glad to see them back, but why are they just pilots? Can we not go further? We know they work for people with serious addictions and problems who come back into the system again and again. It is also very good to see the Ministry of Justice hearing our calls—again, I raised this in the Lammy review—on behalf of offenders who need greater support because they have neurodivergent conditions such as autism, attention deficit hyperactivity disorder and dyslexia. I am sure the whole House welcomes the fact that we have finally arrived at that place.

We welcome the Government's announcement that they will recruit more probation officers after their U-turn on the failed experiment with privatisation conducted by the right hon. Member for Epsom and Ewell (Chris Grayling). It missed targets and cost taxpayers an extra £460 million. We will continue to hold the Government to account as we get back to having a fully national probation service.

Labour also welcomes the Government's use of the White Paper as an opportunity to increase the maximum penalty for causing death by dangerous driving, as well as the maximum penalty for causing death by careless driving while under the influence of drink and drugs.

Sentencing reform is needed, but on its own it is not enough. Ministry of Justice data show that between 9 June and 31 July this year, nearly a third of prisoners—2,400 people—were released homeless or to an unknown circumstance. How will longer sentences protect the public, if people continue to be released homeless and without the chance to turn their lives around?

The announcement about GPS tagging in the community is welcome, but what steps are the Government taking to ensure that services exist to support former offenders into work? Why is there still no cross-departmental plan to reduce reoffending and enable the reintegration of prison leavers? Does the Secretary of State plan to publish one within the next three months, as recommended by the Public Accounts Committee last week? Does he share the concerns of the Victims' Commissioner that recent changes to the Crown Prosecution Service guidance could lead to the CPS having the freedom to drop difficult cases, leaving victims feeling cheated if the current system is overstretched?

This statement has come in a week when a Secretary of State who took an oath to uphold the rule of law has let his office and the system down. The whole country has watched him squirm in his seat as he has stood with the Prime Minister. I hope he recognises the importance of the days ahead, as he brings this White Paper back to the Chamber.

Robert Buckland: It was all going so well, and then the right hon. Gentleman had to spoil it with an ill-judged, ill-timed and wholly inappropriate intervention. May I remind him that as a practitioner, for years I had to endure a Labour Government who passed with incontinence criminal justice Act after criminal justice Act, creating the chaos with sentencing reform that I am now having to deal with? With the greatest respect to him, I will take no lectures about a Labour Government who made automatic early release at the halfway term the norm for so many sentences. That is the wrong that we are righting now as a result of the reforms that we will introduce.

I am grateful to the right hon. Gentleman for engaging sensibly with the important issues about the rehabilitation of offenders. I am particularly pleased by the warm welcome for the work we will do on neurodivergent conditions and disorders. That has been a long-standing passion and commitment of mine. Autism and ADHD are real conditions that affect thousands of people in our country. I have had personal experience in the criminal justice system of representing people with those conditions, and I think we can do better. That is why we will take action on that.

I can reassure the right hon. Gentleman about the cross-Government work on offender employment. I am grateful to my right hon. Friend the Secretary of State for Work and Pensions, who is deeply committed to increasing the number of offenders in work. We are working on plans and a cross-Government strategy. The committee is chaired by the Prime Minister, which exemplifies the Government's deep and fundamental dedication to this bold agenda.

I welcome the other comments that the right hon. Gentleman has made, and it is in that spirit of constructive engagement that I am sure we will work together to make sense of criminal justice after years of failure, mainly by the Government of which he was a member.

Sir Robert Neill (Bromley and Chislehurst) (Con): I warmly congratulate the Lord Chancellor on an excellent and very well-balanced statement, which shows his own experience as a practitioner in these matters. A number of the themes that the White Paper addresses are ones that the Justice Committee has picked up on a number

of occasions. I look forward to progress being made on those. I particularly welcome the recognition that protection of the public and rehabilitation of those who can be rehabilitated are not mutually exclusive. However, will he also use the opportunity of the White Paper to engender a wider debate across society as a whole about the purpose of sentencing, and the purposes of imprisonment and community sentences, to give both the public and sentencers greater confidence in the suite of measures available and create a broader-based, better-informed understanding of the complexities of the tasks that people in the justice system grapple with from day to day?

Robert Buckland: I am grateful to the Chairman of the Justice Committee. We all know of his long and deep knowledge of the system as a practitioner. He is right to remind us of the purposes of sentencing. He will see in the White Paper a lot of reference to issues of public protection—protecting the public from harm, but also protecting the public from crime. The two go together, and one is served, I would submit, by effective prison sentences, while the second is served by rehabilitation through the community options that can make such a difference with the right support.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Lord Chancellor for his customary courtesy in affording me advance sight of his statement. However, it is a little difficult to stomach rhetoric about how tough this Government are on lawbreakers when only a week ago a Minister stood at the Dispatch Box and told us that they intended to break international law, albeit in a limited and specific way. Even the Lord Chancellor seems to think that, when it comes to his Government colleagues, the rule of law can be watered down to allow lawbreaking that he finds acceptable.

I want to make it clear that in Scotland the law applies equally to everyone, whether they are a Government Minister or an ordinary member of the public. I wonder whether the Lord Chancellor agrees that it should be the same in England and Wales. That is where this sentencing White Paper applies; sentencing is devolved to Scotland. However, the position of the SNP is clear. We want to work hard with the UK Government and European friends to make sure that all communities in these islands are protected from terrorism and serious crime.

There are elements of the White Paper to be welcomed, including the offer of treatment for vulnerable prisoners with mental health and addiction problems, and the proposals to encourage courts to pass community sentences for less serious offences, following the Scottish model. However, I would express caution about giving whole-of-life sentences to teenagers. Expert evidence shows that young people are more likely to be open to rehabilitation. That is important for the public, because every time we manage to rehabilitate or deradicalise someone, it makes the public a little bit safer. Prisoners who know they will never be released have little incentive not to kill or maim not only other prisoners, but prison officers. I would like to know that the Lord Chancellor has taken cognisance of those factors. The Scottish Sentencing Council is consulting on its third draft guideline on sentencing young people. Are there any proposals to consult on this issue in England and Wales as well?

Robert Buckland: I am grateful to the hon. and learned Lady. With regard to the latter matters, the Sentencing Council here in England and Wales has done a lot of work on sentencing of young offenders. Any further guidelines are matters for that council, but perhaps she and I together can explore that with its chair.

I note the hon. and learned Lady's point about young offenders, which echoes what was said by the right hon. Member for Tottenham (Mr Lammy), the shadow Justice Secretary. We absolutely will preserve the principle that the sentencing of young offenders is a separate legal regime from the sentencing of adults. Quite clearly there are differences, and the welfare issue must be paramount. That said, there will be, sadly, some egregious and particularly extreme examples of serious criminality that may merit the imposition of the most serious sentence available to the court. What I am proposing is that the courts would have a discretion in relation to those under 21, as opposed to their being mandated to impose such a severe sentence. That element of discretion is at the heart of what I am trying to achieve here: a flexible, balanced system.

In terms of balance, I assure the hon. and learned Lady that when it comes to the rule of law, both within Her Majesty's Government and our country as a whole, I, like her, yield to no one in my belief in equality before the law. I also believe in maintaining a balance, and that is what I am doing every day.

Scott Benton (Blackpool South) (Con): The residents of Blackpool South are fed up with the soft liberal approach to criminal justice that has failed victims, weakened communities and seen public confidence in the system eroded decade after decade. Does my right hon. and learned Friend agree that we need a new approach to sentencing that puts the public and victims first and ensures that serious offenders are locked up for longer?

Robert Buckland: My hon. Friend is right. He represents the proud community of Blackpool, where I know that many law-abiding citizens are frankly fed up with the position they find themselves in. They want reassurance and to have confidence in the system. The proposals we are setting out today follow on from the manifesto commitments that allowed us to have my hon. Friend in this House—thanks to the good people of Blackpool South—and those commitments will be honoured.

Ruth Jones (Newport West) (Lab): Local voluntary sector organisations, including many in Newport West, play a vital role in providing the type of support mentioned by the Lord Chancellor around rehab, drugs and mental health. Despite that, Ministers have admitted that the involvement of the voluntary sector in probation was lost in the mix when it came to previous provision. A number of small charities have made it clear that the new system will be just as bureaucratic and costly as the old one, so they are opting out. What action will the Minister take to ensure a strong role for the voluntary sector in Newport West and across the country in delivering his plans?

Robert Buckland: I thank the hon. Lady, whose constituency, of course, I know well—I appeared as a practitioner many, many times at the Crown court at Newport, both prosecuting and defending, and I know

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the community that she serves. I say to her and all those smaller organisations that it is my fervent hope and intention to make sure that they are involved in what we call the dynamic framework. I have made it very clear to my officials that I expect to see the small specialist organisations at the table. She is right to say that previously, the tendering process tended to squeeze out the smaller players. That is wrong. I have already seen well over 150 small organisations apply to get involved, and both I and the Minister of State, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), will be taking a very close interest in this matter. If there are any further concerns, the hon. Lady should not hesitate to write to me.

Mr Speaker: We head up to Harrow, to Flight Officer Blackman.

Bob Blackman (Harrow East) (Con) [V]: Thank you, Mr Speaker.

I warmly welcome my right hon. and learned Friend's statement. He will be well aware that my constituency suffered a spike in extremely violent aggravated burglaries prior to covid-19. My constituents want to know what steps he will take to ensure that the new sentences he is announcing are actually awarded by judges, and that criminals who perpetrate crimes against the person are not only brought to justice but punished and kept in prison, so that the sentences meet the crime.

Robert Buckland: My hon. Friend is right to raise an issue that I know many of his constituents in Harrow East have faced. I assure him that when it comes to dwelling-house burglary, which is not just a crime against property but a crime against the person, because it robs somebody of their wellbeing, we are going to change the criteria so that only in exceptional circumstances would a court disapply the minimum three-year term that "three strikes" domestic burglars will receive. That will see a greater number of those people serving longer behind bars.

Chris Bryant (Rhondda) (Lab): There has been a terrible rise over the last 10 years in assaults on emergency workers, with ambulance workers being sexually assaulted, punched, spat at, stabbed—everything. That is why I introduced private Member's legislation a couple of years ago: the Assaults on Emergency Workers (Offences) Act 2018. Unfortunately, magistrates are still saying to police officers, "I'm sorry, but I just think that a bit of violence is in the way of your work." I hope the Lord Chancellor will say that that is nonsense. All prosecuting authorities have to take this far more seriously, because the sentencing guidelines have still not been changed, and the number of cases is still rising. I wholly support the sudden conversion of Ministers who violently opposed my Bill when I introduced it and said that they did not want it to be a two-year maximum sentence. I welcome their conversion on the road to Damascus, but I want to ensure that this law is actually used; otherwise, this will continue.

Robert Buckland: The hon. Member is to be applauded for his work on that important legislation. Our commitment to double the maximum term is set out in the White Paper, and that is what we will do. He is right to talk

about prosecution and practice within the courts and our magistrates system. I do not know about the road to Damascus, but I have been on the road to Tonypany in his constituency quite a few times, and I know what his constituents would say to me. They would expect prison officers, police officers and blue light workers to have that protection. Let us not forget that it is not just about the provisions in that Act—it is about the law on assault generally and the aggravated circumstances that a court can take into account in increasing sentences—but he makes a powerful point.

Sir Desmond Swayne (New Forest West) (Con): I hope my right hon. and learned Friend keeps his balance, but will he address eye-watering costs such as the £456,000 clocked up by Andrew Harper's killers? That cannot be right, can it?

Robert Buckland: My right hon. Friend knows that everybody in this country is equal before the law, and fair trials have to happen. Legal costs are, of course, paid to the people who represent criminals or accused people. I take his point about ensuring that our legal aid system is efficient and that money is not wasted, but the fundamental principle of the right to a fair trial is something that I will defend and that I think he would agree with as well.

Tony Lloyd (Rochdale) (Lab) [V]: There is much in the Lord Chancellor's statement that I strongly welcome, as a former police and crime commissioner. I want to raise an issue that I know he is well aware of. In my constituency, there are many people who were victims of evil men who sexually abused them. Those women will carry that burden for the rest of their lives. It is incomprehensible that, once the perpetrators have finished their term before probation and been released, there is nothing to stop them confronting their victims. The victims could walk round the corner and find their attacker in front of them. Can the Lord Chancellor assure me that, as part of the White Paper, we can look at how that can be prevented in future, even if it cannot be done retrospectively?

Robert Buckland: I am grateful to the hon. Member for raising that. We have met to discuss this matter. It seems to me that existing types of order—for example, crime prevention orders and serious crime prevention orders—could potentially be used, particularly where somebody has completed their term of imprisonment and licence and therefore the probation service's involvement has come to an end. I will welcome further engagement with him, because he not only speaks for past victims; he speaks for people whose voice has yet to be heard, and whose voice must be heard if we are to effectively protect the victims of sexual abuse.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): They say that an Englishman's home is his castle, and it is certainly a place where all people should feel safe and secure. As a result, when someone burgles a home, they do not just take possessions; they violate a person's safety in their own home. Can my right hon. and learned Friend assure me that his new sentencing guidelines will ensure that the people who commit these crimes are appropriately punished and appropriately rehabilitated, and that the public will be protected from further occurrences?

Robert Buckland: My hon. Friend is right to echo the comments I made about burglary being a crime against the person. She will have heard my observations about strengthening the safeguards of the “three strikes and you’re out” burglary minimum term of three years, which will mean that a greater proportion of offenders of that type will now serve longer in custody. We are also doing two strikes for knife possession because we want to send a clear message that this type of criminality will not be tolerated.

Jim Shannon (Strangford) (DUP): I thank the Lord Chancellor for his diligence and wisdom in the statement. I welcome the news that child killers are to be held longer and that the automatic release of violent and dangerous criminals is to end, but will he further confirm that intervention measures will be in place for young men who are drawn into drug deliveries and so on and who need to be kept away from hardened criminals in prison, as a method of giving them space, a fresh start and a true rehabilitation purpose?

Robert Buckland: I welcome the hon. Gentleman’s comments, and I am grateful to him. He makes a very interesting point about young offenders. I am keen to make sure that people who are sucked in—they might be quite young and themselves victims—do not end up becoming criminals themselves. That is why reforms to the remand system for young offenders and alternatives to immediate prosecution, in particular for victims of modern-day slavery or abuse, are so important. We are seeing with the county lines operations some really good work by the police in making that distinction between the child as abused victim and the child as criminal. We will keep drawing that distinction in a sensible and sensitive way.

Jonathan Gullis (Stoke-on-Trent North) (Con): My hon. Friend the Member for Bracknell (James Sunderland) and I are extremely grateful to our right hon. and learned Friend for picking up our Desecration of War Memorials Bill in his White Paper. Can he confirm to the people of Stoke-on-Trent North, Kids Grove and Talke that the law will be changed as soon as practically possible to make sure that those who insult the memory of our glorious dead can be given sentences that fit their abhorrent crimes?

Robert Buckland: I pay tribute to my hon. Friends for their campaign to make sure that the law properly reflects the damage that can be caused to the national consciousness and the wellbeing of communities when war graves, religious graves and important memorials are desecrated. In the White Paper, we have committed ourselves to taking up his challenge, and we will reform the law in the year ahead.

Barbara Keeley (Worsley and Eccles South) (Lab) [V]: Thirteen-year-old Jack Worwood was walking along the pavement on his way to play football with his friends when he was struck by a vehicle driven by an uninsured driver at nearly three times the speed limit. The driver, Liam Wilson, fled the scene and Jack died the next day. Liam Wilson was sentenced two weeks ago and is likely to serve in prison only two years of a six-year sentence. Jack’s family members in my constituency are devastated by the lack of justice. I am glad the Government are finally acting to ensure longer sentences in these cases, but can the Lord Chancellor tell me when

he expects these changes to come into force, and what reassurance can he give Jack’s family that the Government will look again at the leniency of the sentence in this case?

Robert Buckland: The hon. Lady raises a tragic and appalling case. I would need to know a little more about the index offence. It may well be a matter that the family can refer to the Attorney General under the unduly lenient sentence scheme, if the offence is within the purview of that scheme. I know that she will not hesitate to advise the family of that. On the general point she makes, it is important for us all to remember all the victims of those who cause death by dangerous driving. I think today of Violet-Grace Youens, whose parents have assiduously campaigned for a change in the law. Even if they cannot bring back their beloved daughter or turn back the clock, their campaign has achieved a change in the law that I believe will give greater justice to future families. This law will be changed with legislation that will come during this Session. I can make the commitment now that we will make the necessary change in tribute not just to Violet-Grace, but to all the families and those who have suffered so much.

Mr Gagan Mohindra (South West Hertfordshire) (Con): I thank the Lord Chancellor for the White Paper. It reaffirms my belief that the Conservative party is the party of law and order. As he will be aware, the Ministry of Justice published a report last year, which showed that the cost of reoffending was £18.1 billion per year, not to mention the emotional and psychological harm to victims of crime. Can he give us further details on how we are focusing on breaking the cycle of reoffending?

Robert Buckland: My hon. Friend is right to mention the importance of that depressing cycle of reoffending, and he will see in the White Paper ready acknowledgement of some of the drivers of that: drug addiction, alcohol addiction, the lack of stable accommodation, no work. The three things that I believe offer the way to avoid a life of crime are a home, a job and a friend, and that might be treatment or probation support. That is what we are committed to in the White Paper; that is what this Government are going to achieve.

Wera Hobhouse (Bath) (LD): The Lord Chancellor has already partly answered this question, but can he expand on it. Currently one of the biggest problems is overcrowding in prisons and failing to rehabilitate enough people? Can he also address how we are dealing with adverse childhood experiences and trauma that people have suffered, which lead to exactly that spiral of crime? How will his Department respond to that?

Robert Buckland: The hon. Lady makes a really interesting point about childhood trauma. In the call for evidence on neurodivergence I want to open up some of these issues in a much more novel way, because I am sure that, with proper support and proper intervention, we can divert a lot of people away from a life of crime. When they get into the system it is vital that we expand community sentence treatment requirements. I am a strong believer in the mental health treatment programme, and the NHS, which is scaling up its support for that, is to be thanked. We will expand the availability of that type of treatment order throughout the jurisdiction, so that judges have a real choice when it comes to passing

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sentences. It does not always have to be custody; there can be a constructive way forward, properly tailored around the offender.

Rob Butler (Aylesbury) (Con): I warmly welcome the White Paper and in particular its proposal for longer curfew periods alongside GPS tags. That strikes me as something approaching a smart house arrest system. Does my right hon. and learned Friend agree that it could fill a significant gap in current sentencing options, because it would be an excellent way of punishing criminals by restricting their liberty while at the same time enabling them to be successfully rehabilitated and therefore less likely to reoffend?

Robert Buckland: My hon. Friend is absolutely right, and I pay tribute to him for his long work in the criminal justice system—as a member of the Sentencing Council, for example. I warmly welcome his comments, and I am a strong believer that an element of house arrest, let us call it—the use of curfew together with electronic monitoring—alongside various other treatment orders that could be imposed could be a really intelligent, smart way of providing a tougher, more robust approach to sentencing. It will deprive offenders of liberty—causing, of course, huge changes to their lives—but, frankly, that is part of the punishment and part of the solution if we are really going to move people on from a cycle of crime.

Kim Johnson (Liverpool, Riverside) (Lab): Access to justice has declined for our citizens over the decade in which the Tories have been in power, and that is particularly the case in my constituency. What are the Government doing to ensure that the comprehensive spending review places our justice sector on a secure and equal footing for all for the future, and pays particular attention to community law centres?

Robert Buckland: We are of course talking about criminal justice, and I can assure the hon. Lady that she will be impressed by the progress we will make as a result of the work I have been doing on criminal legal aid—the £51 million increase that I have ordered for the remuneration of advocates—and further to review the whole criminal legal aid system. On the general point about access to justice, the people of Liverpool will, I know, warmly welcome the measures we take to remove serious offenders from the streets of that city and other great cities of the north-west: those measures will really protect the public in a way that her constituents will applaud.

Mr Philip Hollobone (Kettering) (Con): The Government already accept the principle of sentence escalation. For example, under the coronavirus legislation, those in receipt of covid-related penalty notices face a doubling of the fine on each repeat offence. Will the Secretary of State extend sentence escalation to other crimes, especially serious and violent crimes, so that repeat offenders face a stiffer sentence each time they commit the same offence?

Robert Buckland: My hon. Friend is absolutely right to make the point that as a point of principle those people who have been grimly accustomed to and far too familiar with the criminal justice system in the accumulation of sentences merit stiffer terms of imprisonment or stiffer forms of sentence. The courts should and must take that into account when assessing the overall sentence to

be passed. With regard to prolific offenders, the tightening up of the minimum term provisions that we are announcing today goes quite a significant way towards the desired outcomes that he and millions of other people seek.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): A stalker caught with a murder kit in his car could be charged only with a minor offence because the victim, Dr Ian Hutchinson, was unaware that he had been stalked for over four years. The offender, Thomas Baddeley, was sentenced in August but has already been released. Dr Hutchinson was not informed. Will the Secretary of State commit to a review of sentencing in stalking cases and to strengthening the rights of victims?

Robert Buckland: I am grateful to the right hon. Lady for taking up the baton on that issue from her predecessor in Dwyfor Meirionnydd. She is absolutely right to draw me back to a campaign that I helped to champion in order to criminalise stalking and to enhance and improve the law further. I will look at that case more carefully, if I may. I am sure that more work can be done, particularly with regard to awareness and training of police and prosecutors with regard to the true seriousness and insidious nature of stalking and what it can lead to.

Jeremy Wright (Kenilworth and Southam) (Con): I congratulate my right hon. and learned Friend on this White Paper, which reflects what he has long argued: an intelligent criminal justice policy requires provision to promote both punishment and rehabilitation. I particularly welcome what he said about sentencing code consolidation, which will not just reduce the number of mistakes made in sentencing but help victims to understand the system better. May I urge him to turn his mind urgently to the practicalities of the interesting proposal to keep offenders in custody for longer if they are radicalised in prison, particularly with a view to giving the Parole Board the tools it needs to make judgments on intelligence material that it will not be familiar with handling?

Robert Buckland: My right hon. and learned Friend and I toiled in the vineyard with regard to criminal sentencing procedure. He did not quite write the book, but he certainly read it. I am grateful to him for his warm support and for the excellent work of the Law Commission now being enshrined in law by this Government. That is the bedrock of what we are doing, and we are going to build on it in an intelligent way.

My right hon. and learned Friend is absolutely right to talk about the role of the Parole Board. I have taken a particular interest in making sure that sensitive intelligence material is indeed released to it in the most proper way. I pay tribute to the former vice-chairman of the Parole Board, Sir John Saunders, whom my right hon. and learned Friend will know from his days as a Birmingham practitioner, and who made those points very cogently. We have acted on them, but we are going to go further with a root-and-branch review of the Parole Board to make sure that it and other mechanisms are truly working in such a way that it makes fully informed risk assessment decisions.

Steve McCabe (Birmingham, Selly Oak) (Lab): There is much to commend in this announcement. Earlier the Lord Chancellor referred to the unduly lenient sentences scheme. How many criminals have had their sentences increased since he announced the expansion of that scheme last year?

Robert Buckland: The figures are released annually by the Attorney General's office. I do not have the most up-to-date figures. I do know, from my own long experience as Solicitor General, that the rate of inquiries had increased dramatically to well over 1,000 a year. Last year, to the best of my recollection, the rate of successful appeals was somewhere in the region of 80 cases. That shows that the Law Officers are properly applying the law, and properly taking cases to the Court of Appeal and achieving a higher level of justice where it is absolutely merited. I am sure that the hon. Gentleman can follow up these questions with my right hon. and learned Friend the Attorney General.

Mr Mark Harper (Forest of Dean) (Con): May I commend the balanced judgment that the Lord Chancellor has brought to this? My constituents will welcome the tougher sentences for the most serious and violent offenders, but I think they will also welcome the more innovative sentences that judges will be able to mete out to those with more complex cases. On that point, how is he going to assess the pilots, which were also referred to by the shadow Lord Chancellor, and judge whether they are successful? The public might need persuading that some of these innovative ways of dealing with crime will reduce offending and thereby keep all of our constituents safer.

Robert Buckland: I warmly welcome my right hon. Friend's support, and I am grateful to him, as ever. He is right to highlight the assessment procedure. He will be glad, and he will remember from his time in office, that my predecessor, my right hon. Friend the Member for Surrey Heath (Michael Gove), pursued problem-solving courts when he was Lord Chancellor. We already have a considerable amount of learning from that process, and I want to build on that. Although I cannot prejudge every jot and tittle of the effect of problem-solving courts—[*Interruption.*] The House liked "jot and tittle". As I was saying, I am pretty clear in my mind about the direction of travel on the effectiveness of their more widespread use in our criminal justice system.

Clive Efford (Eltham) (Lab): Just 206 prison places built out of 10,000 promised by 2020; massive overcrowding in our prisons; little time for rehabilitation, prisoners dumped out of prison with no housing to go to; and a probation service where, owing to a failed privatisation, people are being left with a phone call every fortnight, if they are lucky, which has led to a massive rate of reoffending. That is the legacy of this Government. There are many fine words in this statement from the Lord Chancellor, but where are the resources that are going to turn around that record of failure?

Robert Buckland: The hon. Gentleman will be glad to know that within a month of my taking office we secured £2.5 billion for the biggest prison-building project in years. I am keeping a close eye and tight rein on the project delivery unit that will be doing that. We have the model in place; the Wellingborough prison model is one we can replicate, so we do not need to keep changing the specification and make the same old mistakes on Government procurement. The commitment is absolutely clear, and the money is in place. Last year, the Department obtained a near 5% increase in its revenue budget, which was the biggest single increase in years. We have just secured one of the biggest single injections into prison

maintenance budgets in years. Although I do not pretend that I can claim to be as rich as Croesus when it comes to Justice budgets, we are definitely in a better place than we were, and I look forward to the spending round negotiations ahead with relish.

Laura Farris (Newbury) (Con): I congratulate my right hon. and learned Friend on this White Paper, and on the root and branch approach it takes to sentencing, probation and rehabilitation. There is a focus on neurodivergence and mental health. Is his primary objective to prevent these people from falling into the criminal justice system in the first place or to help them cope once they do so? If it is the former, how will he work with other agencies to achieve early intervention?

Robert Buckland: My hon. Friend speaks with her own knowledge and experience as a practitioner. She is right to ask me that question, because this is not just about how to make the necessary adjustments in the system once the person with that neurodiverse condition is in it. It is equally, if not more so, about prevention in the first place. We will achieve that only with the help of the Department for Education, the Department of Health and Social Care and the Department for Work and Pensions. There is already a cross-governmental disability strategy, which I want to build on with the call for evidence that we are going to undertake. I look forward to engaging with all the agencies, and indeed all the voluntary organisations out there, which bring so much expertise to the table in dealing with these issues. I am also going to put speech, language and communication disorder into the mix, because I know it has been a long-standing issue that we need to address as well.

Mick Whitley (Birkenhead) (Lab): Our prison system is in crisis. After 10 years of funding cuts and privatisation, many of our prisons are simply not fit for purpose, while overcrowding is leading to dangerously high levels of violence and self-harm. In January, the Howard League for Penal Reform pointed to drastic improvements in the conditions at Liverpool jail as an example of what can be achieved when action is taken to reduce overcrowding, but it also highlighted the fact that overcrowding is a systemic issue across England and Wales. Does the Lord Chancellor recognise that any discussion about increasing custodial sentences has to be accompanied by a dramatic increase in funding for prisoners so that we can tackle overcrowding?

Robert Buckland: The hon. Gentleman is absolutely right to talk about Her Majesty's Prison Liverpool; I pay tribute to the governor and, indeed, all the prison staff there for the incredible work they have done to help to change a challenging position to one of real progress. That has been happening in prisons up and down our country. I make no bones about it: the prison environment is a difficult one and the hon. Gentleman is right to highlight overcrowding. But I repeat that the Government have already committed £2.5 billion to a new prison-building programme and secured more funding for prison maintenance. We have also secured £100 million for new prison security, including X-rays, to protect not only prisoners but the staff who run the line and do so much incredible work in the art of jailcraft, which is truly understood by only a few of us in the House but which we should remember when we pay tribute to the tireless work of our dedicated prison officers.

Lucy Allan (Telford) (Con): My right hon. and learned Friend the Lord Chancellor is to be congratulated on bringing forward this excellent White Paper. The measures it contains will be widely welcomed in my constituency and are long overdue. Does my right hon. and learned Friend agree that the additional measures to end automatic early release for serious offenders will protect communities such as Telford, where we have experienced fear and a sense of injustice because of the early release of perpetrators of child sexual exploitation?

Robert Buckland: I pay tribute to my hon. Friend for her tireless campaigning on an issue that has affected her community and the lives of people she represents. She is right to remind us of the purpose of this White Paper: we are seeking to protect the public and to achieve a higher level of confidence. When a prison sentence is passed, yes, there is a period on licence during which the individual needs to readjust with the appropriate controls, but there has to be a clear signal that the bulk of their term will be served behind bars. That is what the public expect; that is what will increase confidence in the system; and that is what we are doing.

Stephen Farry (North Down) (Alliance): There are many sensible reforms in the White Paper, but all changes have to be consistent with the European convention on human rights, which is also a critical pillar of the Good Friday agreement. In the light of media reports over this past weekend, will the Lord Chancellor give a categorical and comprehensive reassurance that the Government have no plans to change either their commitment to the European convention on human rights or the Human Rights Act 1998?

Robert Buckland: I am grateful to the hon. Gentleman. He knows that in our manifesto the Government committed to updating the Human Rights Act, which is entirely—*[Interruption.]* The hon. and learned Member for Edinburgh South West (Joanna Cherry) laughs; it is entirely right that an Act that is now 20 years old is looked at carefully, and we will do that. May I absolutely, categorically—*[Interruption.]* I am sorry, but no Act of Parliament is immune from review or updating, and frankly it is right of us—*[Interruption.]* It is entirely consistent and correct—*[Interruption.]* I find the faux outrage of Opposition Members extremely discordant with what the public of this country think. What we are doing, having secured a large majority, is following through on our manifesto commitment. I make no apology for that, but I will say to the hon. Member for North Down (Stephen Farry) that the commitment of this Government to membership of the European convention on—*[Interruption.]* If the right hon. Member for Tottenham (Mr Lammy) listens, he might learn something. The commitment of this Government to the European convention on human rights is absolute. It was British Conservatives who wrote it—my predecessor Lord Kilmuir, Sir David Maxwell Fyfe, and his team wrote the convention—because we were and are believers in fundamental human rights and freedoms. We wrote it; we are the party that created the convention; and we will stick by that.

Mr Speaker: In fairness, we just need to turn it down a little. The Lord Chancellor is one of the most respected and well-mannered Members of this House, and I do not want him to spoil that in my company.

Aaron Bell (Newcastle-under-Lyme) (Con): I congratulate the Lord Chancellor on this White Paper. The tougher measures within are certainly welcomed by me and will be welcomed by my constituents in Newcastle-under-Lyme, but I also welcome the smarter approach to sentencing. The British people expect the most serious offenders still to face the full force of the law, even if they are under 18, so will he confirm that the White Paper recognises that, and will not only change the release point for young offenders committing the most serious offences, but close the gap between sentences for murder for older teenagers—15, 16 and 17-year-olds—and those for young adults? The gap is significant at the moment, and that needs to change.

Robert Buckland: My hon. Friend is absolutely right to highlight the difficulty caused by having a generic starting point for all young offenders, irrespective of age and maturity. It is far better to have a sliding scale that allows the courts, using their discretion, to reflect the differing maturities and age ranges of the serious offenders before them. Although the welfare of young people has to be our primary concern, he is right that when it comes to the most serious offences, we cannot, I am afraid, shrink from our duty to protect the public and to ensure that the punishment fits the crime.

Bambos Charalambous (Enfield, Southgate) (Lab): I welcome aspects of this White Paper, especially paragraphs 239 to 242, which acknowledge the role that homelessness plays in reoffending. Being released on a Friday makes it difficult for offenders to access public services, which leads to increased reoffending. What steps is the Secretary of State taking to reconsider release on a Friday?

Robert Buckland: The hon. Gentleman, who speaks with experience as a practitioner, is right to highlight that issue. I have considered whether we should just ban release on a Friday, but that is probably the wrong answer because, frankly, services need to be there every day of the week. There should be no distinction between what happens on a Friday and what happens on a Wednesday. That is why proper cross-Government work has been done to ensure that accommodation and potential jobs are identified when an offender is released and to ensure that the benefits system is working if no job is available. That is at the heart of what I am trying to do.

Craig Tracey (North Warwickshire) (Con): I welcome the statement, and thank the Lord Chancellor for meeting me to discuss the tragic case of my constituent, Sean Morley, who was killed in a horrific hit-and-run accident. Does the Lord Chancellor agree that the punishment really must fit the crime for those who cause death or injury by dangerous driving? As Sean's mum said, in the wrong hands a car is as deadly a weapon as a gun or a knife.

Robert Buckland: I pay tribute to my hon. Friend for his assiduous work on the behalf of his constituents. As Solicitor General, I dealt with a number of egregious cases of causing death by dangerous driving in which the 14-year maximum simply was not enough to deal with the true justice of the case. I have seen far too many judges struggle with the maximum, and I have seen the Court of Appeal's struggle with it as well. We can end that struggle now by allowing far greater discretion when it comes to the most appalling crimes.

Kevin Brennan (Cardiff West) (Lab): The Lord Chancellor knows that I will welcome the work being done on neurodivergent people who come into contact with the criminal justice system. May I encourage him not only to keep working with Autism Injustice, which was founded by some of my constituents, but to ensure that the Home Office is on board with this?

On death by dangerous driving, I remind the House that it was on 17 October 2017 that the now Foreign Secretary made a commitment to me to introduce the change that has now been announced in the White Paper, and I have been chasing him for the past three years to get on with it. I am glad that it is in the White Paper, but can we have that legislation as soon as possible? Grave injustice is still being suffered, including by the parents of my constituent Sophie Taylor, who was killed in a terrible case.

Robert Buckland: The hon. Gentleman knows that I am very familiar with his constituency having been part of the criminal justice community in Cardiff for many years. I assure him that matters relating to causing death by dangerous driving will be introduced in a Bill in this Session, which means that we can get on with this important job.

On neurodivergence, I pay tribute to the hon. Gentleman's constituents for their tireless work. It is vital that their experience, and those of others like them, are not repeated time and again, and that we actually learn from that experience and incorporate it into our mechanisms and make that change.

Laura Trott (Sevenoaks) (Con): I welcome the White Paper, particularly the proposals to extend the minimum term for sexual and violent offenders and the power to end automatic early release. However, will the Secretary of State consider ending the standard determinate sentences for rape so that the Parole Board is always involved before a perpetrator is released into the public?

Robert Buckland: I pay tribute to my hon. Friend, who has taken a long and deep interest in this, both as a Member of Parliament and in her previous work as an adviser, when she, like me, took an interest in criminal justice issues. Sometimes in the world of politics, criminal justice issues are somewhat unfashionable; they are seen as too hard to deal with—too difficult. Well, we should be doing difficult in this place, and she is right to offer me that challenge. What I would say to her at the moment is that these reforms offer a higher degree of justice to victims of rape, who can be assured that perpetrators will now serve longer behind bars. The question of risk and dangerousness needs to be fully understood and examined, and of course I will undertake to do that with her assistance.

Mr Speaker: I want to try to get through the list, so could we speed up a little?

Stephanie Peacock (Barnsley East) (Lab): Two years ago, my constituent Jackie Wileman was killed by four known criminals who stole a heavy goods vehicle. Those men had 100 convictions between them. The Lord Chancellor met me and Johnny Wood, Jackie's brother, and I would like to take this opportunity to thank him and to welcome the decision to increase the maximum sentence for death by dangerous driving from 14 years

to life imprisonment. May I also take this opportunity to press him on what progress his Department has made on the reintegration of the probation system?

Robert Buckland: I am grateful to the hon. Lady. I well remember the meeting with Mr Wood. It left an impression on me, and the cumulative impression of the meetings I have had with her constituents and others has led to this important announcement. I promise and pledge that we will get on with the legislation. On probation reform, she can be assured that my officials are working to a deadline of next summer—June 2021—to roll out the regional model with a dynamic framework. In Wales, that work is complete already; the unified service started its operations at the beginning of the year. Despite the covid challenge, we are getting on with the job, and I am confident that we will have that unified model in place, certainly by this time next year and perhaps before that.

Stuart Anderson (Wolverhampton South West) (Con): I welcome the White Paper. Will the Lord Chancellor provide an update on what it will do to increase the capacity of probation services and to improve them in Wolverhampton?

Robert Buckland: Again, Wolverhampton is a community and a court I know well, having sat there in the past. My hon. Friend's constituents will be glad to know that, with the changes to probation—the investment that we are making in increased staff by ramping up the number of probation officers, improving training and making the necessary changes—we will have a system that is better equipped to help end the cycle of offending. It will be better equipped not just to manage offenders—I do not like the word “management”; I prefer “supervision”, because that implies much more direct action.

Marion Fellows (Motherwell and Wishaw) (SNP) [V]: During the passage of the Counter-Terrorism and Sentencing Bill, the director of the Prison Reform Trust told the Bill Committee that if we do not seek to rehabilitate young people, who are more prone to rehabilitation, public protection is undermined rather than enhanced. That advice is well recognised by other experts in the sentencing field. To what extent does the White Paper take that into account?

Robert Buckland: I thank the hon. Lady for her work on that important Committee on a Bill that of course has United Kingdom as well as England and Wales application. I can assure her that in no way do we lose sight of the welfare issue when it comes to young offenders, but at the same time we have to be frank and honest at times where the descent to very serious offending—particularly extremist ideation—has occurred. Then, a mixed approach has to be taken, and public protection does have to be foremost in our minds. That is why we are taking the balanced approach that I advocate in the Command Paper.

Andrew Percy (Brigg and Goole) (Con): The good folk of Brigg and Goole and the Isle of Axholme will welcome the changes when it comes to burglary, as do I, as somebody who has been burgled three times—I have nothing worth kiping, though. However, on the important issue of autism, one of the big problems we have in this country is people's ability to access an assessment and a

[Andrew Percy]

formal diagnosis. Will the Lord Chancellor ensure that proper training is put in place across the Prison Service and the probation service to identify that?

Robert Buckland: I was sorry to hear about my hon. Friend's experiences. I am glad that he has shared with us that he has nothing of value—perhaps nothing left of any value. As a victim of crime, he is right to point to both ends of the spectrum. When it comes to autism, we have some excellent therapeutic services in places such as Her Majesty's Young Offender Institution Aylesbury, but it seems to me that they are islands of excellence in a sea of a lack of response. That is what I want the call for evidence to identify. Through that body of information, we can then take the action that he and I have wanted for so long.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Lord Chancellor will be aware of the serious violence related to drugs in my constituency and the number of terrorism offences that have taken place. Like my right hon. Friend the Member for Tottenham (Mr Lammy), I will look constructively at these proposals, because I want to see tough action on serious criminals.

The Lord Chancellor was on television this morning talking about fudging the law, after a week in which he has been defending a specific and limited breaking of the law. Could he ever have imagined making such comments when he was a recorder in south Wales, or among his legal colleagues at Apex Chambers in Cardiff? Many of them will welcome the sentencing reform, but they certainly do not welcome comments that undermine the rule of law in this country.

Robert Buckland: Well, that was a question of two halves. I absolutely welcome the point that the hon. Gentleman makes on behalf of the people of Cardiff South and Penarth. I have to say to him that to make that sort of analogy with the position regarding an international negotiation and the interpretation of a treaty is to stretch the point too far.

Tonia Antoniazzi (Gower) (Lab) [V]: Fewer than one in 10 crimes now lead to a suspect being charged. That is the lowest charging rate for reported crimes since records began. Nearly half of all crimes close with no suspect being identified at all. What steps are the Government taking to fix that?

Robert Buckland: The hon. Lady quite rightly refers to what is often termed the justice gap: the difference between crimes that are reported and the bringing of those offences to full prosecution. The sad truth is that not all offences have the requisite evidence for the threshold to be met, and that is why we have an independent prosecutorial service in this country. She is right to talk about the need for us to bear down most heavily on investigation. Increasing the numbers of police officers—we are already 4,000 up on where we were, and we will hit the 20,000 target and, I believe, move beyond it—will help to turbocharge the investigation and prosecution of offences so that we can, in large measure, help to close that gap.

Mr Speaker: The final question is from Dr Kieran Mullan.

Dr Kieran Mullan (Crewe and Nantwich) (Con): Thank you very much, Mr Speaker.

“Where an offender commits the premeditated murder of a child, we will legislate to ensure that the expectation is that a Whole Life Order...will be given, meaning they will spend the rest of their life in prison”.

Those words, taken straight from this White Paper, mean that finally the parents of a murdered child will at least be able to get justice, although the hurt and pain will never be undone. I have spoken previously about the case of Elsie Urry, who had to endure the pain of seeing the man who brutally murdered her three young children—Paul Ralph, four, Dawn, two, and nine-month-old Samantha—being released from prison last year. Does my right hon. and learned Friend agree that that and other changes demonstrate to people that this Conservative Government understand how British people feel about these issues, and that, where we can, we will go further to get justice for the victims of serious crime?

Robert Buckland: I pay warm tribute to my hon. Friend for championing the cause of that family, who suffered an unbelievable tragedy, and trying to make something positive of it. I am profoundly grateful for his support on these measures. I value the conversations that he and I have. He is a member of the Justice Committee, and I am extremely obliged to him for his warm support.

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

Points of Order

1.48 pm

Tracy Brabin (Batley and Spennings) (Lab/Co-op): On a point of order, Mr Speaker. I seek your guidance on a matter that occurred in this House. Yesterday during Treasury questions, I asked the Chancellor of the Exchequer about the soaring numbers of first-time food bank users, and highlighted the correlation between that and the 3 million people who have not received significant financial support during the coronavirus pandemic. I asked whether any Government support was forthcoming for those millions of people.

The Chancellor is well aware of that group, who are commonly known as the excluded, yet in his answer he said that he felt that I had become “confused”. He suggested that I was asking about self-employed people who earn more than £50,000 a year in profit. People in these circumstances make up a small proportion of the excluded group. There are many others, such as the newly self-employed, pay-as-you-earn freelancers, those who earn less than 50% of their income through freelance work, and new starters.

I have no doubt that the Chancellor of the Exchequer would not have intentionally dismissed the concerns of the millions of people I have sought clarity for, because I know that the issues of food and financial poverty are of the utmost importance to him, as they are to all Members. What advice can you give me, Mr Speaker, on how I can ensure that the Chancellor has the opportunity to put it on record that it was actually he who may have been confused during yesterday’s Question Time, and, more important, to answer my question in full, for the sake of the millions who are locked out of support?

Mr Speaker: I thank the hon. Lady for giving me notice of her point of order. As she is well aware, it is not a point of order for the Chair, but we have quite rightly ensured—this is the advice, which is simple—that she has got it on the record. It is there for everybody to see that it is corrected, and I am sure that the sound of her voice will be whirling around, on its way to remind the Chancellor of what has been said.

Wes Streeting (Ilford North) (Lab): On a point of order, Mr Speaker. I seek your advice on correcting an injustice. My hon. Friend the Member for Nottingham East (Nadia Whittome) was wrongly accused of fabricating a shortage of personal protective equipment at the care home in which she used to work as a carer and to which she had returned to work to assist during the pandemic. Unfortunately, as well as my hon. Friend’s being accused of lying in the media and on social media, her account of the serious PPE shortage was called into question by the hon. Members for Rutland and Melton (Alicia Kearns), for Mansfield (Ben Bradley), for Mid Bedfordshire (Ms Dorries) and for North West Durham (Mr Holden), the right hon. Member for Braintree (James Cleverly) and the noble Lord, Baron Goldsmith of Richmond Park. I notified them in advance that I would be raising this matter.

Today the care home in question has confirmed to the *Daily Mirror* that there were shortages of PPE, that my hon. Friend had been telling the truth and that she was asked to record a video appeal for PPE donations, an issue that has been a source of national concern. Can you advise me, Mr Speaker, on how I might bring these facts to the attention of the House, and the hon.

and right hon. Members concerned? In the short time that she has been here, my hon. Friend the Member for Nottingham East has shown herself to be a principled, caring and compassionate Member of this House. The Government must listen to frontline workers and stop trying to distract from their own catastrophic failure to support care homes and their staff during this crisis.

Mr Speaker: Very much on the same lines, I thank the hon. Gentleman for giving me notice of the point of order. It is very important that it has been placed on the record. I hope Members will reflect on what has been said, and when they read it, they may quite rightly wish to speak with the hon. Member in question. I say to hon. Members in all parts of the House that we ought to be a little more careful before we point the finger at each other. If we think before we act, in the end, with a little more care and caution, we will not have to hear these points of order. However, I say to the hon. Member for Ilford North (Wes Streeting) that it is not a point of order for me, but it is certainly on the record, and I am sure that other Members will reflect on it.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I have not been given notice of this point of order, but I call the hon. Lady.

Debbie Abrahams: You should have had notice of it, Mr Speaker, so my apologies if that has not reached you. I, too, seek your guidance. I am frequently getting tardy and irrelevant responses from Ministers in relation to constituency casework. I am afraid that the worst culprits are the Department of Health and Social Care, the Treasury, and the Department for Business, Energy and Industrial Strategy. In one case, I had to send two reminders to the Department of Health and Social Care concerning a constituent who had secondary—that is, terminal—breast cancer. This morning I received a standard reply from the Treasury about a constituent’s business that was three months late and had no relevance. This is incredibly disrespectful to my constituents. I appreciate that everybody is busy, but it is not good enough, so I wonder if I could ask your good self, Mr Speaker, how I might remind Ministers that they have an obligation and a duty to respond to constituents’ inquiries.

Mr Speaker: I do take this on board, and we are all concerned. Ministers have a duty of care to reply to Members. We are acting on behalf of the people who elect us. I have taken this up on numerous occasions with the Leader of the House, and he has also taken it up with Ministers and their offices. I think he might be behind the Chair, but I am sure that he will be listening very carefully, taking notes and already sending out the message: Ministers should answer the questions put to them fully and in time, otherwise it is not good enough, as I am sure we would all agree. I do not care what side of the House it is; Ministers have a duty of care to every Member of this House. They should be put first, so I will take the point on board.

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 sitting for three minutes.

1.55 pm

Sitting suspended.

BILL PRESENTEDOVERSEAS DEVELOPMENT ASSISTANCE
COMMITTEE*Presentation and First Reading (Standing Order No. 57)*

Wendy Chamberlain, supported by Sarah Champion, Harriett Baldwin, Chris Law, Layla Moran, Kate Osamor, Caroline Lucas, Claire Hanna, Mr Virendra Sharma, and Mrs Pauline Latham, presented a Bill to require a Minister to move a motion in the House of Commons seeking to establish a Select Committee to monitor overseas development assistance expenditure by Government Departments.

Bill read the First time; to be read a Second time on 13 November and to be printed (Bill 182).

Remote Participation in House of Commons Proceedings (Motion)*Motion for leave to bring in a Bill (Standing Order No. 23)*

1.58 pm

Dawn Butler (Brent Central) (Lab): I beg to move,

That leave be given to bring in a Bill to require the Leader of the House of Commons to move a Motion asserting the equal right of all Members of the House of Commons to participate in proceedings and establishing mechanisms for MPs unable to attend Westminster to vote remotely and to participate remotely in proceedings, including debates and general committees.

I rise to present this Bill, which was originally tabled by my hon. Friend the Member for Swansea West (Geraint Davies). He would have presented it today but, ironically, he is self-isolating, and his right to speak in this Chamber remotely was removed by the Government in June. I am pleased to adopt the Bill and to present our combined speech.

This Bill is about the fundamental constitutional and democratic right of all voters to be represented by their elected MPs in this Parliament. It aims to restore democratic participation for all MPs in debates and Committees that shape and decide the laws of our country. Only then will the voices of millions of voters across hundreds of constituencies be heard once again. That is desperately needed at this crucial time when decisions are being made that will shape not only our lives but almost every aspect of the lives of future generations. This country needs our democracy to be fully functioning in order to make the best decisions as we face a resurgence of the coronavirus pandemic, which has already sadly killed more than 45,000 people; an abrupt end to furlough, which will throw millions of people into unemployment and poverty; and a no-deal Brexit, which this House previously agreed was a bad idea.

At this time like no other, all voters and constituents must have their voices heard equally in this place, the mother of all Parliaments. Debate, dialogue and scrutiny are paramount to help us chart the best possible route through these unprecedented and turbulent times. That was happening in April and May, with MPs from all corners of the United Kingdom successfully participating as equals in debates using video conferencing technology. It is the 21st century; we should be getting with the programme. However, in June, the Government disenfranchised millions of voters by abolishing online participation in parliamentary debates. The Government knew that that was an anti-democratic decision, done in an anti-democratic manner. It is probably illegal for Parliament to vote to undermine its own legitimate democratic mandate in a vote that excludes those constituencies most affected, as the vote itself was not conducted online, so shielding MPs were excluded.

The Government have abused the purpose of parliamentary privilege to prevent the courts from protecting the right of voters to be represented in this place. Parliamentary privilege is meant to protect the right of MPs to represent their voters in Parliament free from the fear of threats of court action, but the Government have used it for their own protection, to prevent the courts from intervening and ruling that removing the right of voters to be represented is illegal. How can that be right? How can that be democratic? How can that be the parliamentary sovereignty that some profess to hold so dear?

The right to participate is crucial as the Government embark on a reversal of our devolution settlement, breaching the Good Friday agreement and potentially breaking international law. At home, the Government are creating a divided kingdom. Abroad, they are destroying trust in Britain and our reputation on the international stage. At such an important time, all our constituencies must have an equal voice in these debates.

The taxpayer has already invested heavily in the technology for remote democracy. We know that it works, and it works really well. It is working in the Welsh Parliament and the Scottish Parliament, so why not in the Westminster Parliament? It is even being used in the House of Lords, so the most obvious question is, why is remote voting not being used in the House of Commons? Why are so many constituents not being represented and millions of voters left voiceless? Why is that happening?

This Bill would resume the equal right of all constituents to be represented by their MP, by establishing mechanisms for those MPs unable to attend and participate remotely in debates. Just yesterday, it would have allowed the self-isolating Leader of the Opposition to remotely oppose the United Kingdom Internal Market Bill. Instead, his democratic rights were denied. Last week, the Leader of the House—I see that he is in his place—who abolished remote democracy in the guise of getting us back to work was unable to do his job because he was self-isolating. That will happen more and more as the spread of covid rises.

This attack on our country's democracy and parliamentary representation is of critical importance, as the weakening of UK democracy is part of a pattern that threatens our fundamental British values. Our Parliament is sovereign. The Government's action to stifle parliamentary democracy is worrying, and must be considered alongside these things: the proroguing of Parliament, overturned by the Supreme Court last year; the brutal hounding out of heads of our civil service;

the attacks on the public broadcaster, the BBC; giving Ministers Henry VIII powers to make laws without the consent of Parliament; the attempt to break international law; trade deals without parliamentary scrutiny; procurement contracts without parliamentary oversight; the creation of a no-deal economic catastrophe; the planned weakening of our judicial and justice system; and the withdrawal from the European convention on human rights. We cannot and we must not allow the Prime Minister's—and his adviser's—insatiable lust for power to threaten our fundamental British values of democracy, human rights and the rule of law. Parliamentary accountability is crucial at any time, but more crucial than ever when Ministers have taken unprecedented emergency measures that limit our liberties, the way we live our lives and our freedoms.

Sir Patrick Vallance, chief scientific adviser to the Government, has said that no inside queues should be taking place as it is not covid safe. The solution is easy: Mr Speaker and the House of Commons Commission have developed a world-beating remote voting app, which is something that they, the House and the country should be proud of, celebrate and utilise.

This is about taking our democracy back, so I am privileged to present the Bill in my name and on behalf of my hon. Friend the Member for Swansea West, to re-establish full democracy in this House of Commons for all our voters, all our nations and all our futures.

Question put and agreed to.

Ordered,

That Dawn Butler, Geraint Davies, Layla Moran, Liz Saville Roberts, Dame Margaret Hodge, Ian Byrne, Caroline Lucas, Bell Ribeiro-Addy, Rosie Duffield, Munira Wilson, Paula Barker and Peter Dowd present the Bill.

Dawn Butler accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 25 September, and to be printed (Bill 183).

United Kingdom Internal Market Bill

[*Relevant Documents: First Report of the Northern Ireland Affairs Committee, Unfettered Access: Customs Arrangements In Northern Ireland After Brexit, HC 161, and the Government Response, HC 783.*]

[2ND ALLOCATED DAY]

Further considered in Committee

[DAME ELEANOR LAING *in the Chair*]

The Chairman of Ways and Means (Dame Eleanor Laing): I should explain that, in these exceptional circumstances, although the Chair of the Committee would normally sit in the Clerk's Chair during a Committee stage, in order to comply with social distancing requirements, I will remain in the Speaker's Chair, although I will be carrying out the role not of Deputy Speaker but of Chairman of the Committee. We should be addressed as Chairs of the Committee, rather than as Deputy Speakers.

Clause 46

POWER TO PROVIDE FINANCIAL ASSISTANCE FOR
ECONOMIC DEVELOPMENT ETC

2.8 pm

Alison Thewliss (Glasgow Central) (SNP): I beg to move amendment 33, page 36, line 34, after “Crown” insert

“, after obtaining the agreement of the relevant devolved Minister.”

This amendment is intended to ensure that Ministers of the Crown obtain the agreement of the relevant devolved minister before operating within devolved competencies.

The Chairman: With this it will be convenient to discuss the following:

Amendment 11, page 36, line 34, after “Parliament” insert

“upon the approval of the relevant devolved authorities”.

Amendment 19, page 37, line 3, at end insert—

“(1A) If provision to be made by a Minister of the Crown under subsection (1) would relate to any matter for which a relevant body has legislative competence, the provision may only be made after that body has approved a motion consenting to that provision.

(1B) In this section, a “relevant body” is—

(a) the Scottish Parliament,

(b) Senedd Cymru, or

(c) the Northern Ireland Assembly.

(1C) A matter is within the devolved competence of a relevant body if it would be within the legislative competence of that body if it were contained in an Act of that body.”

Amendment 20, page 37, line 4, at end insert—

“(1A) Any financial assistance provided under this section must be consistent with the achievement of any climate and environmental goals and targets applicable in the relevant part or parts of the United Kingdom.”

The intention of this amendment is to ensure that financial assistance for economic development, etc under this Act is consistent with the achievement of applicable climate and environmental goals and targets.

Clause 46 stand part.

Amendment 23, in clause 47, page 37, line 23, leave out “take the form” and insert “be provided by way”.

This amendment, together with Amendment 24, would allow financial assistance under Clause 46 to take any form.

Amendment 24, page 37, line 23, after “indemnities” insert

“or in any other form”.

This amendment, together with Amendment 23, would allow financial assistance under Clause 46 to take any form.

Amendment 25, page 37, line 25, after “interest” insert “or other return”.

This amendment would ensure that the Minister could provide financial assistance in a way that generates a return other than interest - which might be the case for investment in investment funds.

Amendment 26, page 37, line 26, at end insert—

“(d) may be provided to an investment fund for onward investment or administrative costs relating to onward investment.”

This amendment would enable the Minister to provide financial assistance to investment funds for onward investment.

Amendment 12, page 37, line 26, at end insert—

“(1A) In Wales, Scotland and Northern Ireland, powers over the administration and management of financial assistance under section 46 shall be fully devolved to Senedd Cymru, the Scottish Parliament and the Northern Ireland Assembly respectively.

(1B) The total amounts made available for financial assistance under section 46 must be pre-allocated based on each nation's relative wealth expressed as Gross Domestic Product (GDP) per capita.

(1C) The total amounts made available for financial assistance under section 46 must take the form of a multi-annual funding programme to allow long-term planning and funding security.”

This amendment is intended to ensure that the administration and management of funding for financial assistance shall be entirely devolved to the devolved legislatures, that funding levels shall be pre-allocated according to need, and that there shall be a multi-annual funding programme for funding financial assistance under this Act.

Amendment 14, page 37, line 29, at end, insert—

“(3A) Financial assistance under section 46 must be the subject of a framework agreement to be agreed by resolution of each House of Parliament.”

The intention of this amendment is to provide a policy framework for the allocation of financial assistance.

Amendment 15, page 37, line 29, at end, insert—

“(3B) The Treasury must include in the Estimates presented to the House of Commons proposals for funding each of the devolved administrations to provide financial assistance for the purposes set out in section 46 in relation to the areas of the United Kingdom covered by that devolved administration.”

The intention of this amendment is to ensure that devolved administrations in Scotland, Wales and Northern Ireland are funded to provide financial assistance under this Act.

Amendment 16, page 37, line 29, at end, insert—

“(3C) Any financial assistance provided under section 46 in relation to areas of the United Kingdom covered by a devolved administration must be subject to allocation by the relevant devolved administration.”

The intention of this amendment is to ensure that devolved administrations in Scotland, Wales and Northern Ireland retain current powers over devolved matters.

Amendment 22, page 37, line 29, at end insert—

“(3) No enactment or rule of law prior to the passing of this Act prevents financial assistance being provided under section 46 to any person in Northern Ireland.”

This amendment is intended to ensure that Part 6 of the Act will apply to Northern Ireland in the same way as to the other parts of the United Kingdom.

Clause 47 stand part.

Alison Thewliss: I am delighted to move amendment 33 in my name and that of my colleagues. Before anybody asks why we would even bother to try to amend the Bill, which is quite clearly not fit for purpose and absolutely beyond the pale, I will say that the amendment is a probing amendment. I am seeking to draw out the Minister on some of the issues in clauses 46 and 47.

I have huge sympathy with the amendments tabled by my colleagues in Plaid Cymru and the SDLP, and with the climate change amendment tabled by the hon. Member for Brighton, Pavilion (Caroline Lucas), because climate change is something the Scottish Government have tried very hard to push on and have made much progress on—ahead of the UK Government.

Amendments 14 and 15, in the name of the right hon. Member for Doncaster North (Edward Miliband) and his colleagues, reflect the issues set out yesterday by my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). These frameworks exist, but the UK Government wish to ride roughshod over those mechanisms—to tear them up and to impose their will upon Scotland. These amendments from the official Opposition do nothing to address this truth.

If we were to take them at their word, we might think that the UK Government were doing Scotland some sort of kindness. Who would object to something called financial assistance, after all? However, we on these Benches know what that assistance is apt to look like and the strings that come with it. We already know that they are prepared to lie to the Queen and break international law, so what is this Government's word really worth?

The Prime Minister has made clear his intention to stamp a Union flag on projects in Scotland, out of some kind of petulant jealousy of how well EU-flagged projects in Scotland are regarded, but there is a fundamental difference with those projects. They were done in collaboration and co-operation with the Scottish Government, and they are projects that would never have happened if it were up to the UK Government.

A quick look through the Scotland-EU funding programme highlights projects large and small—infrastructure, research, inclusive growth and employability, low-carbon initiatives—but there is still no plan and still no budget from the UK Government to replace these. Their shared prosperity fund is still, astonishingly, after all these years, yet to be unveiled. In contrast, the EU is a trusted partner with a track record to be proud of. We also stand to lose the valuable international aspects of the links this funding can bring with cross-European collaboration, which stands with the founding principles of the EU and takes Scotland out into that wider world.

In the vein of building bridges rather than walls, I would like to mention a few bridges to illustrate my point. The stunning Queensferry crossing—toll free and built by the Scottish Government in response to the corrosion of the Forth road bridge—is a project that was mooted in the 1990s, prior to devolution, before being shut down by the UK Government of the time, a Labour Government I should say. This bridge was delivered by the Scottish National party—not a penny piece from the UK Government towards its construction.

The Kessock bridge, of which my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey is rightly proud, was built with European funds. Money in the region of £90 million for projects in the Outer

Hebrides over the past 25 years has transformed transportation through ferry terminals, bridges and causeways, and the bulk of that came from European Union funds.

What bridges does the current Prime Minister have to speak of? The £53 million he chucked at the Garden bridge in London, which does not even exist, or the bridge that might also be a euphemism for a tunnel, as described by the Secretary of State for Scotland—that £20 billion bridge over the second world war munitions dump at Beaufort's dyke in the Irish sea? These last two fantasy projects tell us something of what we need to know about the UK Government's approach to infrastructure projects.

Patrick Grady (Glasgow North) (SNP): My hon. Friend is making a powerful point about the huge flaws in the propositions in clause 46 to give the UK Government power to spend money on issues that are not the priority in Scotland, and she is right to draw a contrast with EU funding. The road I cycled on to get to school, in the constituency of my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), was built with EU funding, and if it had been up to Thatcher's Government, that road would still be a dirt track. There are examples of that all over Scotland, where the Scottish Parliament and the European Union work together, in contrast to the attitude of this UK Government.

Alison Thewliss: My hon. Friend is absolutely right to make that point. It is also a point to note that the Major Government were known to divert EU funding from projects in Scotland to pet projects in trying to shore up marginal seats in England, so they have form on this issue.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con) *rose*—

Alison Thewliss: I will give way in some time. I will make some progress, because I know lots of people wish to speak.

This also tells us that the Prime Minister was absolutely wrong when he said:

“A pound spent in Croydon is of far more value to the country than a pound spent in Strathclyde”,

because the opposite is true. A pound spent in the south-east of England is barely noticeable, but think again of that £90 million investment in the Western Isles—noticed by all, transformational in its impact, and of real value to the people who live and work there. Subsidiarity, EU style.

2.15 pm

The power to provide financial assistance for economic development and so on is as wide-ranging as it is dangerous. Much of the power rests entirely with a Minister of the Crown, a kind of benevolent dictator doling out riches. But these are not a Minister's riches; this is the money of the people of these islands, and these choices are not the choices of a Minister of the Crown. They are decisions best made by a Parliament over 300 miles from here, democratically elected by the people of Scotland.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con) *rose*—

Alison Thewliss: If the hon. Gentleman would like to tell me why the Scottish Government should not be overseeing these projects, I would be glad to hear.

John Lamont: The hon. Lady is giving a typically bitter speech about the role of the UK Government into Scotland. Does she not accept that the UK Government and the Scottish Government have worked very closely together on the growth deals and city deals in Scotland? They are very good examples of what can be achieved in Scotland with both Governments working together, rather than the attitude that she takes of opposing everything that this place does.

Alison Thewliss: I am very interested that the hon. Gentleman raises growth deals, because every single growth deal in Scotland has been short-changed by the UK Government. The Scottish Government have put more than the UK Government into those growth deals, and we are still waiting for the money for some of those growth deals to be realised.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Does my hon. Friend agree that it is a disgrace that hon. Members are raising that point when in Inverness, the UK Government spent £83 million less than the Scottish Government? When will the UK Government make up that shortfall?

Alison Thewliss: This UK Government appear to have no intention of making up the shortfalls on any of those growth deals. The growth deal in Aberdeen was huge and ambitious in setting out to change and challenge the economy in Aberdeen, the end of oil and moving towards that just transition—

Andrew Bowie (West Aberdeenshire and Kincardine) (Con) *rose*—

Alison Thewliss: If the hon. Member for Aberdeen has some more money from the UK Government for the growth deal, I would be happy to take his intervention.

Andrew Bowie: Aberdeenshire—but I will forgive the hon. Lady for that mistake. I want to take her back to her point about bridges. On investment in bridges, will she join my campaign to get the Scottish Government to release much-needed funds to replace Park bridge, Abbeyton bridge and Oatyhill bridge, which cannot be reopened or replaced because the Scottish Government are starving Scottish local authorities and their ability to maintain vital infrastructure? We might be able to give money to that if the Bill is passed next week.

Alison Thewliss: I would like to find out how much money the UK Government would like to put into that, because they have not put money into anything very much so far. I am sure the Scottish Government will hear the hon. Gentleman's plea on that issue, and I hope to hear more about that.

Alan Brown (Kilmarnock and Loudoun) (SNP): Does not the previous intervention show the risks that are associated with clause 46, in that it allows Tory MPs to lobby for wee pet projects to get funded from Westminster, bypassing the Scottish Parliament, which is democratically

elected by the electorate of Scotland? While bypassing Scotland, they are also at liberty to cut Scotland's budget.

Alison Thewliss: My hon. Friend is absolutely right, because none of this is in Scotland's hands. The budget purse strings are still controlled from Westminster, so if the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) would like more money for those projects, perhaps he should speak to his colleague the Chancellor. *[Interruption.]* Absolutely; the budget continues to be cut and put under pressure by the actions of the UK Government.

To return to the Bill, clause 46(1) states:

“A Minister of the Crown may, out of money provided by Parliament, provide financial assistance to any person for, or in connection with, any of the following purposes”.

Let me stop there. It states “to any person”. I very much hope that that person is not the former Transport Minister, the right hon. Member for Epsom and Ewell (Chris Grayling), or we may be in deeper bother than we think. After all, just shy of 20 major UK Government failings can be traced to him, including handing £40 million to a ferry firm with no ferries. But back to my list.

“Subsection (1)(a) refers to promoting economic development in the United Kingdom or any area of the United Kingdom”.

That is a clear responsibility of the Scottish Government, in co-operation with local government or enterprise agencies, business and the third sector. They know best the landscape of Scotland and what would work best for her people and her communities, and we have a quite different idea of economic development from the UK Government's race to the bottom. Who are the UK Government to say that, all of a sudden, factory X must drop from the sky? We may be lured in by a sweetheart deal, but would prefer sustainability for the long term. We have seen too much of that in Scotland in the past. We seek quality, sustainable jobs for our people, now and in the future.

Clearly, we cannot trust the Tories to be strategic or impartial, because they have recent form in their towns fund, which funnelled money to Tory marginal seats. As the Chair of the Public Accounts Committee said,

“Ministers relied on flimsy, cherry-picked evidence to choose the lucky towns”.

To add insult to injury, we have still not got to the bottom of the Barnett consequentials for the towns fund.

Paragraph (b) refers to:

“providing infrastructure at places in the United Kingdom (including infrastructure in connection with any of the other purposes mentioned in this section)”.

Let us take a quick look at the UK Government's woeful record on infrastructure. HS2 is beset by delays, cost increases and a lack of strategic vision. Originally supposed to make it to Scotland, it has not even got to Birmingham yet. Crossrail is late and receiving a further half-billion pound bail-out. So-called smart motorways put the lives of motorists at risk. In energy, Hinkley has become a byword for UK Government incompetence and profligacy, to the detriment of renewables.

Alan Brown: I am not sure if my hon. Friend is aware of this, but just today it was announced by Horizon that it is pulling out of the Wylfa nuclear power station and

Oldbury, so half the proposed nuclear power stations the UK Government are trying to progress are now dead and buried in the water. Is it not time that they accepted their failure and moved back to renewables?

Alison Thewliss: My hon. Friend is absolutely right to say that. I was about to mention the proposed power station on Anglesey, which has apparently been scrapped because the company could not get the assurances it needed from the UK Government.

We might also mention the Scottish Government having to use planning permission to stop the UK Government bringing in fracking in our country by issuing licences that we did not want to have. We are having to use planning permission to block fracking—this is something that is fundamental to the health and wellbeing of our country. Some £186 million has been spent on two carbon capture and storage competitions, and we still have exactly zero carbon capture and storage facilities, despite David Cameron promising £1 billion to the north-east at the “indyref”. Renewable projects that the Scottish Government would love to see promoted further are hampered by lack of interest and by constantly switching energy Ministers. Those are just the physical projects; UK Government IT projects are notorious for their capacity to waste money and fail to deliver.

Paragraph (c) refers to:

“supporting cultural activities, projects and events that the Minister considers directly or indirectly benefit the United Kingdom or particular areas of the United Kingdom”.

I wonder if this will bring us more joys such as the millennium dome or the festival of Brexit, which is still limping on despite coronavirus: £120 million to tell us all how lucky we are to be stuck on this island and thumbing our nose to the world. Haud me back! Is it perhaps a sign of panic, as Ewan McGregor has joined the chorus of creatives backing independence?

Paragraph (d) refers to:

“supporting activities, projects and events relating to sport that the Minister considers directly or indirectly benefit the United Kingdom or particular areas of the United Kingdom”.

That is the vaguest of the vague, again with Ministers deciding they know what best would benefit particular areas. I say this from a point where Glasgow has a very strong track record in bidding for, paying for and hosting international sporting events—the best Commonwealth games ever in 2014, European championships in 2018 and the UEFA Euro 2020—now Euro 2021—which is sadly not taking place this year owing to covid.

Paragraph (e) refers to:

“supporting international educational and training activities and exchanges”.

This one, I must say, is a real kick in the teeth. The UK Government cannot yet say what will happen with our membership of Erasmus+, a project that we do not even need to be members of the EU to participate in. Children from Pollokshields Primary, students at colleges and universities, and people in community youth groups have all felt the benefit of Erasmus+ over the years, and they do not need this all-powerful Minister of State to reinvent the wheel and put a Union flag on these activities. They need to have continuing membership of Erasmus+ confirmed to allow for seamless participation in this horizon-widening programme.

Drew Hendry: My hon. Friend is making an extremely important point about Erasmus. In the highlands, we have benefited from the University of the Highlands and Islands, which has only been able to grow and develop over the years and to provide quality education across the highlands because of Erasmus. This is being whipped away from us.

Alison Thewliss: My hon. Friend is absolutely correct to point this out. Erasmus is a fantastic programme, and it opens the eyes of young people who would not otherwise be able to participate. It is very cruel for the UK Government not yet to have given any certainty to that programme. I know that there are people who work in international education in Glasgow who are still waiting for answers from this Government about whether their programme will be able to go ahead and whether they will have a job in the future.

Paragraph (f) refers to:

“supporting educational and training activities and exchanges within the United Kingdom.”

This is a clear instance in which the UK Government are stepping into devolved areas, because Scottish education is protected not only by the Scotland Act 1998, but by the Act of Union itself, along with the judiciary and the Church. The UK Government must be clear what exactly they intend by this particular provision.

I was quite taken aback by the statement on Monday by the Chancellor of the Duchy of Lancaster that there is no risk to water or the NHS. I believe he may be referring to clause 17 on mutual recognition and clauses 18 and 19 on non-discrimination, and to the related schedules, but the difficulty is that these clauses are not set in stone and can be changed further down the line.

Subsection (2) tells a further story, because the definition of “infrastructure”—what that autocratic Minister of the Crown can directly fund on a whim—includes

“water, electricity, gas, telecommunications, sewerage or other services (for example, the provision of heat)...railway facilities (including rolling stock), roads or other transport facilities...health, educational, cultural or sports facilities...court or prison facilities, and...housing”.

In areas that are devolved, no UK Government Minister of the Crown has any business acquiring, designing, constructing, converting, improving, operating or repairing our infrastructure. Under this measure, the UK Government could propose to build in Scotland a court or a prison where they have no oversight of the justice system, a school where they have no remit over education, a road where they have no remit over transport, and, yes, a water treatment works where we already have the most successful, publicly owned, water company in these islands.

Stephen Crabb (Preseli Pembrokeshire) (Con): The hon. Lady is making an interesting speech about the appropriate level of government for making decisions about projects and what projects constitute value for money, but at the heart of her argument is a serious proposition, which I think every Unionist in this House should find objectionable, which is that this elected UK Government should never have the ability to spend money in all corners of the United Kingdom for the benefit of its citizens.

Alison Thewliss: It is called devolution, which this Parliament voted for and which the Scottish people, the Welsh people and the Northern Irish people have voted for. It is the settled will of our people and it is democracy.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The hon. Lady knows I do not support independence—I support the Union—but I agree with what she says about devolution. We have a devolution settlement that was voted for by the peoples of Wales, Scotland and Northern Ireland, and we need to respect that. Perhaps that is why, in the past few minutes, the Advocate General for Scotland has resigned, stating that he cannot take the Bill further. He is the former chair of the Scottish Conservatives, and perhaps that reflects the fact that he is not willing to front these arguments any longer either.

Alison Thewliss: I agree 100% with the hon. Gentleman's point. I was going to mention the Advocate General later on, because it turns out he is Lord not-so-Keen in terms of the Government's proposals, and neither are we.

Patricia Gibson (North Ayrshire and Arran) (SNP): What the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) fails to realise is that at the heart of the Bill is an attack on devolution. It is not about who spends what where; it is an attack on the Scotland Act 1998, an attack on the will of the Scottish people and an attack on the sovereignty of the Scottish people.

Alison Thewliss: My hon. Friend is correct. These matters are clearly for the Scottish Parliament and the Scottish Government to decide, and the Bill is overreach at a ridiculous level. Either this legislation is very poorly drafted, which from the Government amendments it would certainly appear to be, or the Government do not understand devolution, which seems perfectly clear from the interventions we have had. Are they intent on dismantling 20 years of devolved decision making on these islands, just so they can stick a flag on something? It is pathetic.

Then we get to clause 47, titled "Financial assistance: supplementary". Subsection (1) states:

"Financial assistance under section 46...may take the form of grants, loans, guarantees or indemnities...may be provided subject to conditions (which may include conditions about repayment with or without interest)...may be provided under a contract."

This nefarious Minister of the Crown not only has the power under the Bill to build some infrastructure in our country that the democratically elected Parliament of Scotland has not voted for, but it also gives them the power to stick Scotland with the bill and charge us interest. Gee, thanks guys. What can I say? So generous. It is the Skye bridge all over again. That was the first PFI project in the UK. It opened in 1995 and was notorious for its tolls. The then Scottish Executive had to buy the bridge back a decade later in order to abolish the tolls, which raised more money than the bridge cost in the first place. Do we really want to return to that level of generous investment in Scotland?

Six years ago today, I was pounding the streets of Glasgow with hundreds of other activists, knocking on doors, delivering leaflets and having animated discussions about what a new country could look like. We are a couple of days out from the anniversary of the 2014 independence referendum, which was a watershed moment

for so many of us in Scotland. I cannot begin to describe the feelings of hope and excitement that there were in the city of Glasgow, where my own constituency voted for Scotland to be an independent country.

I could not have imagined that six years later, I would be standing here, a Member of this Parliament. I could not have imagined that I would have had to fight three elections in five years, and I could not have imagined that Scotland would have been dragged out of the EU against our will. In my worst dreams, I could not have imagined that I would be standing here today, defending the very fabric of devolution from a full-scale attack.

Andrew Bowie *rose*—

Alison Thewliss: If the hon. Member wants to tell me why he supports this attack, I will bring him in.

Andrew Bowie: I thank the hon. Lady for giving way. I wanted more to go back to her point about Scotland being taken out of the EU against its will. It is obviously still the SNP's position to rejoin the EU, and she speaks eloquently and powerfully about this autocratic Minister taking decisions over spending and restricting the powers of Scotland's devolved Parliament. She is aware of the restrictions and powers of the unelected and autocratic European Commission regarding spending and powers in Scotland. All the powers that are coming back from Brussels to Edinburgh would then be given straight back with all the restrictions that applied before, and then some.

Alison Thewliss: Those powers are not being given straight back. If we look at the provisions of the Bill, it is perfectly clear that, as the explanatory notes state:

"This creates a means for the UK Government to provide funding across a range of largely devolved areas that would sit alongside any funding provided by the devolved administrations."

It is perfectly clear that this as an attack and an undermining of devolution. That is not just my opinion, but an opinion shared by legal experts around the world. The hon. Member is ignoring the truth of the situation. He must know that that is the case. When even senior figures in his party are saying that this is an attack on devolution and are resigning, he should see that that is the case. He knows that it is true.

2.30 pm

Clauses 46 and 47 grant sweeping authority to Ministers to spend money in areas that are devolved to the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly, allowing discretionary funding of any activities that UK Ministers judge directly or indirectly to benefit the United Kingdom. There is a big assumption that what benefits the UK benefits Scotland, but there is precious little evidence for saying that that is true. The Bill allows Ministers of the UK Government to bypass the democratically elected devolved Parliaments of our country without the consent or support of the Scottish people.

The people of Scotland are not daft. They see what is going on. The Bill short-changes us and rides roughshod over hard-fought devolution powers. We were promised near-federalism. We were promised the strongest devolved legislature in the world. What we have got is Dominic Cummings and co. stomping all over the devolution settlement in their great big tackety boots.

It is established that we on the SNP Benches would not trust the UK Government with a bag of old pennies, but it has now become increasingly clear that a majority of Scots agree. The UK Government's ultimate failed infrastructure project is the Union itself. It cannot exist without consent. Poll after poll now shows a majority of support for independent Scotland, and who can be surprised, when it is fast looking like the only option to preserve the gains of devolution? This tawdry Bill disrespects the Scottish Parliament and the people who elect it, and it will serve only to ensure that when we have our chance to vote again, Scotland will be an independent country.

John Redwood (Wokingham) (Con): I rise to support clauses 46 and 47 and to disagree with the Opposition amendments. It is a great pity that the SNP wishes to turn every debate in this House into a debate on independence when they lost the referendum, because, as a great democrat, I have only ever wanted willing volunteers in our Union. I was delighted to support a referendum to leave it to the Scottish people, and I trust their judgment—it is a pity others do not as well.

Clauses 46 and 47 take important powers to honour one of the pledges made by the Vote Leave campaign, and believed by many voters in that important referendum, that the United Kingdom Government should replace the moneys for projects and investments that would otherwise have been supplied through the European Union. Taking this power illustrates that there is serious intent, that the Government will honour that promise of the referendum campaign, and that the United Kingdom will not lose—indeed, it will gain—as a result of changes in the arrangements for funding large projects and suitable investments.

I always thought that there were three problems with relying on the European Union to fund some of these projects. The first and biggest was that we had to send far more money to Brussels than we got back. One of the great advantages of this power is that every penny that taxpayers pay in the United Kingdom for these purposes will come straight back. There will not be a huge levy on top.

Alan Brown: Taking away the semantics about money and all the rest of it, I am sure that the right hon. Member understands that when it comes to structural funds, the EU disburses them to managing authorities—so in Scotland, the Scottish Parliament gets the money from the EU to administer and carry out projects. Clause 46 allows the UK Government to bypass the Scottish Government completely. The EU has not forced one single infrastructure project on England, Wales or Scotland against the wishes of the sovereign Parliaments, but this measure allows the UK Government to bypass the Scottish Parliament and not to recognise the sovereign will of the Scottish people. Surely that is the problem.

John Redwood: I do not see any problem at all. I cannot for one moment believe that the United Kingdom Government would want to force on Scotland a project that Scottish people did not wish for. Nor do I recognise this idea of the sovereign Scottish Parliament; it is completely under the power of the European Union until we have properly left. The hon. Gentleman never seems to recognise the ultimate power of the European Court of Justice and of the money-awarding procedures

that we had to go through to extract back some of the United Kingdom money that we had to send in very large quantities to the European Union.

Stephen Doughty: Of course, the right hon. Gentleman has never supported devolution. I think he described it in his own words as “appeasement” and said that we had had too much of it. I know he would love to go back to those days when he was Secretary of State for Wales and was treating Wales like a branch office. Is it not the truth that he has never supported devolution, that he does not support it now, and that he wants to ride roughshod over it?

John Redwood: No, most certainly that is not the point, and that is not my position. I am a democrat, and I have accepted completely the results of the referendums on devolution. It is quite true that I and my party were on the other side in the referendum on devolution. I believed that it would lead to a big insurgence in unsuccessful Scottish nationalism, which is exactly what it did, and I do not think that that has enriched our public life any. However, I am a democrat and I fully accept the devolution settlement. I am very happy for the devolved authorities and Parliaments to exercise their powers. I also believe that we should co-operate fully with them, and I urge my Friends on the Front Bench to do so. Of course it is as much in our interests as it is in the interests of the Scottish Parliament to define the projects that Scotland most wants and that are most necessary to promote its prosperity.

Patricia Gibson: The right hon. Gentleman says he is a democrat. In view of that, does he acknowledge that the Sewel convention says that this Parliament will not normally legislate on areas or matters that are devolved to the Scottish Parliament? We also know that what is not reserved is automatically devolved, so does he think it appropriate to override the Sewel convention and threaten the powers and sovereignty of the Scottish Parliament without the consent of the Scottish Parliament, which is sovereign?

John Redwood: I do not accept that the Bill does any of those things. I think we are legislating in a perfectly legal and sensible manner.

I shall go back to the remarks I wish to make about why it is better that we pay for our own projects rather than doing so with the big discounts on our money through the European Union. The second reason for that is that some of the European schemes required the project to be a marginal one. Part of the terms of giving the money was that it was not a project we would finance for ourselves or not a core, essential project. That did not make a lot of sense. Once that is under United Kingdom control, we will obviously jointly wish to finance the best projects, and of course that will be in full consultation with the devolved Governments around the country.

The third reason that I think we will do better without European Union intrusion is the flagging of these projects. There has been deep resentment in the United Kingdom that whenever a small amount of money came from Europe into a project, it had to show the EU flag but we were not allowed to put a British flag on it to say that all the so-called EU money had actually come from United Kingdom taxpayers. Even worse, we were not even allowed to put a British flag on it to show that a larger

[John Redwood]

proportion of the funding for the scheme had often come directly from the United Kingdom Government. It will be much better when we do not have to false-flag projects in the interest of misleading people about who is actually paying for something.

In this debate on the Bill generally, I know that the Opposition are still very exercised in thinking that these and other powers are illegal because they in some way violate the rules of international law set out in the EU withdrawal agreement. State aid is part of that argument, and these are the two central clauses on state aid. I would like to say that I disagree strongly with my right hon. Friend the Northern Ireland Secretary. I do not think there is any way in which this legislation violates international law. It clearly asserts and upholds United Kingdom law, most notably the sovereignty clause in the European Union (Withdrawal) Act 2018. That Act was a compromise agreement and a halfway house. It was attached to a political agreement to complete a proper negotiation in due course over our future relationship, so it was always rather problematic; because it was like that, it was ambiguous and contradictory. There are perfectly strong clauses in the EU withdrawal agreement and the EU (Withdrawal) Act stating that it is a duty that the single market and customs union of the whole United Kingdom, which expressly includes Northern Ireland, are upheld. That is exactly what this Bill is seeking to do.

The Government and many others hope that there will be a last-minute agreement, because it is quite easy to deal with all the outstanding legal issues in a comprehensive agreement. I am a bit sceptical that that is going to happen, because I see no evidence of good faith in negotiations by the European Union, and I think that, were there to be a breakdown, there would be a second legal argument that there had not been good faith. That is another reason why there is no sense in which we are seeking to break an international agreement, let alone the law.

I am very pleased that the Government are taking crystal clear powers to provide state aid and investment in projects. I hope the Government will also, ere long, issue a very strong statement of the United Kingdom's state aid policy that should cover this and other matters. We owe it to the international community to have a strong, clear and independent state aid policy that is perfectly compliant with the World Trade Organisation rules on this matter, because we wish to be a global trader with more free trade agreements outside the European Union space. In that respect, we can probably do better than the European Union, because there have been a number of important cases in which the European Union has been found to be in violation of state aid rules by the World Trade Organisation, and perhaps an independent Britain can do a bit better.

Stephen Farry (North Down) (Alliance): Is the right hon. Gentleman aware of the comments emerging from Speaker Pelosi and others in the United States stressing that if there is any breach of the protocol in the withdrawal agreement—a threat to the Good Friday agreement—there will be no prospect of a trade deal with the United States? Is that not the fundamental flaw in the analysis of those pursuing a hard Brexit?

John Redwood: I am not pursuing a hard Brexit; I am pursuing the independence of our country which was voted on all too many years ago and which this Parliament, in a previous guise, deliberately blocked, delayed and diluted. I am very proud to belong to a Parliament that is now clearly charged, yet again, by the electorate of the United Kingdom to get on with it and deliver Brexit. The hon. Gentleman should recognise that Mrs Pelosi is not the President of the United States of America. It is the President who leads the negotiating teams for trade deals, and, as I understand it, President Trump and his International Trade Administration are very keen on a trade agreement with the United Kingdom and still negotiating on it. I suspect that the Democrats in the House of Representatives, who will have their own political reasons for what they are doing at the moment, have not quite understood just how important this Bill is for the future of the United Kingdom single market and customs union—because who would want to do a trade deal with the United Kingdom if we did not have this Bill and could not guarantee that we were pledging the whole of our market in the market opening that such a free trade agreement would require? This Bill is fundamental to any success in negotiations that we have with Japan, the United States, maybe the Transatlantic Trade and Investment Partnership in due course, and so forth.

This is a vital piece of legislation to implement the independence of our country in a true Brexit. It is an entirely legal piece of legislation that reflects important statements in the withdrawal agreement and, above all, reflects a sovereignty clause in the EU (Withdrawal) Act that some of us supported and put in with the express purpose in mind that if there was no good faith from the EU we would need to make unilateral arrangements for our future trading. It is crucial for a country that wishes to have much more positive trade relations than the EU has had with a wide range of countries outside the European Union space.

I look forward to the state aid regime and investment regime being used in the interests of the whole country, with the United Kingdom being able to spend more of its own money on its own priorities, with good guidance and advice from Scotland, Wales and Northern Ireland as we go along, but not forgetting the importance of England and the need for us to have good English projects as well. I hope that it will be twinned with an exemplar state aid policy for world trade purposes that may indeed be different from that of the European Union.

Ben Lake (Ceredigion) (PC): It is a pleasure to follow the right hon. Member for Wokingham (John Redwood) and, in particular, the hon. Member for Glasgow Central (Alison Thewliss), whose assessment of the Bill's deficiencies was exemplary—I very much agree with it. I am conscious that a great many Members wish to contribute to this debate, so I shall keep my remarks brief, confining them to clause 46, which extends the powers of UK Ministers to act in policy areas that have been devolved to Wales.

2.45 pm

In recent days, it has been argued that it is necessary to add to the powers of UK Ministers in that way because devolution has, allegedly, hindered their ability to support Welsh businesses and communities. It is not in dispute that there are policy areas in Wales in which the UK Government and Ministers cannot act, but the

suggestion that they have been prevented from supporting Welsh businesses and communities by the devolution settlement is a laughable excuse for the UK Government's lacklustre record of investment in Wales.

I should not have to remind the House that UK Ministers still enjoy significant powers over key policy areas, despite devolution, and can initiate large infrastructure projects in Wales that could boost its economy. If Conservative Members doubt that fact, let me point them to their party's manifestos since 2010, which have all reflected the reality that in key areas of infrastructure and economic investment, the UK Government already have significant powers to support Welsh businesses and communities.

This Government are keen on investing in rail infrastructure, as we see from HS2 and Crossrail, and they also have a responsibility in respect of the railways in Wales. Wales was promised boldly in 2010 that a Conservative Government would electrify the great western main line to Swansea, and in 2015 that the valleys lines and the north Wales main line would also be electrified. Despite those lofty promises, the north Wales main line and the valleys line are still not electrified, and after 10 years the promise to electrify the line all the way to Swansea has materialised as a partial electrification to Cardiff Central only. In that key area of infrastructure, there are no limitations on the power of UK Ministers to invest in Wales, and although Wales has about 11% of the railway track, it has received only 1.5% of the money that UK Ministers have spent on rail improvements in recent years. Why, therefore, should UK Ministers be afforded additional powers to act in devolved competences, given that they have failed to make the most of the powers they already have?

Members might also recall the exciting promise to build the tidal lagoon in Swansea and the commitment to the Wylfa Newydd power plant in Ynys Môn. Regardless of the merits or otherwise of those projects, UK Ministers could have initiated them, unhindered by the supposed shackles of a devolution settlement. However, those projects have amounted to yet more unfulfilled promises.

Alun Cairns (Vale of Glamorgan) (Con): I am pleased that the hon. Gentleman followed the debate surrounding the valleys and the Vale of Glamorgan line. A settlement had been reached between the Department for Transport, the Wales Office and the Welsh Government, whereby an additional sum over and above the Barnett block grant was presented to the Welsh Government to deliver on that purpose. No progress has been made, so I think his argument makes a point that is very helpful to the clauses in the Bill.

Ben Lake: Unsurprisingly, I disagree with the right hon. Gentleman. These are competences and responsibilities of the UK Government and the Department for Transport, and they have not fulfilled them.

We might also think of the powers that UK Ministers have over Welsh agricultural exports, and question whether they are being exercised effectively. The Department for Environment, Food and Rural Affairs recently failed to submit an application to the World Organisation for Animal Health for Welsh beef—and English beef, I should add—to be listed as a negligible bovine spongiform encephalopathy risk, so that status will now not be possible for our exports before May 2022 at the earliest, along with all the benefits it would bring.

In opposing clause 46, I simply say to UK Ministers who bemoan devolution and Wales's Parliament: stop scrambling for pitiful excuses for your own failures, take your responsibilities to Wales seriously, and start using the powers that you already have.

Colum Eastwood (Foyle) (SDLP): I rise to speak to amendment 19, which stands in my name and those of my hon. Friends the Members for Belfast South (Claire Hanna) and for North Down (Stephen Farry). Before I get into the meat of it, I wish to pick up on something the right hon. Member for Wokingham (John Redwood) addressed, as I think that he is confused about how the American political system works. Much as he would like to be, Donald Trump is not a dictator; he does not get to make all the decisions. If there is to be a proposed trade deal between the US and the UK, Congress will have to approve it. I can tell Members, as I did the other day, that we have lots of very good friends on Capitol hill—I have been speaking to them this week—and I am shocked at how angry they are about what this British Government are proposing to do to the protocol and the withdrawal agreement. They will not have any violence done to the Good Friday agreement or this protocol.

Stephen Doughty: The hon. Gentleman is making a crucial point. Of course, it is not just Speaker Pelosi making these points. Legislators on both sides of the US Congress—Republican and Democrat—are making clear what will happen.

Colum Eastwood: The hon. Gentleman is absolutely right. The consensus across Congress is behind the Good Friday agreement. They have been our friends for many a decade. They have supported us through all the difficult times, and they are supporting us today. They are saying that there will not be a trade deal between the United States and this country if we do any damage to the protocol or the Good Friday agreement. That is what they have said, and people should listen.

Sammy Wilson (East Antrim) (DUP): I am amazed at the hon. Gentleman's comments. He will know that our biggest trading partner outside GB is the United States of America, so any trade deal with America is bound to have a beneficial impact on the people of Northern Ireland and the economy of Northern Ireland. Is he telling us that his party will actively campaign against a trade deal with America that would benefit his constituents, my constituents and the Northern Ireland economy?

Colum Eastwood: We want a trade deal. We want to be able to trade right around the world, but the warning is clear: if people mess about with the Good Friday agreement and all our political progress, there will be no trade deal. The people who proposed and campaigned for Brexit and who do not understand that we cannot square all these circles need to wake up. There will not be a trade deal if they continue on the track that they are on. There is still time to go backwards and realise that our peace process, our political progress and having no border in Ireland are paramount and will not be messed with—that will not be accepted by anybody at the height of political power in the United States.

The Bill is an affront to international law, as has been said many times this week. It rips up an agreement that was made between this Government and the European

[Colum Eastwood]

Commission. It threatens a hard border in Ireland, and in clauses 46 and 47, it rides a coach and horses through the devolutionary settlements for Scotland, Wales and Northern Ireland. If that were done on its own, there would be an outcry. Our amendment 19 is there to give consent—the much-used word—to those legislative Assemblies and Parliaments. No Whitehall Minister should be allowed to override, deny or undermine the interests and opinions of elected representatives in Scotland, Wales or Northern Ireland. If Members agree with that, they should support amendment 19.

Where I come from, we value democracy, because people had to actually march for democracy there. In 1968, my own grandfather and hundreds of other people were beaten off the streets by a corrupt and unjust police force sent there by a corrupt, sectarian and unjust Government. The civil rights movement got rid of that Government, but it took 30 years of democratic struggle against the men of violence, against the state and against intransigence, sectarianism and division to bring about an end to that and make sure that our own people could be represented by local politicians, making local decisions on their behalf. That was not easy; it was very difficult. They created a delicate agreement called the Good Friday agreement.

The Good Friday agreement has been bandied about this House and on the airwaves over the past couple of weeks. I can tell Members that it is fragile and delicate. Even the Members from Northern Ireland who disagree with me will be able to agree with me on this point. We are in a very delicate and fragile place. Please do not mess with it. Please do not ride a coach and horses through it. There is no way, in my view, that we can hand power to Whitehall Ministers to make decisions over the heads of locally elected people in Northern Ireland and not upset that delicate, painstakingly negotiated balance. Nationalists, Unionists and others are working together in the common interest. Is it difficult? It is very difficult. Is it delicate? Yes, it absolutely is. Is it fragile? Well, we have had three years of no Government, so that should tell us all about the fragility of those institutions. We are not prepared to wreck or hinder that progress.

Sammy Wilson: I am amazed at the hon. Gentleman's defence—[*Interruption.*] Yes, I am amazed at everything he is saying. First, he is quite happy not to have a trade deal with America—that will damage the economy of Northern Ireland—and now he is defending the Northern Ireland Assembly's ability to make decisions about the economy of Northern Ireland, when this withdrawal agreement leaves 60% of the laws in Northern Ireland in the hands of Brussels. The Bill seeks at least to free us from Brussels's ability to take what support we can give to our industry.

Colum Eastwood: This withdrawal agreement took a long time to negotiate. The British Government and this Prime Minister signed up to it, and it was called a fantastic deal. It was to protect us from a hard border in Ireland. We spent 30 years trying to get rid of hard borders and division and trying to bring people together—to allow local people to work together to make decisions on behalf of local communities.

I cannot understand how anybody who is supposed to be a devolutionist and whose party is in government—even though the right hon. Gentleman is sometimes at odds with the leadership of his party—would want any Minister based in Whitehall to make decisions over the heads of the Democratic Unionist party, Sinn Féin, the Social Democratic and Labour party, the Alliance party or the Ulster Unionist party. This Bill would allow a Whitehall Minister to override the wishes and very strong views of people in Northern Ireland on issues such as fracking and water charges. Who wants to see that happen in our devolved areas?

More than any policy risk, the Bill creates even more instability in our system, and we cannot afford that. Just look at what has happened over the past number of years. Alongside the attack on the protocol and the risk of a hard border in Ireland, the Bill rides a coach and horses through the Good Friday agreement in so many ways. If this Government, as they profess, support the Good Friday agreement and devolution and want local people to work together, spilling their sweat and not their blood, to bring about economic progress and change how society works, they will take away the risk of the Bill, because clauses 46 and 47 would override, undercut and undermine all that progress.

Sir John Hayes (South Holland and The Deepings) (Con): At the heart of the purpose of politics is a marriage between the common good and the national interest, and trade is at the heart of both. This Bill—in particular, clauses 46 and 47—makes that principle real, yet the supporters of these amendments seem either unaware or unwilling to accept that trade is a national policy and has to be determined in the interests of the whole kingdom. Of course, as the hon. Member for Glasgow Central (Alison Thewliss) said, co-operation and collaboration are necessary with the constituent parts of that kingdom, but in the end trade deals are negotiated by the Government as a whole.

The idea vested in the amendments in this group—notably, amendment 33—that Ministers should act only with the permission of people in those constituent parts is preposterous, as anyone on either side of the House who has served as a Minister knows. Of course, collaboration requires a relationship between those in the devolved Assemblies and Ministers here, but that relationship is one in which the devolved Minister knows that the buck starts and stops with the national Government.

Alan Brown: I am not sure whether the right hon. Gentleman has read clause 46 or the amendment correctly. Clause 46 says:

“A Minister of the Crown may...provide financial assistance” in respect of matters of devolved interest. It is not about trade; it is about the UK Government being able to take decisions on behalf of the devolved nations on matters that are otherwise devolved. Why is it so objectionable to seek the consent of the devolved Administrations on matters that should be devolved anyway?

3 pm

Sir John Hayes: The problem at the heart of the hon. Gentleman's proposition—this was reflected in the opening speech by the hon. Member for Glasgow Central—is that the Scottish National party, the Scottish separatists, believe that the relationship between the United Kingdom

Government and the people of Scotland should be devised and delivered only through the prism of them and their friends. The truth of the matter is that the United Kingdom Government have a relationship with Scotland irrespective of the SNP and its friends.

Alan Brown: Will the right hon. Gentleman give way?

Sir John Hayes: No, I will not give way again.

Alan Brown *rose*—

Sir John Hayes: No. I say to the hon. Gentleman that I am conscious of your strictures, Dame Eleanor, that we should not stray into the realms of loquaciousness. Many other Members on both sides of the Chamber wish to contribute, so I will not give way to the hon. Gentleman, with whom I have shared many arguments and, indeed, many agreements over a considerable period of time. I suspect that we are not going to agree about this.

Alan Brown *rose*—

Sir John Hayes: I am not going to give way. I have made that clear.

Although it is true that the vast majority of the people of Scotland, Wales, England and Northern Ireland may not be gripped every waking moment by the minutiae of British politics, millions of patriotic Britons across all parts of our kingdom, in England, Wales, Scotland and Northern Ireland—small business owners, farmers, fishermen, employers, workers; everyone from trade unionists to tree surgeons—expect this Government to get Brexit done and to strike trade deals in the national interest and for the common good. It is as straightforward as that. Anything that provides an impediment to that desire is not only unacceptable, but directly contradicts the will of the people. This sovereign Parliament's mission—its duty—is to embody the will of the people, to respect it and to deliver on it. I am afraid the amendments before us would impede that process, whether that is their intent or not. I will be generous and make it clear that I am not alleging that that is their intent, but it would certainly be their effect.

Perhaps saddest of all are the amendments in the group tabled in the name of the official Opposition. I see sitting behind the Dispatch Box the hon. Member for Sheffield Central (Paul Blomfield), an old friend, looking as sorrowful as I am when I have to make that charge. The official Opposition are a Unionist party, yet it is clear from the amendments in their name that they have gone along with the idea that Ministers of the Crown should be required—yes, required—to seek and gain the consent of devolved Ministers before proceeding with what they believe is in the national interest. I have to say I am disappointed about that, and it is another reason why we should vote against the amendments in the entire group and support the Bill unamended.

The shared interest of the people of Britain—the common good, as I described it—has been endangered; indeed, it has been diluted, year after year, through our relationship with the European Union, as my right hon. Friend the Member for Wokingham (John Redwood) explained earlier in his excellent speech. Taking back control is in the people's interest, because it will allow us to develop policies that are pertinent to that interest in every part of the United Kingdom.

The debate we are having about the Bill is to some degree rather *recherché*. It reminds me of the debates we have had in recent times between those who wanted to honour the people's will, expressed in the referendum, and those who were unreconstructed remainers. Many who campaigned to stay in the European Union have accepted the result and gone along with it, because they believe it was a once-and-for-all decision that should be honoured, but there are those—we have seen them persistently in recent times—who did not accept it. Perhaps, tied to their kind of bourgeois, liberal, doubt-filled, guilt-ridden perspective on world affairs, they were unwilling to recognise that that is a world apart from the view of working-class Britons, as the referendum and the general election showed. That is, in large part, an explanation for why my party seized power in constituencies across the country, particularly in the midlands and the north, that it had never represented before. Those people in those places have woken up to the fact that that elite had no understanding and no care for their sentiments or their interests and could not really grasp why they believed that it was right that our trade policies, our policies on migration and other matters should be determined by this sovereign Parliament speaking for those very people.

Several hon. Members *rose*—

Sir John Hayes: I will give way one more time. As I have given way to a Scottish separatist already, I will give way to the hon. Member for Foyle (Colum Eastwood) as a matter of courtesy.

Colum Eastwood: Can I ask the right hon. Gentleman a simple question? How many seats did his party win in Northern Ireland?

Sir John Hayes: I am sorry, but I did not catch what the hon. Gentleman said—forgive me.

Colum Eastwood: The right hon. Gentleman spoke a lot about the last election and about how many seats the Conservative party won. Can I just ask him how many seats the Conservative party won in Northern Ireland?

Sir John Hayes: The Northern Irish political dynamic is a subject that I will not stray into, Dame Eleanor, because you would not permit me to do so.

The Chairman of Ways and Means (Dame Eleanor Laing): The right hon. Gentleman is correct: I will not permit it. This is the Committee stage of the Bill and not a general debate, and we will stick to the point, which he was doing admirably.

Sir John Hayes: I am very grateful, Dame Eleanor. Any time the hon. Gentleman wants to debate Northern Irish psephology with me over a glass of Irish whiskey, I shall be happy to do so.

The essence of the debate this evening—I mean this afternoon, but I am anticipating a long debate, as you can tell—is really not about whether the devolution settlement is as the SNP would want it to be or as it actually is, which is a productive relationship, I think,

[Sir John Hayes]

between those in the Scottish Parliament and Scottish Ministers and the United Kingdom Government. Certainly, that was how it was when I was a Minister—I had a very positive relationship with my friends in Scotland and Wales and throughout our kingdom. It is not really about that. It is about whether we believe that the Government's hands should be tied in the negotiations as they go forward and try to strike the best possible deal with the European Union. No responsible Member of this Parliament should want to dilute the strength of our position in those negotiations in what is, inevitably, a challenging process with a very wily European Union. Whatever one thinks about the faults and frailties of the EU, and I could speak at great length about them, no one would deny that it is experienced, determined and wily in its attempts to defend the EU's interests. We must be as united and strong as we can be in backing those who are fighting for Britain, as our Prime Minister is doing, has done and will continue to do.

In drawing my remarks to a conclusion, Dame Eleanor—I know that you will be pleased that I am about to, although disappointed simultaneously—let me say this. It is absolutely true that, in gauging both trade policy and infrastructural investment, we need to be mindful of the particularities of the needs and wants of people across the kingdom, and of course different circumstances prevail in different parts of the UK. Good Governments and good Ministers have always done so, but, in the end, it is for the national Government—it is for the Queen's Ministers—to make decisions on these matters, and however much that may trouble those who have tabled the bulk of these amendments, I have to tell them that it is how it is and how it is going to be. We will back Britain. We will back Boris, and in doing so we will get the best possible deal.

Alex Sobel (Leeds North West) (Lab/Co-op): I stand here after three of the most bizarre years of constitutional contortions, when parliamentary conventions were stretched to their very limits. However, on Monday we topped them all when Government Members voted to breach the very same withdrawal agreement that they voted for just months ago. We have to wonder what the point is of making law and entering international agreement when just months later the Government seek to overturn it. The same Members who voted to breach the withdrawal agreement had hailed the Prime Minister's renegotiation of it as a masterstroke and then campaigned for it and voted to enact it.

I cannot compete with my right hon. Friend the Member for Doncaster North (Edward Miliband) in making the Prime Minister look like a petulant child, so I will not try, but I will try to make Members opposite think about the damage they are doing to our international standing, to their individual reputations and to the fabric of our Union, and to a Bill which could rend the Good Friday agreement asunder.

I have some interest in constitutional law. I know the power it has to create new opportunities, to spread power to the people, and to ensure that decisions are made closer to where people live. But this Bill is about putting the foot down on the accelerator, and driving the constitutional settlement off a cliff with the Union as its trailer. Clause 46 breaks the settled will of the

devolved nations. Allow me to outline some of the problems with this Bill. First, there is the Executive power grab: the Bill has enabling clauses that enable a Minister to make unilateral regulations. Secondly, there is the breach of existing law: the enabling clauses allow a Minister to create regulations regardless of whether those regulations are in breach of domestic and international law. Let that sink in for a second before I carry on: we are giving Ministers the power to break the law.

Clause 46 allows pork barrelling, a US practice allowing for Government spending for local projects to help a politician in a certain constituency. It allows pork barrelling by ministerial diktat and over the heads of devolved bodies. The Bill not only creates a situation where the Government are in breach of the UK's obligations under the withdrawal agreement, but provides the statutory basis for new regulations to be made by Ministers that are also in breach of UK and international law.

This does have recent precedent. The Coronavirus Act 2020 gave the Secretary of State for Health and Social Care similar powers, which we saw implemented this week when the new health regulations were published allegedly 28 minutes before they came into force. So 29 minutes later, a family of three meeting a family of four could have been in breach of the law, after a flick of the Secretary of State's pen, with no warning.

So, soon we will have two laws, covering coronavirus and Brexit, enabling Ministers to create law by diktat, and in the case of Brexit, to break already agreed international law. We must therefore ask whether Parliament's only purpose will be to provide a body of personnel to fill the Executive and oversee some functions as a lawmaking body. This means that when it comes to devolved bodies having to make spending and funding decisions, clause 46 will take it over their heads, and they will be denuded of their powers.

Far from bringing sovereignty to our shores, this Government are stripping our sovereign Parliament of its powers piece by piece, and doing the same to the devolved bodies. The Government's real purpose is a power grab: they are using a difficult situation as a subterfuge to hoodwink the public. The checks and balances are being eroded—[*Interruption.*] Yes, they are; Government Members are shaking their heads. Those who are meant to safeguard are brought into the pretence and belittle their own office: the Attorney General, the Solicitor General, and the Lord Chancellor. The Advocate General for Scotland has at least shown proper respect for the law by resigning—or at least attempting to resign by tendering his resignation—and the Northern Ireland Secretary himself admitted that this Bill breaks the law

“in a very specific and limited way.”—[*Official Report*, 8 September 2020; Vol. 679, c. 509.]

However, a breach of the law is a breach of the law, so any breaking of the law in a very specific and limited way is no defence in court: the law does not discriminate on specificity.

Even the need for this Bill has been ridiculed by more constitutional experts than I could possibly name. The Government argue that the powers are needed in case they need to rapidly implement safeguards under article 16 of the Northern Ireland protocol, but Professor Mark Elliott, chair of the Faculty of Law at Cambridge

University, argues that clauses 42 and 43—I know that we are not debating those today; I will come to the point about them later—

“bear little relation to the matters with which Article 16 is concerned”.

3.15 pm

The Government argue that the powers are needed in case they rapidly need to do what article 62 of the Vienna convention allows, but article 62 requires a “fundamental change of circumstances” and permits only withdrawal or termination, not repudiation, of individual obligations. That means that the clauses we are discussing today are not necessary, because those circumstances have not been met and will not be met, even in the case of a no-deal Brexit.

The Government further argue that the withdrawal agreement is a special form of treaty because it presupposes a future relationship agreement—the agreement that they are currently negotiating—so it is okay to breach the withdrawal agreement if no free trade agreement materialises. Not only is that news to the European Union, but Professor Elliott says categorically that no special form of treaty exists.

Then there is the Lord Chancellor’s argument that the Bill would amount to an acceptable, rather than unacceptable, breach of the law. Again, Professor Elliott argues that no such distinction in law exists. He concludes that there is no justification for the power grab in this Bill. I could quote 100 different constitutional experts on different clauses of the Bill, making the Government’s arguments look like so much chopped salami, but I need to make progress and allow colleagues to speak—much good that will do us after this power grab.

Fay Jones (Brecon and Radnorshire) (Con): The hon. Gentleman is making a passionate speech, and I am grateful to him for giving way. Could he please tell me which powers are being taken away from the Welsh Parliament?

Alex Sobel: There is a list of areas in clause 46 where the Government are taking powers for direct funding into the devolved nations.

The upshot is that passing the Bill intact would not provide a safety valve or insurance if the Government’s oven-ready deal threatened to burn down the house; if the house burned down, the tenants—our home nations—would rebuild it several feet apart, ending our historic Union. The Government never were honest about the fact that leaving the European Union would create an existential threat to our United Kingdom. They have never addressed the inherent tensions that they themselves created and that the Bill deepens rather than resolves.

Upending our international reputation as a nation that upholds the law, and erecting the barriers to trade that no deal would create, will have severe consequences and threatens to create an unstoppable force that will cause our nation’s fabric to be permanently rent asunder. I cannot support that, and neither should Government Members. That is why I support the Labour Front-Bench amendments in the name of my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer).

Stephen Crabb: It is a privilege to speak so early in the debate. I rise in support of clauses 46 and 47 and to put on the record my support for the general principles of the Bill.

The Bill is an essential building block of a successful and orderly Brexit and of a successful economy. People who say that they believe in those things need to back the Bill very strongly. People who say that they believe in getting on with Brexit should support the Bill. People who say that they support the Union and recognise the importance of a seamless internal market for the whole United Kingdom need to support the Bill.

The Labour party says that it is in favour of all those things, yet on Second Reading on Monday night, again yesterday and again today, they have found reasons not to give the Bill their support. That is very telling. Here we are in 2020 and it is just like 2017, 2018 and 2019, with the Labour party finding every excuse—using every trick in the book—to try to water down and get in the way of the successful delivery of Brexit and the successful safeguarding of the whole UK internal market.

At the heart of the Bill are borders and barriers. The Bill respects the borders that exist within our United Kingdom—it reflects the fact that we are a family of different nations within our United Kingdom—but it takes steps to avoid those borders becoming barriers to trade and prosperity for all parts of the United Kingdom. As a Unionist, I come at these issues from a position fundamentally different from that of, say, a nationalist such as the hon. Member for Glasgow Central (Alison Thewliss), who eloquently opened this debate. We come at these issues from fundamentally different perspectives. The problem I have this afternoon is with the Labour position, because Labour says that it is a Unionist party and in favour of getting on with Brexit, and yet the position this afternoon suggests something different.

I am a Member of Parliament in Wales, and I worry about Welsh politics when I see the Welsh Labour party continuing its slide towards becoming a branch of the nationalist movement. We are talking this afternoon, with the clauses and amendments that are on the table, about limits to UK authority and legitimacy in all parts of the United Kingdom. It is about putting up barriers to stop this Parliament and the elected UK Government having authority and legitimacy in every part of the United Kingdom. However, I completely respect the position of Plaid Cymru and SNP friends, because they see the world through a fundamentally different prism.

Sir John Hayes: My right hon. Friend is making an excellent point that is well illustrated by the official Opposition’s amendment 16, which says that any moneys spent in the devolved nations must be “subject to allocation” by those Parliaments. The preposterous idea proposed by the Labour party is that Ministers of the Crown—this Government—cannot spend money in Wales, Scotland or Northern Ireland without the devolved Assemblies allocating that money or choosing not to.

Stephen Crabb: My right hon. Friend makes an important point, but let me be absolutely clear: I believe in devolution. Other Conservative Members may have different views, but I believe in devolution. When I was Secretary of State for Wales, I was charged with translating the Silk commission into a workable plan to devolve whole suites of new powers to the Welsh Government in

[Stephen Crabb]

Cardiff Bay, and I did that happily, because I believe in seeing devolution become stronger for Wales. When my right hon. Friend the Member for Vale of Glamorgan (Alun Cairns) succeeded me as Welsh Secretary, he continued in that vein. We are part of a Government who have devolved powers to the Welsh Government and the Scottish Government.

However, the response from the Welsh Labour Government every step of the way—I had a running joke with the former First Minister Carwyn Jones about this in our Monday morning meetings in his office in Cardiff Bay—would be, “This is a rollback of the devolution settlement.” It does not matter what new powers we give to the Welsh Government, the response will always be, “This is a rollback. This is a power grab.”

Alan Brown: Will the right hon. Gentleman give way?

Stephen Crabb: I will not give way again, because lots of colleagues want to speak.

The Bill strikes the right pragmatic balance in how it goes about strengthening the devolution settlement in the context of bringing back powers from the EU to the Governments of our internal market and how we divide up those powers and share them among the legitimate elected bodies that now constitute our constitution across the United Kingdom.

I want to speak in some more detail about the expenditure powers, which I support, that we are really debating under this part of the Bill. I do not support UK Ministers wanting to become the default authority for spending in devolved areas, but that is not what this is all about. This is actually about recognising that the UK Government have a duty of care for their citizens in every part of the United Kingdom, and that should not be a controversial thing. It certainly should not be controversial to Unionists that the UK Government should be able to spend money in all parts of the United Kingdom. When did the vision of devolution ever become about stopping this place having any kind of writ of authority in Wales, Scotland and Northern Ireland?

Fay Jones: On that point, this Bill could not be better timed as people recover from covid-19. Investing in jobs and livelihoods and generating prosperity in all four corners of the United Kingdom is exactly what this Government should be doing.

Stephen Crabb: My hon. Friend is absolutely right. There is a pragmatic purpose at the heart of the Bill, as well as a constitutional one. Again, I remember back to the days I was Secretary of State for Wales: there was no shortage of Opposition Members wanting to come to the Wales Office to discuss projects for which they were desperate to see funding. Time and again, we had to say to Labour colleagues, “I am so sorry, we do not have the ability to support that essential, important work with funding,” and they went away disappointed. I am so disappointed to see that Labour Members are actually falling into line behind the nationalist position today and saying that we should not have the ability to fund projects.

If hon. Members want specific examples, earlier this year we had devastating floods affecting Wales. Loads of rugby clubs in south Wales had infrastructure damaged. Could we support the Welsh Rugby Union when we were asked for funding to support those rugby clubs in Wales? No, because the devolution settlement said we had no right to be able to do that. I could give other examples. I could talk about the towns fund, which has been mentioned previously in this debate. Labour Members earlier this year stood up and said that they wanted to see their towns and their communities benefit from the towns fund. We could not do it: the devolution settlement said no.

Surely it is not right that the elected UK Government are forbidden, blocked and barred from being able to act in these areas—yes, acting in partnership, in concert, with the devolved Administrations. I strongly welcome the measures in the Bill and I am opposed to a devo-lock—a devolution barrier or block—against the UK Government’s acting.

Alan Brown: The right hon. Member says that he believes in devolution and respects it. Does he not share my concern that even the Tory Chair of the Public Administration and Constitutional Affairs Committee says that clause 46 creates new reservations, so by default that means disrespecting the devolution settlement? The Chair’s letter to the Minister for the Cabinet Office also said

“it would be preferable for legislative consent to be given by each of the devolved legislatures.”

Does the right hon. Gentleman agree with that sentiment—that a legislative consent motion should be obtained before the Bill is imposed on the devolved Administrations?

Stephen Crabb: It would be great—it would be perfectly neat—if LCMs were provided, but we are in a political context where, unfortunately, that looks very unlikely, because we are dealing with such big issues as Brexit and the future of our Union. We know that the representatives in government in Cardiff Bay and in Edinburgh have a fundamentally different view of the world from ours.

I shall end by saying something about the shared prosperity fund. I am the Chair of the Welsh Affairs Committee, and we have been taking evidence on this. Even though I strongly support the Bill, I want to register a concern with those on the Front Bench about the progress of work in Whitehall on the shared prosperity fund. It is patently clear from the evidence that we have received that the pace of work is nowhere near fast enough, given the timescales involved for replacing the EU funds. There is a real need now for Ministers to step up the activity levels.

I also think, again speaking to the Front Benchers, that we need a bit more clarity and transparency on what the future of those funds will be. Although I support the powers in the Bill this afternoon, in terms of building trust and good will with the devolved Administrations there is certainly a need for a much more detailed conversation about the future of the funds.

Caroline Lucas (Brighton, Pavilion) (Green): I am pleased to follow the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) because I want to disagree

very strongly with many of the things he said. One of the points he made was that opposition to the Bill is about our views on Brexit. I want to say loudly and clearly that opposition to the Bill has actually got nothing to do with our views on Brexit and everything to do with our views on who we are as a country, on whether we want to uphold international law, and on the most basic principles of liberal democracy. The Bill is a shameful, shabby, squalid Bill that will break international law, trash our reputation overseas, undermine the withdrawal agreement, destabilise Northern Ireland and wreck the devolution settlement.

I rise to speak to amendment 20 in my name. Let me say straight away that I completely support the case that has been made so eloquently by Opposition Members about the importance of protecting devolution. I have enormous sympathy for those who, frankly, would start again and get rid of clause 46 entirely. I would support that, but for as long as it is part of the Bill, my case is that it needs strong amendment.

Amendment 20 would insert these words:

“Any financial assistance provided under this section must be consistent with the achievement of any climate and environmental goals and targets applicable”.

Financial assistance spending can have major environmental impacts, which can be negative. We have heard from the hon. Member for Glasgow Central (Alison Thewliss), for example, some of the most egregious examples of how money has been used in a negative, incompetent and environmentally damaging way. Examples include road building where the evidence suggests that it leads to more driving and more emissions. Or, of course, money can be spent in a positive way, kick-starting new, good-quality, innovative green industries and jobs, and supporting progressive climate and environmental policy.

3.30 pm

Using financial assistance well is particularly important ahead of this year’s UN climate change conference, which, as we know, the UK is hosting. Yet without amendment 20, the powers in the Bill to provide assistance would be subject to very little direction and very few restrictions. That is a gross dereliction of duty in the face of the climate and nature emergency that we face. Take yesterday’s report by the UN Convention on Biological Diversity, for example, which concluded:

“Humanity is at a crossroads and we have to take action now to make space for nature to recover and slow its ‘accelerating decline’.”

Ministers have been warned of this reality time and again. If they do not listen to that, perhaps they will heed the warnings in this week’s alarm-ringing, klaxon-sounding, deafening, heartbreaking, anger-stirring film from David Attenborough, whose documentary, “Extinction: The Facts”, laid the tragedy bare. With an eighth of the planet’s species at risk of dying out, he sets out the stark devastation that humans have wreaked, and are wreaking, on the natural world.

The evidence keeps rolling in. New analysis just this week from the Royal Society for the Protection of Birds has revealed a lost decade for nature, with the UK failing to reach 17 of its 20 biodiversity targets. Indeed, on six of them we are going backwards. Last year, the RSPB’s “State of Nature” report for the UK found that 41% of UK species are declining and one in 10 is threatened with extinction.

These things do not happen by accident. They happen as a direct result of public policy and where money is spent, so it is critical that if and when Ministers choose to exercise these powers to give direct financial assistance, they do so in a manner that is both consistent and compatible with any environmental and climate goals and targets in the relevant parts of the UK. That should cover existing goals and targets, and any future goals and targets that are applicable when the powers are exercised. Those goals and targets would include things such as countries’ respective targets on climate reduction and net zero, new targets to be set under the Environment Bill, recycling targets, and so on.

In short, the purpose of amendment 20 is to try to ensure that we tackle the nature and climate emergencies we face. Public money should not be used to support projects, companies or industries that threaten to undermine progress towards meeting stated and binding environmental goals and targets—something on which, unfortunately, the Government have form. We have seen them, in the aftermath of trying to cope with the worst of covid, giving money to aviation companies without any of the conditions that apply in, for example, France, where money is required to be used to research better, less damaging fuels, and not for flights that are in direct competition with rail routes.

Here, the UK Government have made absolutely no attempt whatsoever to be mindful of the environmental impacts of the money they are spending. That is in spite of all the rhetoric we hear about the importance of a green recovery. If Ministers are serious about a green recovery, they should regard my amendment as a helpful reminder rather than as any kind of threat. I hope the Minister will be able to stand up at the end of this debate and say that she entirely supports it.

As well as putting on record the importance of amendment 20, I would like briefly to put on record my support for the other Opposition amendments in this group that seek to protect devolved powers and ensure fair funding to all nations of the UK. They include provisions to require the Government to secure the agreement of devolved Ministers before enacting their priorities over those of the devolved Administrations. Doing otherwise would mean exactly the kind of power grab that my colleagues have been talking about. That is unacceptable. It sometimes seems that the other side do not quite understand what devolution means. Devolution is a permanent part of our constitution, and has been for 20 years; and it is wrong and reckless of this cavalier Prime Minister to seek to undermine it.

Alun Cairns: If the UK Government were asked to support an environmental scheme that was cross-border and would raise environmental standards in a devolved Administration, the logic of the hon. Lady’s argument is that she would oppose it.

Caroline Lucas: I do not think that is the logic of what I am proposing. It is perfectly possible to uphold the principle of devolution and that of saying that standards should be high. I do not quite understand why the right hon. Member has a problem with that.

The Government have a huge opportunity to reset the economy to create a just transition, with good green jobs to safeguard livelihoods and our precious and irreplaceable natural environment. The aim of amendment 20 is to

[Caroline Lucas]

make that opportunity a reality. I hope that a separate decision on this vital amendment will be possible, as it would do something different from the other amendments in the group—we are in a climate emergency, as this very House has declared—but if that is not possible, I hope we can return to it on Report, as no doubt many colleagues in the other place support the aims of the amendment and share my concerns. The amendment matters to millions of people around the country who care deeply about nature and the climate and are deeply concerned about the use of public money undermining those aims.

Other amendments in this group are indeed vital. My amendment makes a separate but complementary point. It is about outcomes, not just process. The Bill takes breathtakingly wide powers following our departure from the EU. This is about how those powers are implemented. No other amendment in the group deals with that.

Andrew Bowie: It is an unusual pleasure to speak so early in a debate.

I am delighted to stand to support Government clauses 46 and 47, and to speak against the amendments in the name of the official Opposition and the Scottish National party and the other amendments. I have only been in the House for three years—it sometimes feels like 30, given what we have been through since 2017—but these amendments and the arguments, especially those from the SNP, against the clauses, are among the most remarkable things I have seen, despite what we have been through in the last three years. The governing party of one of the devolved nations in this country is tabling amendments and using arguments that would prevent more money from being spent in that nation. It is frankly astounding.

Chris Bryant (Rhondda) (Lab): Will the hon. Gentleman give way?

Andrew Bowie: I have only just started, but as it is the hon. Member, yes, of course.

Chris Bryant: I agree with the hon. Member about nationalism and separatism and all that, but we are a bit cynical and sceptical about offers from the Government at the moment. I have been trying to get £130 million outside the envelope for the flooding earlier this year in the Rhondda, but so far we have not seen a penny, not even for the coal tip that collapsed into the river at Tylorstown, which needs 60,000 tonnes to be removed. We still have not seen the £1.2 million. That is a Westminster responsibility.

Andrew Bowie: I am reliably informed by a former Secretary of State for Wales, my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb), that that is a devolved responsibility, which is one reason why the hon. Member should vote for the Bill next week and against the Opposition amendments this evening.

Not only are these arguments incredible; they are also based on a complete falsehood: that the powers in the Bill, which will allow the UK Government to spend directly on specific projects in Scotland—I will confine my remarks to Scotland for obvious reasons—for the first time in 20 years, will somehow undermine devolution. This is not true.

Alan Brown: As I said earlier, the Tory Chair of the Public Administration and Constitutional Affairs Committee, the hon. Member for Hazel Grove (Mr Wragg) has stated clearly that the Bill will create new powers of reservation. It is ripping up the devolution settlement. When will Conservative Members understand that there is a massive difference between protecting devolution and protecting the powers of the Scottish Parliament and what they see, which is an SNP Scottish Government? It is about respecting devolution and the Scottish Parliament.

Andrew Bowie: I would have to see the details of what my hon. Friend the Chair of PACAC said. I would have to study it before responding, but I must stress that creating more powers is not ripping up the devolution settlement. That is not the case. The founding father of devolution, Donald Dewar, a Scottish Labour Member—there are not many left in this place these days—stated that devolution was a journey, not a one-way street. We need to have a discussion about where powers are best held, and that is what we are doing here today.

What is most remarkable about these arguments and the amendments that have been tabled by the SNP today is that they are drafted by parties that want to take Scotland and Wales back into the European Union. The SNP made much yesterday, and has again today, of the Competition and Markets Authority and the Office for the Internal Market, while the hon. Member for Glasgow Central (Alison Thewliss) spoke about autocratic Ministers of the Crown spending in Scotland. The hon. Member for Midlothian (Owen Thompson) yesterday decried the need for the Office for the Internal Market, claiming it was unnecessary, undemocratic and appointed, and complaining that it would

“decide whether a Bill met the test of the internal market, putting permanent constraints on the Scottish and Welsh Parliaments and the Northern Irish Assembly.”—[*Official Report*, 15 September 2020; Vol. 680, c. 248.]

That is quite remarkable from a party determined to take Scotland back into the European Union, but then maybe I missed the complaints from SNP Members when, in August 2015, the unelected and unaccountable European Commission suspended the payment of more than £45 million to the Scottish Government, under the European social fund, owing to accounting “irregularities” and because it had not been given specific assurances from the Scottish Government as to how the money was being spent.

I must also, then, have missed hon. Members’ complaints to the—again—unelected and unaccountable European Commission when it threatened to fine the Scottish Government £125 million for botching up the farm payments system in 2015-16. I hate to break it to the SNP, but the restrictions placed on member states in order to preserve the internal market of the European Union are much—inordinately—more prohibitive than anything we are proposing here today.

After Brexit—indeed, because of Brexit—the Scottish Government will be free to spend, and indeed mis-spend, and free to exercise their expanded and increasing powers as they see fit. Nothing in the Bill threatens that in any way whatsoever. No powers to curb spending or cut revenue, no powers to fine for messing up payment systems, more money, more power, protecting jobs—what on earth is it in the Bill that the SNP could be

objecting to so much? Why on earth is the SNP so happy to accept EU cash, with all the rules and regulations around spending and how money is spent, but will not allow the British Government to spend directly on specific projects that will benefit the lives of individual Scots?

Several hon. Members *rose*—

Andrew Bowie: I am spoilt for choice, but I will give way to the hon. Member for Glasgow Central.

Alison Thewliss: I have a question for the hon. Gentleman. Why does he feel it is appropriate for the UK Government to spend money on courts and prison facilities in Scotland?

Andrew Bowie: I think it is appropriate for the UK Government to be able to spend on projects that will benefit people in every corner of the United Kingdom, and that is why I am voting for the Bill next week and why I am going to oppose the amendments tabled by the hon. Lady. I will tell the Committee why the SNP is so against the Bill: because with the SNP, it is Brussels over Britain, any day of the week. SNP Members do not care that this Bill protects jobs. They do not care that it enshrines in statute the existence of Scotland's most important market. They do not care that it could mean more money for Scotland's starved local authorities.

Patrick Grady: I thank the hon. Gentleman for giving way. He is obviously passionate about Britain, and good luck to him, because he is not going to have that passion available to him for much longer once we are independent. Is he content with the idea that the Bill will gain Royal Assent without the legislative consent of the Scottish Parliament, the Welsh Assembly or indeed the Northern Ireland Assembly? Is that not the real power grab—the undermining of the Sewel convention? That is shaking devolution to the core. That is the power grab that is happening here. Is he really content with that?

Andrew Bowie: To be honest with the hon. Gentleman, I would be trying to convince his colleagues in Edinburgh that this is a very good Bill and they should give it legislative consent and see it sail through the Scottish Parliament. But they have refused to give legislative consent to Bills that have become law in the past, and I am sure they will do so again.

I return to my point about Scotland's cash-strapped local authorities. In north-east Scotland—I see the hon. Member for Gordon (Richard Thomson) in his place—Aberdeen City Council and Aberdeenshire Council are two of the lowest funded local authorities in the country, despite contributing more in revenue to the SNP Scottish Government than almost any other local authority. The idea that the Scottish National party would vote to deny them more funds to spend on specific projects truly is a kick in the gut.

3.45 pm

Richard Thomson (Gordon) (SNP): Is the hon. Gentleman aware that the amount of money available to spend on frontline services in the Aberdeenshire Council area is only £11 below the Scottish average, which includes the high-spending island authorities? To help him with that, 11 is nearly twice six, which is double the number of chips that he had in his dinner the other night.

Andrew Bowie: I will avoid commenting on the meagre amount of chips that you get in the House of Commons Dining Room. I was one of the loudest to complain about the state of my fish and chips. On the hon. Gentleman's point, I cannot believe that a Member representing an Aberdeenshire seat is defending the fact that the Scottish Government give it one of the lowest amounts of funding for any local authority in the country. The people of Aberdeenshire will be listening to him, and I am sure they will explain to him their dissatisfaction with that comment.

I urge the hon. Gentleman to try explaining that to constituents next door in West Aberdeenshire and Kincardine, the people of Durriss and Drumoak—a community divided owing to Park bridge being closed, possibly never to reopen. *[Interruption.]* I hear the hon. Member for North Ayrshire and Arran (Patricia Gibson) groaning. The mask is slipping from the Scottish National party. The hon. Member for Kilmarnock and Loudoun (Alan Brown) underlined that when he earlier described these bridge closures as “wee pet projects”. These are communities divided because the Scottish Government are not funding Aberdeenshire Council to the requisite level to fix those bridges and reconnect those communities. The fact is that, unless it is in Glasgow or the central belt, the Scottish Government just do not care.

Patricia Gibson: I was groaning in despair because all the hon. Gentleman's remarks deny one fundamental principle: that the people of Scotland are sovereign. The people of Scotland are represented by a democratic Parliament in Edinburgh, and there are clearly defined devolved areas that are the responsibility of that sovereign Parliament. This Bill denies that. Why can he not just be honest enough to say so?

Andrew Bowie: The hon. Lady is powerful and passionate in making her case, but this Bill does nothing of the sort. This Bill reinforces devolution, with over 100 powers coming from Brussels to Scotland, and it is for the Scottish Government to determine how they are acted on and how the money going to Edinburgh is spent.

The fact is that the SNP has been found out. Its Members do not like this Bill because they know that it will demonstrate the relevance, the strength and the spending power of the British Government to the people of Scotland, and that endangers their grand plan: the separation of our country. For that, really, is all the SNP cares about—not people, not jobs, not the health service, not Scottish Water, as we heard earlier, and not powers over minimum unit pricing of alcohol. Those are all a front—a distraction. SNP Members do not like this Bill, despite the fact that it will benefit Scotland, because it promotes and unites our United Kingdom. That is the policy of the SNP, and it is clearer today owing to these amendments than at any time before. The SNP would rather Scotland was poorer if it meant that the United Kingdom Government had less power. That is the truth of it; it is clear from these amendments.

I am delighted that the British Government are enshrining the internal market in statute. I am delighted that we are voting to protect jobs in Scotland and around the rest of the United Kingdom, and I am delighted that, once again, this place will be able to directly spend money that will benefit the lives of my constituents. I am delighted that we are binding our country together, with

[Andrew Bowie]

no threat to the NHS, no threat to the existing powers of the Scottish Parliament and no threat to devolution. I will take great joy in voting down these amendments tonight. I will be voting to strengthen the Union, enrich Scotland and protect jobs. The SNP will be doing the opposite.

Alun Cairns: It is a privilege to have the opportunity to contribute to this debate and to serve under your chairmanship, Ms McDonagh. It is also a pleasure to follow the excellent contribution from my hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie), who underlined the position in relation to Scotland. Most of my comments will relate to Wales, but they will relate equally to each of the nations of the United Kingdom.

Clauses 46 and 47—part 6 of the Bill—are fundamental to the future of the United Kingdom, particularly as we leave the European Union and after one of the most challenging times in terms of public health and the economic difficulties ahead of us. This is a time when the nation needs to come together and when the might of the UK Government to support every part of the United Kingdom will be extremely important. So these clauses are excellent news for all nations of the UK. They empower a UK Minister to support and contribute to the economic, social and cultural needs of every nation, whatever part of the country someone comes from. More important, at a time when our nation is at a greater risk of fragmentation, these provisions make the UK Government relevant to constituents in all nations. A UK Minister can at last respond to their calls if a devolved Administration choose to ignore their needs.

The devolved nations host some of the most deprived communities in the UK. West Wales and the Valleys has qualified for the highest levels of EU aid for 20 years, and gross value added there was about 70% of the UK average. I have long argued that a persistent wide wealth gap will create tensions in any nation, and since devolution the current legislation has prevented a UK Minister from acting in support of constituents and communities in Wales, Scotland and Northern Ireland in devolved policy areas, even in those areas where GVA is at the lowest levels.

Alan Brown: I am not sure that the best argument is to talk about the poorer areas of the UK being in some of the devolved nations, as that is clearly, unfortunately, a Union dividend that the devolved Parliaments have inherited.

Alun Cairns: I will come on to explain in further detail specific cases for why the UK Government need the power in these clauses to intervene to support those communities that I want to support; I am sorry that the hon. Gentleman does not seem to want the UK Government to have the capacity to step in.

The current arrangements are confusing and messy, and could easily end up in the courts. Out of respect for devolution, Whitehall has been reluctant to be as assertive in pursuing some policies as the political and economic situations require. Constituents do not understand these arrangements, and businesses are often frustrated by the complexity and the perceived lack of interest in the issues and challenges they face. I said on Second Reading

that for someone who is unemployed and living in one of the poorest communities, in a rundown town or village, perhaps with poor qualification levels or few training opportunities, UK Government Ministers' answer to any call for help is, as it stands, simply to point them to the Welsh Assembly or to a Welsh Government Minister. Someone living in one of those communities in those circumstances does not care where the help comes from. They want the Government to be able to offer hope and opportunity, to play a part in bringing about change, and to be relevant to the challenges that those individuals and communities face by helping to fix them.

Chris Bryant: I completely agree that my constituents in the Rhondda, which is one of the poorer communities in Wales, in the UK and in the whole of the European Union, would not care less where the money came from if they were seeking support, be it for a new youth service, more police officers, a new health centre or anything else. But for that to be effective, it has to be co-ordinated with other local services. A Government could not suddenly decide to build something in the Rhondda without planning permission from the local authority and without other permissions from the Assembly. This is why some of us are sceptical that the Government need these powers or that they are really serious about them. The Coal Authority is an agency of the Westminster Government, not of the Welsh Government, yet we are still waiting for our £1.2 million. If the right hon. Gentleman can tell me a reason why the Government cannot give us the £1.2 million now, I would be delighted to hear it.

Alun Cairns: I am happy to respond to the hon. Gentleman. In relation to the Coal Authority, he is aware—this highlights the point that I made about the complexity of the current legislation—that land reclamation is a devolved function. Therefore, the Coal Authority is an agency of the UK Government, but the legislative responsibility falls to the Welsh Government. That highlights the complexity of the situation and may well be—I do not know because I have not looked at it in close enough detail—one of the root causes of why that community faces such a challenge.

The hon. Gentleman has also highlighted flooding as a challenge. Flooding is a devolved responsibility. Therefore, when he calls on Environment Ministers to support funding projects in his constituency, he knows full well that the powers allowed by the current legislative framework to support such projects directly do not exist. Therefore, those calls, all too often, will fall on Ministers who do not have the power to act in those circumstances.

Chris Bryant: I think I am agreeing with the right hon. Gentleman in some small measure, which is obviously hurtful for me. He is of course right that flooding in Wales is the responsibility of the Welsh Government. However, there comes a time, if we want to reinforce the Union, when the Westminster Government have to accept that there have been specific events that fall outside the normal Barnett formula—outside the normal envelope. That is why I have repeatedly asked—and the Prime Minister promised this at the Dispatch Box—when we will get the money for the floods that happened excessively in Wales, and particularly in Rhondda, rather than anywhere else in the UK earlier this year.

Alun Cairns: I think the hon. Gentleman and I are in a spirit of agreement. I will come on to further examples where the UK Government need to step in, but, as it stands, do not have the powers or the capacity—the legislative framework—to do so in order to help his constituents and mine when a challenge or crisis is of a scale that clearly requires the might and strength of the Union.

It is fair to say that some politicians have capitalised on the lack of powers held by the UK Government with which to step in and to act. It is often said to someone or a community in such a situation, or to a business in need of support, that the UK Government are refusing to act—in the full knowledge that the UK Government do not have the powers to step in and to act in order to alleviate that situation. I have long called for these powers, having been frustrated by the devolution settlement from being able to step in. I am delighted that the Government are taking this positive step to support all UK nations.

I have long argued that the future of any nation would come under pressure if a wide wealth gap continued to persist between its regions and nations. The Prime Minister's levelling-up agenda is much more difficult to achieve without the powers that are included in these clauses. Some challenges and policy initiatives are beyond the scale and capacity of any devolved Administration. Let me highlight a specific example that follows on from a point made by the hon. Member for Rhondda. In March 2016, Tata steelworks across the country were at risk of closure or sell-off. There were reports that Tata's Port Talbot plant was losing £1 million a day. Clearly, this was a crisis that needed support and action. But the then First Minister was the first to point out that the problem was far too big for the Welsh Government and the UK Government had to step in and help. According to the current legislation, in its purest form, this was a devolved matter and the Welsh Government had already received the business support funding through the Barnett formula. Therefore, it could have been legitimate to argue, "I'm sorry but this is a devolved function and the Welsh Government need to be able to respond."

Clearly, the reality was very different. This was an industry of strategic importance and significance to the United Kingdom. The plant was also intertwined with steel operations right across England and Scotland, so the actions of one Administration had an impact on the actions of the rest of the country. Of course the UK Government had a responsibility to play a part, but their capacity to act in support in a wide-ranging way was limited. The Industrial Development Act 1982 offered an option, but it is highly restrictive and did not give the Minister the freedom with which to develop a cohesive policy in the way that the Minister would want to do.

Similarly, if the Port Talbot plant had closed, there would have been a need to reclaim the site, regenerate the community and develop a package on a much wider scale. There are other examples that I can highlight.

4 pm

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): The right hon. Gentleman talks about levelling up and areas where the UK Government have competence, but may I ask for his comments on the shared prosperity fund? We have waited since 2018 for a consultation on

it, and for much of that time he was Secretary of State and in a position to do something about it. Two years on, we are still waiting for clarity on how that money will be spent to benefit Wales.

Alun Cairns: The hon. Gentleman makes a fair point: we need to bring forward much more detailed proposals about how the shared prosperity fund will work. I hope—this is a call to the Minister—that these clauses will change the nature of the discussion, because they will enable the UK Government to play a more prominent part in how the shared prosperity fund develops. That is not the Government's position yet, as I understand it, but certainly I hope it will be, and I will be calling for that.

The devolved Administrations receive their funding through the Barnett formula, but that delivers a capacity limitation to the interventions that they can make. Although the Welsh Government receive £120 for every £100 spent in England, which is a very fair settlement as a result of the relative poverty that many of us highlight regularly, that broadly equates to about 5% or 6% of spending in devolved areas according to the population. As a consequence of that relatively small sum of money, large infrastructure projects are much more difficult to deliver. They demand such capital sums that they are difficult to justify in any one community. The nature of devolution has caused resources to be spread far more thinly, and they do not have the impact that they could have in any one area.

Simon Baynes (Clwyd South) (Con): I would like to pick up that point. As an MP for the border constituency of Clwyd South, I know that the importance of infrastructure projects is significant, but they are extremely difficult to implement as things stand. This Bill will enable the financial assistance that will facilitate those projects, which are vital for improving the wellbeing and the lives of people in Wales.

Alun Cairns: My hon. Friend is absolutely right, and he highlights, at a constituency level, the challenges that—because of the nature of the limitations of their funding—the Welsh Government or any devolved Administration in any part of the UK face to having the greatest possible impact on constituencies. The might of the UK Government can support those large-scale projects.

The last major infrastructure project in Wales was in 1987, when the Cardiff Bay Development Corporation was formed. There has not been a major infrastructure project since then, which demonstrates that the nature of devolution has led to money being spread much more thinly across all communities. There is a good argument for that, but it removes the ability to have an impact in one specific community.

Stephen Crabb: My right hon. Friend is making an important point. He will remember the original devolution campaign in the late '90s in Wales. One of the key arguments for creating a devolved body was that it would make it easier to invest in major infrastructure projects. That was an advert for devolution. Does he agree that the fact that the Welsh Government have failed spectacularly to deliver infrastructure projects over the past 20 years is a very poor advert for devolution?

Alun Cairns: My right hon. Friend is absolutely right, and I have a more practical, current example, relating to my constituency.

[*Alun Cairns*]

When it comes to attracting investment, the added complexity of dealing with two Administrations for very large projects detracts from the ease of landing those deals. Let me give an example. I have long had the plan and hope to develop what I call battery valley in Wales, akin to silicon valley in the US. I believe that Wales has the capacity to develop expertise in the manufacturing and storage of batteries for electric vehicles as we move from the internal combustion engine. I have had the privilege of travelling to manufacturers and meeting investors around the world to encourage them to consider Wales for that purpose. It is great news that Britishvolt is looking at making such an investment in my constituency. That investment could be well in excess of £1 billion. It could be between £1 billion and £2 billion. Naturally, Britishvolt will expect some sort of Government support to invest in Wales and specifically—hopefully—in my constituency.

An example of the sort of incentives that the German federal Government have offered for a similar investment to be made in Germany is close to €2 billion. The Welsh Government cannot compete with that sort of scale of spend, but clearly the UK Government have a part to play and can seek to jump-start the industry by making large-scale sums of money available that the Barnett formula could never deal with. As my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) has pointed out, the clauses in the Bill fill a major hole in the current devolution settlement in terms of attracting major investment and major infrastructure projects.

The hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) highlighted briefly the challenges relating to the shared prosperity fund. Nations and regions across the UK have long been frustrated by the European aid programmes. West Wales and the Valleys has seen spend approach £5 billion since the year 2000. Owing to the complexity of the European Union arrangements, I certainly do not think we have had the best value from that. We can look to the Welsh Assembly's Public Accounts Committee, business groups' statements and communities that have been frustrated by it, and we can all point to specific projects in areas across Wales that have not been what the community really wanted or needed, but that just happened to fit the rules that the European Union set.

Finally, let me stress that we are not a federal country. We are a Union of nations, but even in the most federal of constitutions, the central administration has the power to act and to support. It is absolutely right that the United Kingdom Government have the power to act in support of every part of every constituency, wherever you are in this kingdom.

Richard Thomson: I rise to support my party's amendments because I firmly believe that seeking the consent of devolved Ministers represents the absolute bare minimum to respect the devolution settlement in the provisions before us.

Although I am not new to politics, I am comparatively new to this place, and my views on politics and self-government for Scotland were forged in the 1980s and the devolution debates of the early 1990s, well before Scotland had a Parliament of its own. When I speak to young Scots of voting age now, very few of them have any memory of there not being a Scottish Government

and Parliament. The idea that there ever would not have been seems alien and absurd—almost as absurd to them as it seemed to me that those institutions did not exist back in the 1990s.

Although I was supportive of devolution at that time, the arguments that I and others made in favour of independence referred to devolution and its potential weaknesses. Our arguments did not find favour at the time. They were that devolution was going to create a Parliament subordinate to Westminster, that without a written constitution its powers and status could not be guaranteed, and that power devolved is power retained. All those arguments, whatever their essential truth and accuracy, were lost in the assurances given at the time about permanence and respect.

The fact that those arguments about permanence and respect were made by politicians of the standing and character of Donald Dewar no doubt helped enormously. For the past 21 years, by and large, that is exactly how it has been. Disputes over money and policy aside, both Parliaments have co-existed. As Holyrood's stature has grown, and Ministers have begun to act with the stature befitting a Government, rather than a regional subordinate Executive, so too has Scottish confidence grown. That, rather than any concern about the integrity of the UK internal market, seems to be driving a large part of the motivation behind this part of the Bill.

A number of speakers have talked about the current settlement. One thing that the current settlement does give is clarity: if a matter is not explicitly reserved under schedule 5 to the Scotland Act 1998, it is devolved. Unionists who proclaim the parliamentary sovereignty of this place should know that that is the case because this place legislated for it. Throughout devolution, the Sewel convention has operated, meaning that this Parliament will not ordinarily legislate in areas of devolved competence without the express consent of the Parliaments. It is precisely to protect that principle of consent that my party is putting forward this amendment today, to ensure that under that principle, no action in respect of these powers will be taken without the agreement of the relevant devolved Ministers.

Turning to clauses 46 and 47, I think of the ancient proverb that one should beware Greeks bearing gifts. Scots, through long years of experience, have come to be suspicious of Westminster politicians pledging similar gifts. Scottish voters have long been wary of that. The proposed powers are so wide-ranging, covering promoting economic development, infrastructure, cultural activity, sport, education and training activities, that their motivation is quite clear. Indeed, the right hon. Member for Wokingham (John Redwood), who was here earlier, gave the game away: this is nothing more sophisticated than sticking a great big flag on the side of something and saying, "We paid for that."

There is no money element to these proposals, and I have to say that if they actually represented additional money, we might be having quite a different debate. However, I know from bitter experience that all that will happen is that the Scottish Government's funding will inevitably find itself top-sliced—a bit like the Scotland Office having to pay for press officers or private polling—and it will be presented as the return of Scottish taxpayers' money and UK borrowing, and as being somehow down to the largesse of the Treasury, and we should all be grateful for it.

The ability that these measures will give UK Ministers of the Crown to bypass devolution and Scottish Ministers—who are also Ministers of the Crown—and to bypass the democratically elected Government of Scotland to make policy and allocate resources in devolved areas, whether that is in line with the priorities of those elected to lead in those devolved areas or not, represents the biggest single attack on devolution imaginable, short of the abolition of those institutions themselves.

Let us take infrastructure as an example. I find it hard to understand the argument that the Bill could improve that situation. Scottish Governments of all political stripes across many years—decades, indeed—have a record of ambitious investment, whether delivered or planned for the future. The magnificent Queensferry crossing was mentioned earlier. We also have the Aberdeen to Inverness rail improvements, involving more than £200 million of improvements that benefit my constituents to a remarkable extent. We have the central belt rail electrification. We have the Aberdeen bypass, and the Balmedie to Tippetty dualling. We also have the completion, after 50 years, of the central Scotland motorway network.

Christine Jardine (Edinburgh West) (LD): The hon. Gentleman has just given us a list of projects that he is putting great big flags on the side of and claiming credit for, when actually the Aberdeen bypass was signed off by the previous Administration. It had been planned for a very long time.

Richard Thomson: I am grateful to the hon. Lady for that intervention, because it might have been signed off, but it was signed off in such a way that mired it in protracted legal disputes for years—[*Interruption.*] I am glad she finds that funny, but that was what delayed it more than anything else. It is only thanks to the diligence of the present Scottish Government that it got through at all. The dualling of the A96 and the A9, the Borders railway and the future rail decarbonisation are all major big-ticket investments that are happening under the current arrangements, which do not require any tinkering with the devolution settlement.

Alan Brown: For me, these infrastructure projects say everything about the Union dividend. It is a fact that it has taken an SNP Government to complete the M8 motorway between Glasgow and Edinburgh, the two biggest cities in Scotland. Under the Westminster Government, we did not even have a motorway running east to west in Scotland, which was a disgrace. Does my hon. Friend agree that another problem with Scotland delivering infrastructure is the fiscal constraints on capital borrowing? Westminster will not allow us to borrow enough money to invest in the infrastructure we need.

Richard Thomson: My hon. Friend makes excellent points, and I intend to deal with some of those issues later in my speech.

The hon. Member for Moray (Douglas Ross) said on Second Reading:

“I want to see our two Governments working together as they do on city and growth deals the length and breadth of the country.”—[*Official Report*, 14 September 2020; Vol. 680, c. 89.]

I absolutely agree with him: for as long as we have two Governments for Scotland, they should indeed work together.

However, as an argument in support of the Bill that is, I believe, fundamentally flawed, because these deals already work and there is no need for a further encroachment on the devolution settlement to make similar deals work better.

4.15 pm

Prior to being elected as the Member for Gordon, I spent some time as the co-leader of Aberdeenshire Council, and I was a signatory on behalf of the local authority to the Aberdeen city region deal. Within that deal, total investment by the Scottish Government is currently out-funding the commitment of the Westminster Government by a factor of 3:1. Under existing arrangements, the UK Government could—if they had the will, the means and the determination to do so—match that funding straight away. There is nothing stopping them.

The UK Government could put in place the resources to fund a sector deal for the North sea. They could, if they wanted to, help local government defer—or, better still, write off—the interest on the Public Works Loan Board loans of local authorities right across Scotland, as my hon. Friend the Member for Aberdeen South (Stephen Flynn) has called for. They could even, if they wanted to work in a genuine spirit of partnership, expand the financial powers of the Scottish Parliament to embrace borrowing powers.

The hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) and I had an exchange earlier when he accepted my intervention, for which I thank him. May I recommend to him, for his bedtime reading tonight, the “Scottish Local Government Finance Statistics 2018-19”, particularly chart 2.2, where his eyes will feast on the general fund net revenue expenditure figures for Scotland? He will see that the Scottish average spend is £1,981 per head, and that in Aberdeenshire it is £1,970, which is just immediately below the average. I commend it to him. Many criticisms can indeed be made of the funding formula. I will be glad to share that diagram with the press when his press release goes out later, and I will be glad to add some factual context to it.

Andrew Bowie: The hon. Gentleman has been very generous with his time, and I am listening intently to what he is saying. I do take the point about the fiscal framework and local authorities, and I get his point regarding the per head spend, but that figure amounts to £50 million less that authorities can be spending on infrastructure projects and roads. I heard what he said about the growth deals, the sector deal and investing, and I would back him and join him in all those campaigns, as he fully knows—perhaps except for borrowing powers for the Scottish Government—but I stress that I hope he would join me in my campaign to see Aberdeenshire Council being treated fairly and, given the revenue it has delivered to the Scottish Government, getting a fair share to spend in the north-east of Scotland.

Richard Thomson: As I was about to say—the hon. Member was doing so well until he said he would not back the borrowing powers, which is very disappointing because it could change so much—legitimate criticisms can be made of the Convention of Scottish Local Authorities funding formula. I voiced them myself when I was the council co-leader in Aberdeenshire. However, the Bill will not resolve or change that. I hope that the

[Richard Thomson]

hon. Member would agree that if we are to make changes to that, they should be based on factual analysis and evidence, rather than just recycling old tropes.

Patricia Gibson: My hon. Friend has set out quite a considerable list of things the UK Government could do now to invest in infrastructure projects across Scotland. Does he share the concern my constituents will have about the UK Government's willingness up to this point to make such investment? For example, the Tories first promised the Dalry bypass in North Ayrshire in my constituency in 1938, but it took an SNP Scottish Government to deliver it.

Richard Thomson: My hon. Friend makes an excellent point. As I say, if this were backed up by additional resources, we might be having some different discussions, but it still would not make the case for such an encroachment on devolved powers.

Andrew Bowie: I am listening very intently to what the hon. Gentleman is saying, as I did to what the hon. Member for North Ayrshire and Arran (Patricia Gibson) said, and I actually agree with a lot of what he has said, yet he has made no argument for not giving the Government more powers to spend. Yes, there are areas where the UK Government could be and, in my opinion, should be spending in Scotland, but there is no reason to vote against giving them more powers to do just that and support our local authorities to develop and deliver infrastructure projects in Scotland.

Richard Thomson: On the contrary, there is every reason to do that precisely because—I have been making the argument; I do not know how carefully the hon. Member has been listening to it—there is absolutely no need to encroach on the existing devolved settlement to deliver all the things that we are being told need to happen.

Frankly, this is nothing more than an arrogation, a usurpation and a trespassing on the principle that the decisions taken exclusively for Scotland should be made in Scotland by those who are directly accountable to the people of Scotland, taking us back to the bad old days prior to devolution, when Ministers of a party elected on a minority of the votes and seats could nevertheless rule the country without going to the trouble of winning an election beforehand.

Devolution was once described as “the settled will of the Scottish people”—

as a way to accommodate legitimate desires for growing democratic aspirations within an old Union. That was certainly how it looked until 1997, and it is how it has looked for many in Scotland until recently, but the Union that Scots were invited to vote for in 2014—the balance that existed between Parliaments, Governments and institutions in London, Brussels and Edinburgh—has already gone. The failure to back an amendment of this nature shows that the very principles of autonomy, consent and respect that lay at the heart of the devolution settlement are also about to go.

People who voted in 2014 to be part of two Unions—the European Union and the British Union—can now see that they can only possibly be part of one. If this amendment falls and is not taken on board by the Government, it will show that the entire basis of devolution—that

decisions should be taken for the people of the devolved nations and regions by those elected by and directly accountable to them—is being similarly trashed.

If the UK Government wish to depart from the EU and to deploy their majority to crush these principles, there is very little that I or my colleagues can do in practice to stop that, although there is plenty that can be done outside this place. For all that I used to make the argument that one day, the Scottish Parliament might have its wings clipped by a politically motivated activist Conservative Government, I never imagined for one day that a Government would come along so stuffed full of John Bull as to make it actually happen.

The polls across Scotland—I am sure that private polls in the Scotland Office confirm what the public polls say—show that increasing numbers of Scots know and understand that to re-attain EU membership, independence is required. If the Bill is passed unamended, it will become equally clear that independence is also required to preserve Scotland's hard-won democracy and autonomy. It will give me no satisfaction to be proven right, from back in 1997, about where devolution might end up. There is if not yet a settled will, very definitely a settling will in Scotland that that is the case. If yet more of the Scottish people reach the conclusion that independence is now the only way to protect Scotland's Parliament, this Government, having acted in haste, will be left to repent at leisure and in not very splendid isolation.

Marco Longhi (Dudley North) (Con): I rise to speak with enthusiastic support for clauses 46 and 47, and I start by saying that long before the advent of the EU, the UK internal market functioned seamlessly for centuries. This Bill and the clauses we are debating ensure that every part of the United Kingdom—England, Wales, Scotland and Northern Ireland—will benefit. The Government committed to delivering the UK-wide shared prosperity fund, replacing the awful bureaucratic EU structures. Clauses 46 and 47 are specifically designed to ensure that no one, regardless of home nation, misses out on this fund.

Of course, if we cast our minds back to 2016, one of the leave arguments made during the referendum was that not only is the UK a net contributor to the EU, but the reduced funds that it receives back are prescribed explicitly by the EU in terms of how much and where in the UK these funds are spent. We were being told where to spend our own money, and less of it. Brexit and the Bill rectify that utterly bizarre arrangement and allow a sovereign UK Government, working together with their devolved Administrations, to set out how and where these funds are spent, which is precisely as it should be. We voted to take back control, and control we are taking back.

Under clauses 46 and 47, our UK Government could make payments, including grants, loans and guarantees, to any person in the United Kingdom for the purpose of promoting economic development in the UK, providing infrastructure in the UK, supporting cultural and sporting activities, projects and events, and supporting international and domestic educational and training activities and exchanges.

We have very recently seen the benefit of taking a UK-wide approach to funding issues such as covid-19 and the effects of Storms Ciara and Dennis, and the Bill supports exactly that type of approach.

Chris Bryant: The hon. Gentleman has just said that Storm Dennis should be recognised as a UK responsibility, yet we have not had a single penny in Wales from the Westminster Government in relation to Storm Dennis. He also referred to the shared prosperity fund. That does not exist. The Government have not yet even produced a consultation document on it. We do not know what it will look like at all. We would look on these clauses with far more interested eyes if we had all that in the Bill.

Marco Longhi: I thank the hon. Gentleman for the intervention, but I refer him back to answers previously given by more learned colleagues than myself on those specific points.

I hold Scotland close in my heart, with many fond memories of holidays—and how could I not mention the excellent whisky, as I think about Laphroaig and The Macallan, still in my cupboard? It is a worldwide export from the United Kingdom. We are our own biggest trading market between whole nations, and I want to see Scottish businesses and businesses in my constituency of Dudley North continue to have unfettered access to each other's markets—something that simply would not happen were the SNP to have their own agenda, with their separatist approach.

So far, all we have seen and heard from Opposition SNP Members is this damaging rhetoric that champions separation instead of growth and jobs through trading in our Union. They criticise this Government and, by default, ordinary British people who voted to leave for, as was stated yesterday, unpicking 60 years of European jurisprudence; yet they want to unpick over 300 years of a Union much closer to home that has proven to work for everybody. For all their claims to be defending the Scottish people and devolved powers in Scotland, it seems utterly bizarre and ironic that the SNP should want to return those powers to Brussels, because not only will sovereignty be lost, but as the former SNP Minister Alex Neil admitted, there would have to be a customs barrier between Scotland and the UK, and no doubt a separate currency. I cannot for the life of me understand why SNP Members would actively advocate a move to suppress their whole nation and damage their local economy. The Bill strengthens the Union, so it is no surprise that they seek to oppose it, but they should all be held to account for not wanting to stand up for all the British jobs that the Bill would support and protect.

Andrew Lewer (Northampton South) (Con): As Martin Howe QC outlined in a recent article,

A single unified internal market is a key block in the constitutional foundations of the United Kingdom.

When the transition period ends on 31 December, we shall be finally free to leave the provisions of the EU. This country needs a legislative framework that protects the integrity of the UK and provides continuity, certainty and prosperity for all four parts of the country.

Jim Shannon (Strangford) (DUP): The title to the Bill is to do with the issue of Northern Ireland's status. The Bill ensures that Northern Ireland becomes an integral part of the United Kingdom, which is separate from the withdrawal agreement, which was agreed in January 2020. I know that the hon. Gentleman agrees that that is critical and very important so that we have unfettered

access and so that our businesses will not be disadvantaged in any way. Does he agree that it is all about the United Kingdom of Great Britain and Northern Ireland as one entity rather than four regions?

Andrew Lewer: Yes, I do. Four as one is the way forward.

At a time when thousands of businesses around the UK are struggling to recover from the impact of coronavirus, no Member of this House should be in any doubt that we need to have in place a system that facilitates the free flow of goods and services around all parts of the UK. That gives us the opportunity, which these amendments touch on, to invest properly in infrastructure and projects that encourage development in all parts of the UK.

4.30 pm

In 2016 the United Kingdom voted to regain its sovereignty and independence from the EU, which is a huge undertaking, legally complex vis-à-vis national, devolved and, yes, international law, and in that context this Bill is a key part of the Government's delivery on that mandate. Therefore, while valid commentary on this Bill has been made—magnified by initial Front-Bench statements that provoked a range of reactions from alarm to concern—its core purpose should not be forgotten, and its importance in protecting the UK's constitutional make-up, which is our particular focus today, should not be lost in the frenzy, or indeed volume, of debate.

With regard to these amendments, my fear is that some Opposition Members are seeking to exploit genuine concerns about the Bill for their own agendas. The fact is that without its provisions, the increased divergence of our four nations is a real threat. As I outlined at the start, this Bill in its entirety is aimed at preventing any fundamental undercutting of the Union, which would damage business, create uncertainty and dampen prosperity. Indeed, these clauses seek to level up the entire UK.

I find perplexing, therefore, the protestations from nationalist parties regarding the role of Westminster. The Bill's intentions and restrictions on their powers are extremely similar to the current situation they find themselves in under EU law. Control over these issues was always delegated to Brussels by virtue of our membership of the European Union.

One of my core beliefs through my life, and even more so since I became a Conservative and Unionist Member of Parliament, is that our four nations are stronger together. I did something practical about that, beyond speechifying, in that once-in-a-generation referendum in 2014. Our histories are entwined, and this Bill seeks to further protect our Union and the place of each devolved nation within the United Kingdom.

Moving on from that point, the Bill ultimately creates a safety net to correct some potentially harmful aspects of the Northern Ireland protocol in the event that there is no deal. The danger is that at present the EU has the ability and potential to exert significant economic damage on Northern Ireland and pressure on our Union if a deal is not achieved and actions are not taken in good faith, and clearly that must be avoided. The reserve power that this Bill proposes will give Ministers the ability—and I stress that this is the ability—to protect

Northern Ireland in the face of any acts of bad faith; that will allow the UK to protect itself from any abusive exercise of treaty powers by the EU.

As a former MEP, I will assert that some elements of the EU hierarchy are so bruised by the UK voting to leave that it is wise not to entirely assume that wholly rational reactions will be forthcoming. Of course we hope these powers will not be needed, but it would be irresponsible of the Government, and indeed Members across the House, not to support their provision as a last resort.

Christine Jardine: It is a pleasure to serve under your chairmanship, Ms McDonagh, but part of me feels I should begin with an apology, indeed to everyone in the House, because I wonder if, like me, they are beginning to feel a little as if we are in a remake of “Groundhog Day” with this Bill. Yesterday, we heard that in establishing a body within the Competitions and Markets Authority the Government did not respect the devolution settlement. Here we are today looking at the replacement for European structural funding, if we ever get to see what the suggestion is, and we are debating the fact that it does not respect the devolution settlement. I am at a loss as to whether the Government are somehow doing this deliberately; surely they cannot be completely unaware of the issue. I know they are aware of devolution, because, like my colleagues on the SNP Benches, they did not support it 20 years ago, whereas my colleagues on the Labour Benches did support it, along with us Liberal Democrats. It is sad that here we are, 20 years later, debating devolution all over again. I ask the Government, as I did yesterday, to recognise that this constant lack of respect for the devolution settlement simply promotes the nationalist narrative.

In leaving the European Union, we lost all the regulations and standards on food production and manufacture that applied across the continent. I recognise and am in absolutely no doubt about the need to replace them across the UK. For some time, I was prepared to listen to the Government’s arguments when they were negotiating with the devolved nations—in good faith on both parts, I believe—in respect of the frameworks and powers to replace them. However, the wheels appeared to fall off that particular wagon when the occupancy of No. 10 changed.

I have to join Government Members in laughing when SNP Members point a metaphorical accusatory finger and yell, “Centralisation.” Those of us who actually live in Scotland and have to endure the SNP Government’s incompetence know that when it comes to keeping control of the purse strings centrally, they are the control freaks par excellence of British Governments—

Patricia Gibson: And still you cannae win an election.

Christine Jardine: I remind the hon. Member that I am here because I won an election.

Patricia Gibson: I’m talking about your party.

Christine Jardine: If I were to be told now that the aim of the Bill was to ensure that any money going to Scotland was to be spent in the manner for which it was originally intended, I would take that into account,

because we all know that once cash disappears into the coffers of the SNP Government at Holyrood and is in SNP control, there is no guarantee that it will be spent where it was originally intended. That is my concern with stopping the UK Government spending money in Scotland.

I am amused by the SNP stance. For SNP Members to give us a whole list of things on which the UK Government should spend money in Scotland—a list that, like the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie), I support very much of—but then to say that they do not want the UK Government to spend money in Scotland strikes me as absolutely ridiculous. Where, indeed, would people who live in Shetland and the Shetland Islands Council be if the UK Government had not had money to spend in Shetland when people there found themselves in need of financial support? To say that the UK Government cannot spend money on UK citizens, which is what we are—and many of us are proud of that—is utterly nonsensical.

Alison Thewliss: The hon. Lady misrepresents our position. Nobody is saying that we do not want the UK Government to spend money—we do not believe they are going to spend money, but that is a different issue. We should have the frameworks in place to make sure that it is done in consultation and collaboration with the democratically elected Government and Parliament in Scotland. That is not what the Bill says.

Christine Jardine: Yes, I agree that there should be collaboration—that is where the Bill does not respect the devolution settlement—but the curious thing about the hon. Lady’s comment is that I seem to remember it was an SNP Government who did away with the body that allowed councils in Scotland to apply for transport infrastructure funding. If councils were also to be denied the ability to apply to the UK Government for transport infrastructure funding without going through the Scottish Government, what guarantee is there that they would get it? We need in Scotland the ability for the UK Government to spend money on projects—to use the coffers of the UK Government.

Patricia Gibson: Will the hon. Lady give way?

Christine Jardine: No, I will not, if the hon. Lady does not mind.

We need that option, rather than just having the list given by the hon. Member for Gordon (Richard Thomson) of projects with great big saltires on them, and proclaiming that they were done by the Scottish Government. The Scottish Government are not the only funding body in Scotland.

Let me return to the point. In a number of ways the Bill does not respect the devolution settlement, and that is a great disappointment to many of us. I appeal to the Government, in going forward with this Bill, to look seriously at whether they can take on board amendments that would improve the collaboration, involve Ministers of the devolved nations, involve the elected representatives of parts of the country and ensure that we respect the devolution settlement, and, moreover, that we protect it and perhaps enhance it. That might prevent us from having to have this debate again and again and again in this place.

Robert Largan (High Peak) (Con): It is a pleasure to follow the hon. Member for Edinburgh West (Christine Jardine), who gave a thoughtful and forceful speech. There have been some excellent speeches so far. I particularly want to mention my right hon. Friend the Member for Vale of Glamorgan (Alun Cairns) and my hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie), who made excellent speeches both in favour of the Union and in making the case against some of the amendments in front of us today.

On Monday evening, I voted to give this Bill its Second Reading, because I support the broad aims of the legislation. I am very grateful for the opportunity to speak on the detail of the Bill, particularly on clause 46. However, I do have reservations about certain aspects of it, to which I shall turn in a moment.

The Bill is necessary to safeguard the Union and ensure that businesses in all parts of the UK can continue to trade seamlessly across the United Kingdom. It is important that Derbyshire hill farmers can continue to sell lamb to Scotland, that supermarkets in Wales can continue to stock sweets made in New Mills, and that construction sites across the country can continue to use the high-quality limestone quarried out of the hills around Buxton and Hope.

The UK's internal market is centuries old, and a cornerstone of our Union and our economic success. The Bill helps to provide certainty to businesses that, when we leave the transition period, the internal market will be safe and our high food hygiene and animal welfare standards will be maintained.

Clause 46 is a vital part of the Bill that will give the Government the power to spend money in areas previously administered by the European Union, such as infrastructure, economic development, culture and sport, as well as aspects of education, training and international exchanges. This is essential to allow the Government to properly serve all parts of our United Kingdom. I have previously talked in this place at length about how successive Governments of all parties have failed to invest properly in certain parts of the country, including, of course, the High Peak over the past few decades. The clauses in front of us are part of remedying those past mistakes.

As I have said, it was for those reasons that I absolutely supported the core thrust of this Bill and voted for it on Second Reading, but I am uncomfortable with an element of it—which is why the Committee stage is so important. I firmly believe that we must fully deliver on the 2016 referendum result, and that we must take a hard-headed approach to negotiations with the EU to secure the best possible long-term trade deal. Brinkmanship and preparing for the worst are, of course, a key part of that. In my view, it is also essential that we secure that trade deal and deliver on our promises in a way that is in line with our values. Any breach of our commitments must be considered only as an absolute last resort, and even then only after considered debate, scrutiny and oversight.

As this Bill progresses through the House, I hope that the Government will listen carefully and take the opportunity to improve on it. I am grateful to the Lord Chancellor, the Attorney General, No. 10's trade negotiating team, and the Minister herself, who is now in her place, for meeting me and others to discuss our concerns. I hope that we can make those improvements.

We have a tendency in this place to spend far too much of our time speculating on what might have been and on events that are outside our control. Perhaps that is because it is more comforting than confronting the hard choices in front of us, but that is exactly what we must do to deliver on our promises and safeguard the future of the United Kingdom.

Tommy Sheppard (Edinburgh East) (SNP): I must say that it is astonishing and perhaps a little bit frightening that here we are, elected representatives in a democratic country, meeting to give serious consideration to proposals that threaten the peace in Northern Ireland, pave the way for the breaking of international treaties and represent the undermining of the devolution settlement, which has been a fundamental part of our constitution for more than two decades. It speaks volumes, I think, about the chaos and confusion that shroud the current Government that these proposals have even seen the light of day.

My concern is with what these proposals represent for the devolution settlement. I have to caution Government Members, because there have been a few gripes that “Oh, the SNP will always oppose this.” This is not a matter of the Scottish National party taking umbrage at these proposals. When the Government make them, they offend and affront not me or my colleagues but the ordinary people of Scotland, who, on 11 September 1997, voted by a majority of 74.3% to say yes to a Scottish Parliament and yes to devolution. If that vote took place today, those figures would be higher still, with up to 90% agreeing with either partial or complete autonomy of decision making in Scotland. Those are the people that the Government need to justify these proposals to.

4.45 pm

At lunchtime, I was asked a hypothetical question by a BBC journalist. She said, “Would it be possible for the United Kingdom, after Brexit, to have a free trade agreement if different rules applied in different parts of the United Kingdom?” The answer is: of course it would be possible. In fact, it should be welcomed, because diversity and differentiation are integral to the whole concept of devolution. All it would require is a simple caveat to any trade agreement that says, “Where a particular transaction refers to a matter that is within a devolved competence of the national Governments, their consent needs to be obtained for that proposal”—a simple, technical matter.

That is why I believe that the Bill is not about an internal market or anything to do with trade. The political objective behind these proposals is to begin to reverse the devolution settlement and the process of devolving decision making to Scotland and other parts of the United Kingdom. That is what is going on.

My evidence for that is quite simple: it is to point to the last 20 years. We have had devolution—we have had different decisions being made, and we have had variations and differences in different parts of the United Kingdom—yet it has not stopped trade. We are party to a whole range of trade agreements at the moment. We are party to them through our membership of the European Union, but, as Government Members never tire of telling us, the regulations and bureaucracy surrounding the European Union and its protection of the single market are really onerous and we have to be away from them. If it has

been possible, under the European single market regulations, for the Scottish Parliament to make decisions about minimum pricing of alcohol, smoking bans, animal welfare standards or anything else that relates to what is sold in our shops, why on earth would it not be possible for that to continue after we leave?

That is what is at stake here—and that, by the way, is why we refer to a power grab. It is not that a particular power is being taken away, but the exercise of that power is being constrained and enforced by a set of regulations that have never been there before and have never been felt to be necessary before.

Clause 46, which we are talking about today, is a case in point. Some Government Members have suggested—of course, it is the whole Government narrative to suggest it—that this is simply a matter of a replacement for the structural funds of the European Union and how resources are distributed across this island. Well, before we do that, let us consider how things are done at the moment and how they have been done heretofore. Of course the budget for the structural funds is set in Brussels, but once the budget is determined, the manner in which those funds are spent—the priorities for funding and infrastructure, the individual projects, and how much is spent on each—is determined in Scotland. There has never been an instance of Brussels trying to overturn a decision or challenge those priorities.

Alun Cairns: I am listening closely to the hon. Gentleman's argument. How would he reconcile his position with, say, a Scottish local authority seeking additional support from the UK Government? Under the Bill, the UK Government could respond to the democratic call from that community.

Tommy Sheppard: I was going on to make this point, which answers that question. Rather than have the funds taken to London and have London set the priorities for all parts of the United Kingdom and then disburse funds to a local authority or to anyone else in Scotland if it fits London's particular priorities, why not take the money, divide it up and devolve it in the terms of increased capital allocations to the national Governments within the United Kingdom? Why not simply do that? Scottish local authorities would then be able to approach the Scottish Government, who would have more money and more capacity to build the bridges that have been referred to previously and to deliver on the priorities of the people who live in Scotland. If we do not do that, what is being said is that the determination made in Whitehall as to what the priorities should be is more important and takes precedence over the determination made in Scotland. That, my friends, is a power grab.

Alun Cairns: I am grateful to the hon. Gentleman for giving way again. If someone is living in a deprived constituency that needs additional help and support and the UK Government feel that they can respond, does he think that the person in that community cares whether the money comes directly from the UK Government or from the Scottish Government, bearing in mind that democratic processes would have set the priorities at the most local level?

Tommy Sheppard: I think that people living in Scotland care that the priorities for spending on infrastructure in Scotland are determined by them and the representatives they elect, rather than by a Conservative majority

Government who do not have a mandate in Scotland. That whole point considers that we even agree with the narrative that the proposals in clause 46 are simply a matter of replacing the allocation of structural funds, and that they are all about the shared prosperity fund. Actually, there is nothing in this Bill that qualifies it in that regard.

In fact, the Bill gives this place the power to take funding decisions about all manner of policy areas of Scotland, most of which are already within the devolution settlement and are the responsibility of the Scottish Parliament. What, therefore, is being proposed, as far as I know, is that this place would be able to determine the spending priorities on health, education, transport and a whole range of other matters, and it would have the ability, through these provisions, to overturn any decisions of the Scottish Parliament. That is also a power grab.

I have wondered why these sledgehammers are being assembled to crack these very small nuts. Why is it that the devolution settlement is such an irritant to the current Government that they see the need to have this legislation and to roll back on the provisions of devolution? I have searched myself, and I cannot find a reasonable explanation save for one: the demise of the Conservative party in Scotland. A once great party is now reduced to a rump of six Members of Parliament, only one of whom has been in this Chamber for more than three years. That lack of experience and that lack of representation of the Conservative tradition in Scottish civic society in this place and in this Government are truly creating problems for them, but the situation is also creating big problems for the people of Scotland, because it is leading to ill-judged and ill-considered proposals, and I believe that the Government will rue the day that they were presented.

Let me finish by saying that there will be a reckoning to all of this. I know that the Government will railroad this through. They have an 80-seat majority, and the lobby fodder will go through and support it—most of them unaware of the nuances of the devolution settlement and perhaps not even caring about it. However, there will be consequences to that action, and the consequence will be that the people of Scotland will see clearly the contempt in which they are held by this Government. They will take umbrage at those decisions, and they will get their chance to express their view in a few short months' time.

I end by referring to the comments from the hon. Member for Cardiff South and Penarth (Stephen Doughty) at the very beginning of this debate. They were quite interesting, because he and others on the Labour Benches have made the point that they do not support Scottish independence or the SNP, but here is the conundrum that the House now has to face: it seems the intentions of the Government are such that the only way to protect the limited devolution and political capacity we have had in Scotland for 23 years is to take for ourselves the political power that comes with being an independent country and make sure that those powers are retained. That is why many people who used to be represented on the Labour Benches are now realising that the only way to defend the gains made through history is to have complete devolution, complete autonomy, become an independent nation state and secure the political capacity

to make our own decisions, so that they will never again be subject to the whims and aspirations of Tories in No. 10.

Chris Clarkson (Heywood and Middleton) (Con): It is a pleasure to serve under your chairmanship, Ms McDonagh.

This is one of the more difficult speeches I have had to deliver in my short time in the House, and that is not to say that I am conflicted; far from it—I will be supporting the Government and voting against the amendment. Rather my difficulty is trying to understand the strident objection to the concept of more money coming to every part of this United Kingdom. In trying to understand that point of view, I have tried to distil the essence of the Bill, specifically the provisions in clauses 46 and 47, and its importance to maintaining our internal market and by extension our Union. Article 6 of the Union with Ireland Act 1800 states that

“his Majesty’s subjects of Ireland shall have the same privileges and be on the same footing as his Majesty’s subjects of Great Britain.”

Explicitly stated in the Act that created our Union is the idea that all four home nations will be treated equally and fairly and on an equal footing. That principle has operated seamlessly for over 200 years, yet right now, because of the calculated actions of the European Union, that bond is in jeopardy.

I want hon. Members to consider what is at stake here: the very essence of who we are. We will be allowing a supranational entity to exercise power over a part of our nation and fellow UK citizens to be treated differently, and potentially cutting them off from their own country’s markets. Step back and reflect for a moment: there are Members of this Parliament seriously arguing that we should allow that to happen if no deal is reached with the EU.

This will not come as a surprise to many in my constituency, or in towns such as Darlington, Accrington, Bury or Bishop Auckland, where they gave the Labour party its marching orders in December. Many of the faces that were straining every sinew to frustrate the 2016 referendum result are still on the Opposition Benches. In fact, the architect of Labour’s second referendum pledge is now the leader of its party. What better signal to send to people in seats such as mine that Labour does not share their values and does not care about their opinions, except for the fact I can only see four Labour Members in the Chamber—and one of them is leaving. The contempt that that shows for red wall voters is clear. The Labour party does not take this seriously, does not want a sensible solution to Brexit, does not care about people in the north and midlands.

Of course, Labour Members are not on their own in their endeavours. The nationalist parties are salivating at the prospect of a scenario that separates a part of the United Kingdom from the rest. It is after all their *raison d’être*. It is a petty, divisive attitude that leads to the kind of doublethink where they simultaneously carp on about a fictitious power grab while openly admitting they would hand over more powers to Brussels, including powers over our coastal waters and fisheries. So-called civic nationalism is a bit like clean coal: adding a friendly adjective does not make it any less toxic or any more in need of phasing out.

The clauses being debated today have a distinct significance to communities such as a mine. The forgotten towns of the north and midlands voted so overwhelmingly to leave the EU because it simply was not working for them. The UK would send vast sums of money to Brussels, which would then send some of it back, with instructions on what to build, what to fund, and where to put a sign thanking them for their largesse. It was a bit like being mugged and then being forced to wear a T-shirt with a picture of your assailant.

That money never reached communities like mine, not in any meaningful sense. By taking charge of our finances, by building a shared prosperity fund, we will make sure that more of our money is spent in our communities, helping our people. I want people in Heywood, Middleton, Bamford, Castleton and Norden to have the same opportunities as people in London, Bristol and Cambridge. This Bill provides that, in addition to the £2.5 billion for city and growth deals across the whole UK that is already on the table.

It genuinely saddens me that some people in this place, some of whom I have come to think of as friends and some of whom I greatly respect, are still fighting this battle. Well intentioned as they may be, I think that history will find them on the wrong side of this debate, and I would like to quote to them a letter sent to me by a constituent, Prasana MacDonald from Middleton. She says: “Mr Barnier broke his word in good faith for all concerned. We should be a laughing stock in the eyes of good countries who will wonder what has happened to the British nation, in fact, placing ourselves in a position where we can be at the beck and call whenever they choose to do so. It is hardly attractive for any country wanting to do business with us. We will also be in a weaker position, negotiating with the wider world whilst tied to the EU’s apron strings.”

5 pm

Hon. Members should not underestimate the depth of feeling on this. In December, those who stood against the settled will of the British public reaped the whirlwind. The eyes of the nation that put extraordinary trust in this party, and this Government, are still watching.

I will close simply by asking hon. Members to consider two questions when they vote tonight. First, which agreement is most important to them, the withdrawal agreement or the Good Friday agreement? Secondly, which union is more important to them, the European Union or the United Kingdom of Great Britain and Northern Ireland? The choice should be clear.

Sammy Wilson: I do not know whether there are too many people across the country today sitting in front of their TV screens, watching this debate: I doubt that many are likely to be doing so. But if there are, many of them will be bemused by our now having spent over three hours wrangling about whether it is a good thing that the Government are putting into legislation that they are prepared to spend money across the United Kingdom on economic development, improving infrastructure, supporting cultural activities, supporting activities and programmes relating to sport, supporting international educational and training activities, and supporting educational and training activities and exchanges within the United Kingdom. It is bizarre that we think this is in some way bad, and that the Government, by doing such

[Sammy Wilson]

a thing, are plotting, conniving and cynically trying to destroy parts of the United Kingdom and the devolution settlement.

The fact of the matter is that as far as England, Scotland, Northern Ireland and Wales are concerned, the devolved Administrations will still have significant spending powers over all those things. They will get their allocation under the Barnett formula, as they have always done. They will have the freedom to make the decisions to spend that money, and they will be able to set their own priorities. Even when it comes to the money that the Government will decide to spend centrally, does anybody really believe that some Minister in Westminster will look at, say, Northern Ireland and say, “There is something that the devolved Administration have never thought of, do not even have as a priority and have never even suggested, but by Jove we are going to spend money in Northern Ireland on that project”? It is totally bizarre to think that that is how money, which is hard raised in the first place, would ever be spent. Of course cognisance will have to be given to, first, what is in the national interest and, secondly, what local Administrations believe is important to be delivered on the ground in their own areas.

One of the oddest arguments I have heard today was from the hon. Member for Foyle (Colum Eastwood), who is no longer in his place. I do not like talking about people who are not here, but as he has not stayed for my contribution, I must make the point. He wants clause 46 removed because he thinks it is in danger of bringing violence to Northern Ireland, it will break the peace agreement and it will tear up the Good Friday agreement. Somehow or other, the Government spending money on those things, or proposing to do so, will destroy the peace in Northern Ireland. I know that some people in this House have fairly thin arguments, and when they have thin arguments, and especially when those arguments are anything to do with Brexit or the withdrawal agreement, they usually talk about violence in Northern Ireland, but this is taking it a bit far.

Carla Lockhart (Upper Bann) (DUP): My right hon. Friend will share my shock and dismay at the comments that the hon. Member for Foyle made earlier, cheerleading threats from some US politicians, such as Peter King, a known IRA sympathiser, to scupper a UK-US trade deal, to the detriment of his constituents, my constituents and indeed everyone in the United Kingdom. Does he agree that those who promote the narrative of threats of violence, destabilising the peace process or a threat to devolution have yet to tell us where those threats are coming from, or indeed to condemn them?

Sammy Wilson: I thank my hon. Friend, who has hit the nail on the head. We have all these threats—I have heard them from all around the House in the debate on this Bill. However, I have yet to hear how, first of all, anything in this Bill drives a coach and horses—to use the words of the hon. Member for Foyle—through the Belfast agreement. If it does that, I would have thought that he could give us one example. “Coach and horses” indicates to me that there should be about 100 examples, but he did not even give the House one, and of course we get the usual threats.

Let me turn to our amendment 22. My concern is about the provision in this Bill to give financial assistance for all the areas that I have outlined. The danger is that, while it might apply in England, Scotland and Wales, it cannot apply in Northern Ireland, because financial assistance—and a range of other assistance, in tax, fiscal policy, industrial policy, research and development, and everything else—falls under the heading of state aid. The Government have realised—rather belatedly, even though they were warned—that the state aid provisions in the withdrawal agreement apply not only to Northern Ireland but to the whole United Kingdom, according to article 10 of the Northern Ireland protocol.

The Government have sought to remedy that—of course, they have got a lot of criticism for that—by saying that they will not apply those provisions to England, Scotland and Wales. However, the Secretary of State for Business, Energy and Industrial Strategy made the position quite clear in the letter that he has sent round, explaining that this legislation will

“ensure that there is no legal confusion about the fact that, while Northern Ireland will remain subject to the EU’s State Aid regime for the duration of the Protocol, Great Britain will not be subject to EU rules in this area.”

The reason for our amendment is to remove the exclusion of Northern Ireland in the Bill, which would otherwise prevent Northern Ireland from being able to benefit from that financial assistance.

If these infrastructure projects are to benefit the whole United Kingdom and to address national issues, I cannot understand how the Government can then say, “But by the way, we are consciously making a decision to exclude Northern Ireland from these safeguards.” Be in no doubt: without this Bill, under the withdrawal agreement, the whole United Kingdom would have to declare any assistance given to its industries, in any form. The Commission would make a judgment on whether that was lawful, and if the Government persisted, the European Court of Justice would decide whether the support could be applied. That is the stark fact. That is one of the reasons why the Government have had to take the steps that they have taken, but they have left Northern Ireland out of that provision. Ministers have been quite explicit about that, and the Bill is quite explicit about it.

That has two effects. Let us not forget that we are talking about the internal market of the United Kingdom. The first impact is that Northern Ireland and businesses in Northern Ireland will be left unprotected from predatory behaviour or unfair competition from other countries in the EU, and especially the Irish Republic. We have good experience. People talk about co-operation between Northern Ireland and the Irish Republic. The fact of the matter is that, when it comes to looking for investment, looking for jobs and promoting its economy, the Irish Republic is not co-operating with us. It is not a collaborator; it is a competitor. It has proved that time and again.

We do not have any transatlantic flights between Belfast International airport and North America, even though North America is a very important market for us and a very important source of investment, and connectivity is all-important in that context. Why do we not? Because the Irish Government have promoted flights and used every fiscal device and every means possible to promote Dublin airport. I could go through lots of examples, but time is short.

That is the first impact. Northern Ireland businesses will not have any means of protection. Even if the Northern Ireland Executive spot an issue and say, “We want to have some support for our industries,” that is challengeable in the European Commission and in the Court—in which, by the way, we will have no political representation and no judicial representation.

Jim Shannon: The agrifood and fisheries sectors are very important in my constituency and across Northern Ireland. We have experience of the Republic of Ireland’s intentions towards the fishing sector. It is very important that we have control of that industry and can grow it. The agrifood sector is equally important. In my constituency, it provides some 2,500 jobs. Does my right hon. Friend agree that, if we do not have this protection through our amendment to the Bill, we will be disadvantaged in comparison with other countries, and the Republic of Ireland in particular?

Sammy Wilson: Well, the whole withdrawal agreement disadvantages the economy of Northern Ireland. Some aspects have been tinkered with in the Bill, but many have been left as they are.

The second impact refers to the internal market of the United Kingdom. As a result of the Bill, it will be possible for the Government to support industries in GB but not businesses in Northern Ireland. We could therefore have a scenario in which a firm located in Northern Ireland cannot benefit from the financial assistance that is available in the rest of the United Kingdom and finds itself in a position where it is advantageous to relocate from Northern Ireland, where it cannot get assistance, to GB, where it can. So much for this being a Bill to protect the internal market of the United Kingdom! By having a provision for financial aid and excluding Northern Ireland from the measures on ignoring the state aid provisions in the withdrawal agreement, we could distort investment across the United Kingdom to the detriment of Northern Ireland.

For those reasons, I believe that my party’s amendment is reasonable and fair. It meets the requirements and objectives of the Bill—namely, to ensure that the whole United Kingdom benefits from the prosperity that will come when we leave the European Union, and to ensure that the internal market of the United Kingdom will not be distorted. That is one of the reasons why I believe that the Government should include Northern Ireland in the provisions in clauses 42 and 43, and that the Committee should support amendment 22.

5.15 pm

Fay Jones: It is a pleasure to speak in this lively debate and to follow the right hon. Member for East Antrim (Sammy Wilson). He has been a Member of this House for a very long time, but I hope that one day I will be able to speak like that with very few notes.

Clause 46 is the element of the Bill that I most warmly welcome, but overall this is an excellent piece of legislation. Small businesses and farmers in my constituency have always been forward-thinking and export-minded. On their behalf, I give this Bill my firm support. As we work on free trade deals with new and innovative foreign markets—I congratulate the Secretary of State for International Trade on already securing one such agreement with Japan—the UK Government must also seek protection for businesses as they trade within the four countries of

the United Kingdom. Goods produced in one part of the UK must have the security that is provided by this internal markets legislation. I want lamb reared in Buih Wells to be on the menu in Belfast.

Sarah Atherton (Wrexham) (Con): Twenty-seven per cent. of final goods produced in Wales are exported to the rest of the United Kingdom—[*Interruption.*] They are. Wrexham houses the largest trading estate in the UK and sits four miles from the English border. Does my hon. Friend agree that we need continued unfettered access, and that this Bill provides that security under the commitment to market access?

Fay Jones: My hon. Friend is absolutely right. We both represent border constituencies, and we share that concern.

Devolution has been the subject of much of this debate. Critics of the Bill argue that this is a power grab, and that powers are being stolen from the Welsh Parliament, but that is simply not the case. Over the weekend, I voiced my support for the Bill on Twitter—always a stupid thing to do—but I was met with a torrent of abuse and foul language, stirred up by supporters and even members of Opposition parties. I will not be intimidated into not promoting the Bill. I find it amusing that those contorting themselves with outrage about the Bill on social media blindly support a European Union that is frequently in breach of the law.

This legislation is exactly what people in Wales, and especially my constituents, want. In Brecon and Radnorshire, we are proud Unionists. We want two Governments willing to support us in Wales, but sadly we do not quite have that at the moment.

Dr James Davies (Vale of Clwyd) (Con): My hon. Friend is making some strong points in favour of the Bill. As a mid-Wales MP, she knows of the strong interdependence between mid-Wales and the west midlands. Likewise, north Wales has extremely strong links with north-west England, as the Mersey Dee North Wales all-party parliamentary group, which I chair, recognises. It is vital for our constituents that infrastructure that crosses the border is invested in, so will she welcome clause 46 as a means of supporting that investment?

Fay Jones: I absolutely will. My hon. Friend makes a very important point, which I will come back to later.

I want to look quickly at the notion of a power grab. If I phoned the police and said that my car had been stolen, but when they arrived explained that I had never owned the car in the first place, I do not think I would be taken seriously. That is absolutely how we should treat the hysteria of Opposition Members.

When the UK left the European Union, we did so as one United Kingdom. The powers that are returning through the Bill, outlined in clause 46, were ceded to Brussels as part of our membership of the European Union. As sovereignty is restored to this Parliament and the devolved Administrations, it is right that powers should also be restored. Members will recall a long drawn-out legal case brought by Gina Miller, which confirmed that this Parliament was and remains sovereign, and the Bill reinforces that. In addition, the Welsh Parliament will be handed responsibility for 70 new policy areas while none of the existing areas of legislative

[Fay Jones]

competence is being removed, so to those who argue this is a power grab, I simply say, “You cannot lose something you never had.”

The Bill will give the UK Government the power to do exactly what they should be doing—strengthening even further the most successful political and economic union in history. It is about doing more at a reserved level, not less at a devolved level. It will give the UK Government the power to invest in Wales’s economic development, something that successive Governments in Cardiff Bay have refused to do. Broadband is a good example of that; according to the House of Commons Library, Brecon and Radnorshire lags at 648th in the league table of 650 constituencies for broadband speed. [Interruption.] I hear the hon. Member for Cardiff North (Anna McMorrin) chuntering from a sedentary position, but that is in the House of Commons Library. Her party is responsible for it.

Schemes such as the Welsh Government’s Superfast Cymru have been enabled by taxpayers in Brecon and Radnor, despite their barely having felt the benefit of that money, while the south Wales valleys—a hotbed of Labour party support—are fully connected up with high-speed internet access. Areas that do not vote Labour in Wales are punished with second-rate public services, and we must correct this.

Shaun Bailey (West Bromwich West) (Con): Will my hon. Friend clarify something for me? If I am right and have interpreted the Bill correctly, in theory, the UK Government could put together the M4 relief road, which the Labour party has just decided not to go with. Am I correct in that analysis?

Fay Jones: That is certainly a good point, and one that has been hotly contested. The Welsh Government wasted an awful lot of money on it, but never even arrived at a decision.

Through the Bill, there are huge opportunities for Brecon and Radnorshire. I can get my shopping list out and bid for funding for a new general hospital. Considering we are the largest constituency in England and Wales by land and we do not have a district general hospital, that will be very welcome. Constituents are forced to travel outside Powys to hospitals in Hereford, Swansea or Aberystwyth for treatment. I see the Minister making notes. I assure her I would bite her hand off on this. The same can be said for railway infrastructure. We can utilise the nascent Marches growth deal and reopen the railway between Hereford and Brecon, boosting our tourism opportunities while providing greener public transport solutions.

The Bill delivers on exactly what we said we would do at the general election. It enables us to level up in all four corners of the United Kingdom. It will be warmly welcomed in mid-Wales, which has been ignored by Labour and the Liberal Democrats in coalition in Cardiff Bay. Sadly, there is no doubt that the Opposition parties will use the Bill as an opportunity to reignite their campaign of talking down our potential as a sovereign, independent nation. Rather than strengthening our Union and empowering our Parliaments in all four nations, they would prefer to be subservient to Brussels for decades to come. I say to them that now is not the time

to remain in the past. Rather, it is time to look forward to a new chapter in our shared history, laying the foundations for making this the most prosperous chapter yet. This Bill and this clause do exactly that.

Claire Hanna (Belfast South) (SDLP): Unfortunately, I missed it, but I have heard from one of the enraptured fans of the hon. Member for North Antrim (Ian Paisley) that he asked what in the withdrawal agreement, what in Brexit and what in this protocol defends the Good Friday agreement. If the Committee does not mind, I will take a minute to explain.

I do not know whether Members watched the sitcom “Only Fools and Horses”, but whenever Del wanted Rodney to do something difficult or emotional, he would say, “Rodney, on her deathbed, our mother said...” Then he would proceed to make his pitch. I feel that, sometimes, the Good Friday agreement is used in the same way.

For example, the Prime Minister is before a Committee today, invoking the Good Friday agreement and then proceeding to endorse actions that would go through it. I will take a minute to explain this to people and invite them to take their understanding of the Good Friday agreement not from those who stood outside and screamed through the windows when people were negotiating that agreement, and not from people who fought tooth and nail to prevent the implementation of the agreement while others were doing the heavy lifting to prevent slaughter on the streets and hopelessness for young people.

When people go to listen about the Good Friday agreement, they should please select their sources carefully. It does not have an enormous amount to say about borders, hard or soft, because, it is fair to say, in 1998 there was an assumption that shared EU membership, like the air around us and the ground beneath our feet, would be something that we would have in common between Britain and Ireland. There are numerous references to growing friendships between our two islands through that body. It says a lot about relationships. It is about relationships at its core—about relationships within Northern Ireland between different traditions, relationships north and south, and relationships between our two islands. The past four years have profoundly strained every single one of those relationships. Furthermore, the things that that we wanted or needed to talk about less—borders, sovereignty and passports; the things that the Good Friday agreement allowed us to potentially move on from—have been inserted into our everyday lives every minute of every hour of the past four years. It also has a lot to say in the political declaration about the rule of law—about democratically agreed structures and respectful process. Members can decide whether or not what has happened in the past four years meets those criteria.

Our amendment 19 seeks to mitigate some of the damage caused by clause 46. As well as all that I have said about the Good Friday agreement, it was also about local decision making and putting power in the hands of local people—building up trust between communities and between elected representatives by working in the common interest in making decisions together. Indeed, it was those factors, with the possibility of self-determination and unhindered access to the whole of the island, that allowed peaceful, constitutional, democratic Irish nationalism in the tradition that my hon. Friend the

Member for Foyle (Colum Eastwood) and I represent to triumph over violent republicanism. That is some of what we are losing whenever we take away the ability for people to make their own decisions.

We are not making a nationalist argument. The argument is not that we are opposed to a UK internal market. I can read a spreadsheet as well as anybody in this room, and I understand the value of the economy and all that flows east to west. By the way, of course, the barriers to trade are a consequence of hard Brexit ideology; we argued and fought against barriers in any direction. The point that we are trying to make is that we need to protect the discretion to tailor to our own needs. The late John Hume, who passed away last month, said many times that the best peace process is a job. It was EU structural funds, regional funds and rural funds that transformed Northern Ireland at a time when it desperately needed them. They did that by engaging local expertise and an understanding of local need. I have heard Members complain that some of the regions got more than their fair share. I do not feel any shame about that, because those funds were targeted on the basis of need, and Northern Ireland did benefit very substantially. But those funds will disappear and will be replaced by the shared prosperity fund, which has no defined role for the devolved institutions. As we heard earlier, we were promised a consultation on what that would look like by the end of 2018, but, as far as I am aware, it has not appeared.

I will never be one to turn up my nose at investment for anywhere, particularly for the region I represent, but it has to be investment that is spent strategically, with consent. Public money should be spent in a joined-up and transparent way—and I say, with the greatest respect, that this Government do not have a tremendous record on any of those things. Every few months, they raise the prospect of a bridge from Scotland to Northern Ireland—this, by the way, from a Prime Minister who could not build a bridge from London to London. If you actually go to Northern Ireland, you will find that most people would much rather have a decent road from Belfast or Derry.

A core part of the 1998 agreement, strand 2, was about north-south co-operation and the potential for that through shared EU funds. The proposed new approach could greatly undermine that if these investments are made without appropriate consultation. I appreciate that people have different perspectives and I try to understand them, but what some Conservative Members and others here might see as the opportunities of global Britain I worry will become, under this Bill, the obligations of global Britain to accept things like chlorinated chicken and the US forays into public services. With respect, before the summer we gave this Government numerous opportunities, in numerous Bills, to put into legislative effect protections against those things, and they refused to do so. It is therefore understandable that people within those industries in devolved areas do not have the confidence that they would be able to ward off those changes. It must also be understood that our economy is very different. A third of Northern Ireland's exports are in agrifoods; we cannot withstand that same pressure, as this is how people make their living.

5.30 pm

London-led development also, of course, has the potential to be inconsistent with the needs of future generations, and for that reason we will certainly be

supporting amendment 20, which would require funded projects to be consistent with environmental goals and targets. The Bill is wide in its scope, but it talks about water, rail and health, and about acquisition. I want to ask the Minister: at what point does acquiring become acquisition? Would the provision in question allow the UK Government to acquire Northern Ireland Water or Translink, our transport company, and privatise it? They can tell me whether or not they would do that, but I think that the Bill is clear that they could do it.

It is also possible that as well as the withdrawal agreement another document the Prime Minister has not read very well is January's "New Decade, New Approach" deal in Northern Ireland, because it promised to "restore public confidence in devolved government".

This Bill undermines devolved government—it does it very clearly. As I mentioned, the political declaration that accompanied the 1998 agreement does talk about primacy of the rule of law and democratic arrangements. I would hope that all Members in this House, whether they voted leave or remain—no matter how sore I am about it, I accept that a decision has been taken—and regardless of their position on that issue, could support the rule of law. No matter whether someone is a nationalist, Unionist or completely agnostic, the principle of devolution has been endorsed by the people of Northern Ireland, Scotland and Wales. This Bill is an assault on that principle, and anybody who respects consent, and the views of people in those Administrations and those populations, should support the amendments.

Dehenna Davison (Bishop Auckland) (Con): I want to thank everyone across the Chamber for making incredibly strong contributions today, regardless of which side of the debate they fall on.

I stand here to speak about a principle that underpins the reason we all stand in this Chamber, that is a cornerstone of our democracy and the backbone of our Union. I am here today to talk about freedom. The notion of freedom and a desire to defend that freedom are both things that drive me, and I know they drive so many of us in this place. That freedom takes many forms. First, the people of our United Kingdom have the freedom of political choice. We in this place operate as representatives of the people. We are their voice in Parliament and, as a collective, we are the physical embodiment of the political freedom our constituents possess, so we have an overriding duty to act upon what they have freely expressed as their democratic desires.

As this Bill progresses, I ask that we all remember and keep at the forefront of our minds the fact that the people of the UK had the freedom of political choice, directed us to deliver Brexit and demanded that we, as a collective, come together on the will of the British people.

Alan Brown: The hon. Lady talks about the freedom of political choices. How come the people of Scotland have voted overwhelmingly for Scottish National party representation, but in this Bill a UK Tory Government are forcing policies that undermine devolution? Where is our political choice there?

Dehenna Davison: The hon. Gentleman will recall that a few years ago the people of Scotland had the political freedom to choose whether or not they wanted

[Dehenna Davison]

to remain part of this Union and they made that decision. This Government have been given an overwhelming democratic mandate to make sure that delivering on the will of the British people is achieved. The British public had the freedom to choose to leave the EU and the freedom to appoint a Government to—get ready for it—get Brexit done. We must repay that trust and uphold that freedom, and this Bill will allow us to do just that. It is our duty to put the interests of the UK first, to secure our sovereignty, to control our borders, to protect the territorial integrity of the UK, and to fundamentally empower the British people and create the best life possible for them. We must remember that all of us are here only on the command of our constituents, and this Bill is our chance to empower the Government to secure a brighter future for the people we represent.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Following up on the answer the hon. Lady gave my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown), is the UK a centralising superstate or a Union of four nations, where each has a say? Or can the others be bullied by one?

Dehenna Davison: The United Kingdom is a Union—the clue is in the name. I will not forget, nor will I ever take it for granted, that the residents of Bishop Auckland had the freedom to choose me as their voice in Parliament. Across every demographic on my patch—from Spennymoor to Shildon and from Barney to Bowes—I have heard the same message: “We have been taken for granted. We have been left behind. We have been ignored.” We in this place cannot allow that to continue. We need to show that we are listening and we need to level up.

For too long, the north-east has been falling behind, failed by years of poor local leadership from Labour and let down over time by a series of successive Governments. Now, empowered by this Government’s levelling-up agenda, which is the heart and soul of this Conservative party, we must do better. We must deliver that much-needed investment for the north-east, so clause 46 has my wholehearted support. As we know, it will allow the UK Government the freedom to spend taxpayers’ money that was previously administered by the EU.

I must admit that the north-east has been the beneficiary of UK aid money, but as we carve out a bright future as an independent nation, it is only right that our Government have the freedom to decide how we spend our money. It is our job as local MPs then to lobby for that money for our local areas, and I can assure all residents of Bishop Auckland that I will be first in the queue for that. The EU is resisting that notion and is attempting to use state aid as a chain to bind our hands so that we comply with its demands in this negotiation, yet it does not ask the same of other nations with which it is negotiating trade deals. All we want is fairness.

As well as the freedom of political choice, if the referendum taught us anything it is that we as a nation also deeply desire the freedom to set our own domestic policy and that the sovereignty of the UK is paramount. That is what is being threatened by bureaucrats in Brussels. Their proven willingness to operate without good faith and to interpret the withdrawal agreement

in, frankly, absurd and dangerous ways is why we need to empower this Government with the protective powers to secure the sovereignty and territorial integrity of our United Kingdom.

Anna McMorrin (Cardiff North) (Lab): Is the hon. Lady able to explain what the devolution settlement is, and therefore what are the powers that actually reside with Wales, Scotland and Northern Ireland right now in terms of the Parliaments in those nations making their own decisions?

Dehenna Davison: There are multiple devolution Acts, which I am happy to email to the hon. Lady if she wants to find that out for herself. Let us not forget that the British people have demonstrated the right and power to operate with sovereignty time and time again.

Andrew Bowie: Does my hon. Friend not agree that it is rather concerning that a member of the governing party of Wales does not seem to understand what powers they have in Wales to spend on and support the Welsh people?

Dehenna Davison: As in so many things, I completely agree with my hon. Friend.

Anna McMorrin *rose*—

Dehenna Davison: I am not going to give way again.

Sovereignty must apply to our United Kingdom, and I do not just mean the mainland. The European Union wants us to build a wall—not a physical wall, but a vast barrier that will none the less rip a deep wound into the heart of our Union, and we cannot allow there to be any kind of barrier between Great Britain and Northern Ireland. We gave our word to the British public and to our residents in Northern Ireland that we would not allow that to happen, so this week we must do our duty, as those who have come before us have always done, to uphold the territorial integrity of the United Kingdom. Residents of one part of our country should always have the freedom to travel and trade with another.

Alan Brown: Will the hon. Lady give way?

Dehenna Davison: I will not be giving way again; there are other Members who want to speak.

I now turn to my friends in Scotland. We all remember how we witnessed the people of Scotland exert their right of political freedom to choose to stay part of our Union. [*Interruption.*] I cannot state this more clearly: the United Kingdom is stronger united. The Scottish people chose their future as part of our Union, and it is the faith in that strength that we must protect.

Angus Brendan MacNeil: Will the hon. Lady give way?

Dehenna Davison: I will not give way again.

I know that by now I should not be surprised by SNP Members’ antics, but I am surprised by the tone of their amendments today. I find it remarkable that SNP Members are against the prospect of additional funding for their communities. They would rather have UK taxpayers hand over our pocket money to Brussels in order for it to siphon off a portion, give us a measly bit back and pat us on the head. Well, I say no. We already know that

the SNP is adamant that it wants to break up our Union, but why is it so unwilling to be given powers by the UK Government, yet so willing to hand them over to Brussels? I have spoken of the freedoms that we have.

Fay Jones: I thank my hon. Friend for giving way. She is perfectly capable of taking care of herself, but I have to say that the way in which senior Opposition Members are hectoring and bullying a younger female Member of this House is shameful.

Dehenna Davison: That is much appreciated. I must say I really respect the fact that we on this side of the House tend to be more polite and to listen when Opposition Members are speaking.

I have spoken about the freedoms that we have, and about the freedoms that we are aiming to deliver. They are the freedoms that the British public have told us time and again that they want us to have. Clause 46 is a vital part of a Bill that allows us to maintain and reclaim our freedom, and that is why I reject the amendments tabled by other hon. Members.

But today is about more than just these clauses and this Bill; it is about the very heart of our democracy. We find ourselves today at a defining moment in British history, and on this day we must recall that the British people have the freedom to choose their own future, that they freely chose to leave the EU, that they have put their faith in our Prime Minister, and that they need us to be able to operate in a sovereign manner to allow ourselves to open our arms to the world. We will look back on this moment in the years to come, and we owe it to ourselves and our constituents to say that we stood on the right side of history.

With just weeks to go until the end of negotiations in the David and Goliath battle between the UK and EU, this is the eleventh hour. We have a duty to honour the freedom that the British public have, so we must reclaim our sovereignty, protect the territorial integrity of the United Kingdom and empower the country to trade with nations around the world, not just with our immediate neighbours. As the voice of the British people, it is our responsibility to create the brighter future that they have demanded, and on this day we must vote to give the Government the freedom they need to achieve that. I ask my hon. and right hon. Friends right across the Committee to vote with me, to vote with the voice of the British people and to vote to uphold the freedom of choice that underpins our democracy. I will always stand for freedom, and this week I have been and will be voting for it. I hope other hon. Members will too.

The Second Deputy Chairman of Ways and Means (Mr Nigel Evans): Before I call Pete Wishart, I just want to remind everyone that 18 Members still wish to participate in the debate, so please be mindful of that fact when making your contributions.

Pete Wishart (Perth and North Perthshire) (SNP): It is a pleasure to follow the hon. Member for Bishop Auckland (Dehenna Davison). I just love all the new Tory Members of Parliament—they are the best recruiting sergeant we have for the cause of independence anywhere in the House. Their lack of understanding of the devolution settlement is just astounding sometimes. What they are doing with their contributions and how that is assisting

our cause is just fantastic for us. We very much enjoy every single contribution they make, and we want to encourage them. Please get up and disparage Scotland! Tell us our democracy does not matter! Tell us no, all the time, because all it does is grow support for independence.

Dehenna Davison: I would just like to thank the hon. Member for his mansplaining.

Pete Wishart: I am grateful to the hon. Lady. I have to say that I enjoyed her speech. I just wish that the Conservatives would make more of them, because this is just driving up support for us.

I rise today to oppose totally and utterly clauses 46 and 47 in their absolute entirety. With these clauses, we are now getting into the festering guts of this rotten rogue state Bill, and we are seeing how its entrails will choke the very life out of our Parliament and stifle our Scottish democracy. I hope that paints a vivid enough picture for Conservative Members. These clauses, if passed, would bring a shuddering halt to our Parliament's exclusive authority over the devolved powers agreed in the Scotland Act 1998.

David Simmonds (Ruislip, Northwood and Pinner) (Con): Will the hon. Gentleman give way?

Pete Wishart: I tend to eat Tory Back Benches for breakfast, but if the hon. Gentleman wants, I will let him come in.

David Simmonds: I am grateful for the hon. Gentleman's vivid description of the political impact of the Bill, but does he not recognise that the powers that the Bill covers are currently maintained in Brussels and supervised by the Council of Ministers, on which the devolved Administrations have no representation? He and his colleagues will therefore have a greater say over these matters when they are controlled by this House than they have done hitherto.

Pete Wishart: It is probably just as well I have eaten, because I would otherwise consume that with no problem at all. Can I just say to the hon. Gentleman that we would take the authority of the EU looking over Scotland any day, rather than rogue state UK. I say that very candidly and sincerely.

Andrew Bowie: Will the hon. Gentleman give way?

Pete Wishart: No, I won't. [*Interruption.*] I might give way later, as the hon. Gentleman is a prize on the Government Benches, and we will of course want to hear from him in time, because I enjoy our little exchanges.

5.45 pm

Never before has devolution faced such challenges—such an audacious attempt to circumvent its authority. Never before has a piece of legislation presented itself that just seeks to undermine the authority of Scottish democracy.

The Scotland Act 1998 is quite a simple document. It is a very good document; it was very thoughtfully constructed. At the heart of the Act is the idea that everything other than the powers listed in schedule 5 as reserved is assumed to be devolved. That has underpinned 21 years of devolution of the Scottish Parliament and has served us well. It was designed by the Labour party,

and I give it credit for what it did. It came out of the views and visions of the constitutional convention of the 1990s. The reserved powers were the personal idea of Donald Dewar—a few people have mentioned him today, and it is right to recognise him as the father of devolution. He very carefully crafted the Scotland Act to ensure that it would be enduring—that devolution would be enduring.

With these clauses in this Bill, however, what we do for the first time ever with devolution is blur and confuse what is reserved and what is devolved. I will try in my contribution to understand a little better why we are doing this—the intention and purpose of this, and what the result will be of what is being proposed.

Mr Evans, you have been in the House as long as I have, and I think I have spoken on every Scotland Act; in fact I probably led for the Scottish National party on every Scotland Act other than the 1998 Act, when I was not yet in the House. You will probably remember that the Scotland Act 2012, which followed the Calman commission, specifically looked at schedule 5 and the reserved powers. I remember a very curious debate then in this House about Antarctica; because Antarctica was not listed in schedule 5 of the Scotland Act it was presumed to be devolved to Scotland. I reassure colleagues opposite that we have no territorial claim to the south Atlantic; the penguins and narwhals can relax—they are not going to be under the jurisdiction of Scotland. However, so seriously did this House take the distinction between reserved and devolved powers that Members were prepared to debate Antarctica to ensure it was placed in schedule 5 of the Scotland Act. Now they are prepared to throw that all away, and for what?

Angus Brendan MacNeil: My hon. Friend is making a fine speech and points out the way that devolution has been torn apart by the Conservative party. The answer to that is what is increasingly coming from poll after poll of the Scottish people: the answer is not to continue under the Conservatives. The answer is independence; we go up the road and they can argue the way they want themselves.

Pete Wishart: Yes, what they want to do is up to them. Get on with it, for goodness' sake, just do not take our country down with you. My hon. Friend is spot on.

What is the Government's view on all this? I have listened to the speeches in this debate, and some of those from Conservative Members were totally astounding: "There's nothing to see here. Don't worry your precious little Jockish heads about what we're doing. All we are doing is merely copying what the EU does on state aid and structural funding." However, I say to them that this idea that there is some sort of equivalence between the European Union and the UK is total and utter bunkum and nonsense. Let me explain why to them. The EU is a partnership association made up of member states; it is a rules-based organisation based on the decisions of its members. The United Kingdom, on the other hand, is an incorporating Union that simply subsumes Scotland as a nation and forces us under the sovereignty of this Parliament, even though we agree on the principle of the sovereignty of the people. They could not be more different, but yet again Conservative Members tell us that this is all about an equivalence with the EU, and that is utter, utter bunkum.

Alan Brown: My hon. Friend is reminding Conservative Members of that point, and is it not the case that the EU has never forced a single infrastructure project on Scotland, yet clause 46 allows the UK Government to do what they want in Scotland against the wishes of the Scottish Parliament?

Pete Wishart: That is exactly the essence of what this is all about—this idea that somehow they know better for Scotland, better than the directly elected representatives of the people in the Scottish Parliament. It is an absurd suggestion. There is no evidence that they know better than the Scottish Parliament, and we will not accept that. I thank my hon. Friend for his thoughts.

The Government have suggested today that we are complaining about extra funding. First, is there any extra funding? Secondly, where does it come from? Thirdly, how much is it going to be? We could have a debate about extra funding if they could answer all those questions. I am looking at the Minister; maybe she could tell us. We have the devolved powers for a particular reason. It is because we want democratic control over the decision makers on everything from education to health to infrastructure to water—all the things that they now want to exercise responsibility over.

Jerome Mayhew (Broadland) (Con): Will the hon. Gentleman give way?

Pete Wishart: I do not have time. I am conscious that other people want to come in.

Before devolution, there was a Scotland Office. It exercised responsibility, authority and powers over all the areas that are now controlled by the Scottish Parliament. The reason devolution came across was to directly express democratic control over those responsibilities. The Government now want to go back to the dark days of the 1980s, under the regime of Michael Forsyth and Malcolm Rifkind. [HON. MEMBERS: "Hear, hear."] They are going "Hear, hear"! I am hearing a "Hear, hear" from the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie). May I just say that the rest of Scotland does not share that ambition? I am pretty certain that when he stands next year for the Scottish Parliament he will find that out.

So that is what the Government are doing—they are attempting to take us back to those days. Extra money is great if there is any; I am just wondering how much it is, and whatever it is, how it will be distributed. But it should be under the democratic control of the Scottish Parliament when it comes to the devolved powers, because that is what it is there to do.

Why are the Government really doing this? Here is my theory; tell me if I am on the right tracks. They can never win an election in Scotland—the Scottish Conservatives have absolutely no chance of winning an election in Scotland. The new ever-cheerful hon. Member for Moray (Douglas Ross) and his belligerent baroness partner are actually taking the Scottish Conservatives further down. They are sinking below 20% in the polls. So they are thinking, "We're never, ever going to get legislative responsibility and control of the Scottish Government, so we'll just go round it—we'll just circumvent it." That is actually easier for the Scottish Conservatives than winning an election. So that is why they are doing it.

Another thing that they are doing is what I call “slap a jack on it”—the idea that somehow, the Scottish people will learn to love the Conservatives if they see a whole load of projects with Union Jacks on, given by the largesse and generosity of the Great Britain and United Kingdom Parliament. Nothing will irritate the Scottish people more than seeing all that rubbish splattered about our country.

I will just finish with this. Aggressive Unionism is not working for them. I know that they have all these new figures in the Scotland Office. They have the new constitution unit. Surely, with all these great thinkers on the Union, someone must be able to turn round to the Government and say to them, “We’ve tried this. We tried undermining the powers of the Scottish Parliament. We tried ‘slap a jack on it’. We tried all these things to curtail Scottish democracy, and all that is happening is that support for independence is going up and up and up.” Now, it might just be me, but if you are doing the same thing again and again and it is not working for you, surely you should change it and do something different, to try and ensure that the Union case prevails. It is almost to our benefit that they are continuing with this type of aggressive Unionism, because what we have seen is a rise in support for independence. I give them this advice only because I know that they will never take it: what they are doing is ensuring the Union’s demise.

The day of Scotland being subject to rubbish like this rogue state UK Bill, with the stripping of our powers and the diminishing of our democracy, is a day too long. This issue will be critical in the next Scottish parliamentary election. They are going to get gubbed. There will be a demand from Scotland for independence, and it will be goodbye Westminster—and it cannot come soon enough.

Rob Roberts (Delyn) (Con): It is a pleasure to follow the hon. Member for Perth and North Perthshire (Pete Wishart). As I am looking to speak about the Bill’s contents, I will not describe him in the patronising, condescending manner in which he describes me and my colleagues.

Although the coronavirus pandemic has had devastating impacts across many areas of our society, it has been useful in highlighting what is needed to achieve success and stability in the government of our nations—a united and consistent approach, and leadership. Many times in the past few months the governance from Wales has been neither united nor consistent, nor has it demonstrated leadership. The Welsh Government have let down the people of Wales owing to their often slow, confusing and divided stance, and then had the audacity to turn the mirror on this House and say that the confusion was caused by the UK Government.

Amendment 33 would cause further division between our four nations and looks to divide our great Union completely. This is not a Bill about politics. It is not a Bill about who get to be the ones writing the cheques or taking the credit for things. This is an economic Bill that will allow more money to be spent in Wales for the benefit of our villages, towns, cities, businesses and residents. Covid has shown us the value of devolved nations working together as a united force, yet when provisions in the Bill allow for joint working and support that would benefit individuals across our United Kingdom, those on the other side of the House oppose it.

Alan Brown: Will the hon. Member give way?

Rob Roberts: I will not give way to the hon. Member, who has been on his feet longer than anybody, despite not being on the call list and not considering it important enough to put in to speak.

The amendments that have been tabled would prevent the Government from achieving their levelling-up agenda for the whole United Kingdom, as any Government spending decisions would potentially be held up by the devolved nations. Wales will not lose a single penny of EU funding when the transition period ends. If anything, this streamlined approach will ensure that together, we can tackle inequality and deprivation across the UK, with less money wasted on bureaucracy.

Not only does the Bill provide for greater unity and cohesion, but it gives unprecedented powers to all the devolved nations, with over 70 new policy areas previously held at EU level now coming directly to the devolved nations. Far from being a power grab, as Opposition Members are so keen to declare, the Bill offers greater support and funding to all parts of the United Kingdom. That is what this Bill should be about: directing funding and support to the right places to support jobs, businesses and livelihoods. Today’s amendments from the various Opposition parties do the opposite, and are more concerned with playing political games with the Union than supporting the needs of people in Wales, Scotland and Northern Ireland. We are here for our people.

Communities in Delyn and across north Wales will greatly benefit from the new powers that the Bill sets out. With subsidy control now being a reserved matter for the UK Government, the EU will no longer be in charge of taxpayers’ money, and instead, the UK Government will be able to invest in areas that need it most. In 2013, the Welsh Government closed Flint hospital in my constituency to reduce costs in the north Wales health board, which still sits in special measures five years later, leaving the residents of Flint having to travel on sporadic and failing public transport to other facilities to visit their loved ones. Had this Bill been in place at that time, could it have helped the people of Flint to retain their vital community infrastructure?

The Labour-led Welsh Government continue to fail the people of Wales in policy areas that are wholly devolved, such as education. Despite increases in the Welsh block grant, funding for schools is still at the same level as it was in 2006. We need a strong Wales in a strong United Kingdom. The UK Government have the financial capability to support the Welsh Government in delivering for the people of Wales, creating more jobs and improving infrastructure by upgrading the A55 to motorway standard and delivering an M4 relief road, which the Welsh Government have so far failed to do.

While Labour may claim to be the party of the Union and to support the devolved nations’ interests, this UK Government will invest directly in Wales and support Welsh communities with the clauses in the Bill, which the Labour party have spent the last few days doing everything they can to stop, denying additional powers to the Senedd and additional funding to the people of Wales. By leaving the EU, this democratically elected Government will be able to provide the support that our communities need—the new financial support system that will ensure that Wales and UK priorities are taken into account, and that there is not the focus that there

[Rob Roberts]

was previously on the specific requirements of the EU. Decades of failed European priorities led to the people of Wales rejecting EU membership more than four years ago.

While Scottish nationalist party Members are ready to rejoin the EU at the drop of a hat, their entire position is to give the 70 powers that they are about to obtain straight back to the EU. They say that this Bill is destroying the Union. I might be misunderstanding their entire *raison d'être*, but if they believe that to be the case, I look forward to seeing them join us in the Lobby at each stage of the Bill to vote it through, because that would seem to accord with their greatest wish. The fact is that they oppose it because they know it does exactly the opposite. It enhances, it stabilises and it reinforces the Union of the United Kingdom, and I am proud to be a member of the Conservative and Unionist party supporting clauses 46 and 47 before the Committee today.

6 pm

Prior to coming to the House, I was a financial planner. One of the elements of planning was to ensure that the right money was in the right hands at the right time, and these clauses are about getting the right money to the right places in a timely manner for the benefit of the people, bringing more powers to each devolved nation and supporting every part of the United Kingdom. The Opposition amendments simply take away from this, and I urge those sitting across from me in the Chamber today to stop playing political games and to recognise the benefits this will bring to us all.

Shaun Bailey: Before I start my comments, I would like to say that it is a pleasure to follow my hon. Friend the Member for Delyn (Rob Roberts). Obviously, it is always a pleasure to follow the hon. Member for Perth and North Perthshire (Pete Wishart). When I saw his name on the call list, I was filled with excitement, and he has not disappointed. His remarks were an oratorical smorgasbord, with words I had not even thought of. Was it “slap a jack”, or whatever it was? To get that into *Hansard* is an achievement. While I disagree with pretty much everything he said, as always, in his usual way, he has not let us down. It is always great to follow him.

I want to be a bit parochial in my comments today because, for me, clauses 46 and 47 of this Bill are, ultimately about our communities. That is the core of this, and I want to talk about my communities today because, like many people who have spoken and contributed ahead of me, I have real problems in my communities, which can be resolved and dealt with, I hope, by the provisions in clause 46.

Let us look at the deprivation element and how we can use the investment angle to tackle deprivation. In my constituency, Tipton—a town many Members have heard me talk about time and again; many call it the forgotten city—is in the lowest 20th percentile of deprivation in this country. People in that community have felt abandoned and ignored—by successive Governments of every colour—for years and years. Yes, they have benefited from the funding that had come from the EU, and it is this Government’s commitment to ensure, through the shared prosperity fund, that those communities still have a lifeline and still have a way in which we can ensure that we can truly level them up.

The reason people sent me here and the reason they voted to leave the European Union was a simple one: it was that they felt this place spoke at them. They felt they had been ignored. They had seen their communities degraded, they had not seen the benefits lauded by those who wished us to remain in it and they felt that their communities had been let down because they felt they did not matter. That is how they had been left to feel. So this is about ensuring that this Government, as we leave the EU, can fulfil that pledge on a UK basis.

In my communities, I still have parents coming to me in tears because they fear for their child’s future because of where they come from. I have people saying to me, “Ah, when you’re from Tipton, the police will stop you because of the community you come from”. That is why this matters. That is why I am surprised to a degree by the opposition to this, because surely the betterment and empowerment of our communities is why all of us are here. It is absolutely the core fundamental principle of being Members of Parliament. I think as well of what we can do and of the potential of clause 46, and again I am going to talk about my own community, because that is why I am here. [Interruption.] Sorry, Mr Evans, I am looking at clause 46 in terms of rejecting the amendments, and clause 46 does provide us with such an opportunity across the UK.

I get the points that have been raised about devolution and I have heard the points made by Opposition Members, but I would say that the elephant in the room, which we have missed actually, is English devolution and how that squares with this. I think of the West Midlands Combined Authority. That is an example of devolution and of a devolved administration engaging with the UK Government, through our Mayor Andy Street. It has lobbied for investment in infrastructure and is lobbying the UK Government to fulfil their pledge to ensure that the areas that require those benefits or require such funding do get it. It is by a proactive approach that the fears that Members are trying to combat with these amendments can be allayed. Surely it is about a proactive approach.

Stuart Anderson (Wolverhampton South West) (Con): I have gladly worked with my hon. Friend across the Black Country. He will know that Andy Street has been very proactive in his approach and that we are seeing the benefits already. Does my hon. Friend think that he is key to our achieving a very bright future across the west midlands, and that we need to see him elected next May in order to see a prosperous future?

Shaun Bailey: Of course I agree with my hon. Friend, but I want to focus my remarks on devolution and on this accusation of a power grab. Ultimately, the core of the opposition to these clauses today is that, actually, it is believed that this Government are taking away powers. As my hon. Friends have said, my communities do not mind where the money comes from as long as they see the benefits. I am sure that Members in all parts of the Committee will agree with that. Investment is investment. As I have said, we were sent to this place to ensure the better empowerment of our communities, especially for the vulnerable people in those communities. We have seen these back-and-forth arguments before, and I do not want get dragged into them and I do not want to be repetitious. I appreciate that, at this point, it is difficult not to be repetitious, but what I would say is that the

opportunities that come from this Bill will allow us, on a UK-wide level, to truly commit to levelling up to ensure that we can seize those opportunities as we go forward and to ensure that we can deliver, particularly in areas such as mine, on that election mandate and on what people believed they were voting for four years ago and in December last year. That is absolutely crucial.

I want to bring my remarks to a close because I am very conscious that other Members want to get in, so I will simply say this: I disagree entirely with those who say that this is a power grab. I reject the amendments. We have so much potential with this Bill, particularly with clause 46, to ensure that we can hold feet to the fire. We should engage and work together. I know that Opposition Members are probably thinking, wahey, a new Member with his lovely naive approach, but we need to have that. We really do. Sometimes that little bit of naivety, that little bit of pushing forward and thinking that, yes, we can talk and put our covers aside means that we can actually bring about change. If we do that, we will truly see the benefits of this Bill.

That will happen through engagement with the institutions. There is still a respect for devolution. As I have said before, I want kids in Tipton to learn about Rabbin Burns as much as anywhere else. I want them to understand the shared culture that we have as members of this Union of nations and understand the cultures of every part of this Union of nations. Ultimately, what this Bill comes down to is engagement with those institutions. We have seen it in England through our combined authorities and the work that they have done to bring in investment using a model that is very similar to the one proposed in this Bill. I support the Bill wholeheartedly.

Anna McMorrin: Let us just get this straight: this Bill is pure political opportunism from a Government so wrapped up in their own fiction that they have forgotten what reality looks like. As it stands, this Bill will set in motion the biggest recentralisation of power from Wales to Whitehall in over two decades.

Jonathan Gullis (Stoke-on-Trent North) (Con): Give us an example.

Anna McMorrin: I will give the hon. Gentleman an example.

Those powers have been used to improve the livelihoods of the Welsh people, our economy, our health and education system, local businesses and agriculture—the very fabric of Welsh life. Instead, this Government want to hollow out the rights of the Senedd—those rights and powers that protect Wales and all the standards and services that we cherish from the worst effects of this incompetent UK Government. Let us make no mistake: this is about political opportunism. It is about seeking to take spending powers from a Government who already have those powers and can already make those decisions. Is this not simply because the Conservatives do not like the Government that the people of Wales have voted for and are seeking to take away their democratic rights? This Bill dangles the prospect of increased financial assistance, but where is the detail? We keep hearing the words “levelling up”, but who here can point to the evidence of that so-called levelling up? This Government are a wrecking ball, and I am not prepared to accept this wrecking Bill to smash and grab devolved powers—to rob the Welsh people of a way of life.

Jonathan Gullis: The hon. Lady asked for an example of levelling up. The town of Kidsgrove got a £25 million deal through the towns fund. That is a town that had not seen any investment in decades, after 70 years of Labour rule. There is an example, right there, of levelling up.

Anna McMorrin: I will gladly come to the examples of where the Welsh people are being robbed. This UK Government are offering to provide money to Wales to improve infrastructure, but that is an illusion. They have failed systematically to support electrification of the railways, for example, and renewable energy schemes. I see the right hon. Member for Vale of Glamorgan (Alun Cairns) in his place. Time and again, he sat in front of the Welsh Affairs Committee and failed to provide a reason for the lack of support for projects across Wales.

Time and again, this Government have come up short. They block and they deflect; they buy themselves time with controversy to mask their inability to govern, to provide or to collaborate, which is what this Bill should be about.

Alun Cairns: The hon. Lady and I share an ambition to see great investment projects in Wales, but I am sure she would accept that we should invest only in projects that provide value for money for the taxpayer. Furthermore, she talks about the successor to European aid. My understanding is that the UK Government have not yet outlined how exactly the shared prosperity fund will work. All this power does—all this legislation does is give additional powers to the UK Government. Surely, additional spend in her constituency and mine is something we should both welcome.

Anna McMorrin: The right hon. Gentleman’s slip-up—“All this power does”—had it spot on. That gives away the fact that this is exactly about political opportunism. We know that this Government want only to dangle the illusion of financial assistance, which we all know will be directed towards marginal seats or to prop up their pals. They do so at a time when Ministers are not just prepared but willing to break international law.

Alan Brown: Is it not the case that there is no proof of any additional money coming? As the hon. Lady says, money could be misappropriated for political gain. The UK Government could squeeze the budgets of the Welsh Assembly and the Scottish Parliament and put money into projects that they think will bring political gain.

Anna McMorrin: The hon. Member is exactly right. Both the Welsh Parliament and the Scottish Parliament now have the powers that the Government are looking to take away.

How can the people of Wales—indeed, how can Welsh Members of Parliament across the House—accept what the UK Government are trying to sell and then look their constituents in the eye and say that this power grab will leave them better off? Knowing everything we do about this unscrupulous Government, I do not buy it, my constituents will not buy it, and plenty of the Government’s own Members of Parliament are not buying it. Even David Melding, the Welsh Conservatives’ shadow Counsel General in the Senedd, resigned over this, citing misgivings about the UK Government’s approach to devolved governance and this Bill.

Alun Cairns: Will the hon. Lady give way?

Anna McMorrin: I will not.

The UK Government must think again. How far are they willing to threaten peace, erode co-operation and strip devolved Governments of their decision-making powers? And how far would they be prepared to accept lower standards of food and medicines and thrust them on the people of all four nations—all at the hands of just a few unscrupulous Government Ministers and unaccountable aides?

6.15 pm

Nowhere in the Bill can I see legislation that guarantees that standards are upheld; nor can I see any mechanism to agree a common threshold across all four nations. Currently, standards are negotiated fairly and the Welsh Government have the freedom and choice to operate the high standards they wish to operate. The Bill threatens all of that. For example, if this Parliament legislated to allow hormone-injected beef throughout the UK, there would be very little that the Welsh Government could do to stop it from landing on people's plates in Cardiff North. Neither could they impose different labels or regulate for improved animal welfare; nor could they protect Welsh farmers from being undercut by substandard alternatives.

It is not just about food. Restrictions could cut across all devolved areas. For example, had these laws been in place when the UK Government bulk-bought substandard personal protective equipment earlier in the current health crisis, Wales would have had to accept their inferior products. What a mess.

Our NHS may be fair game for American private health firms that wish to operate in Wales. They may not currently operate in Wales under existing laws, but they may find that the door has opened up for them. Or how about the fact that in Wales we are proposing to ban nine single-use plastic products? In England, the number is only three, but under these laws that number will prevail. Do the Government even care?

The Bill should be about how the internal market works and how we work jointly together to agree standards. It should be a race to the top, not a race to the bottom. It is about Britain's standing in the world, about smooth co-operation and collaboration, and about quality of life and our freedoms. Never have so many people been so vulnerable to the impulses, mistakes and downright ludicrous decisions of such an incompetent few. The people of Wales and the people of Cardiff North deserve better.

Tom Hunt (Ipswich) (Con): I will speak to clauses 46 and 47, because I am a good, well-behaved Member of this House, but I will make one quick point, which is that I am entirely comfortable with voting for every aspect of the Bill. From what I can see, it gives this country the ability to live entire and whole. If, in certain circumstances, the EU takes the extraordinary step of essentially forming a blockade in Northern Ireland and putting a border down the Irish sea, it gives us the ability, in these extraordinary circumstances, to show strength and to respond in kind. I am proud to support that.

Let me speak specifically to clauses 46 and 47. When it comes to the EU structural funds, I am slightly confused, because when we were in the European Union, Scotland had six MEPs out of 751 and Wales had four MEPs out

of 751. That does not sound to me like much of a say, compared with Scotland now having 49 Members in this place and Wales having 40. To be perfectly honest, I think that what we are proposing in the Bill gives Wales and Scotland's elected representatives far more say over how the money is spent.

Pete Wishart: Will the hon. Gentleman give way?

Tom Hunt: I will not give way. The Bill gives the people of your country far more say over how that money is spent, so it is something to be welcomed. You should stand up for your responsibility to represent your constituents in his place and come here, and when there are opportunities to frame how that money is spent in your areas, use it. That is far from saying, "Actually, no, we don't want to have a greater influence over how this money is spent; we should send it back to Brussels"—where the money is spent in a most faceless way. Unelected bureaucrats in Brussels make decisions with a little EU flag attached to them. I am sorry, but I do not see the power grab here; it is not a power grab whatsoever.

Pete Wishart: We have been around this so many times. The devolved powers are the responsibility of the Scottish Government, and it is up to them to make spending priorities. However, I was interested by something the hon. Gentleman said about Scotland having six MEPs. How many does he think we will get when we become an independent nation? Think of Denmark.

Tom Hunt: We are talking specifically about clauses 46 and 47. We are talking specifically about this money. My argument is that, under these clauses, the people of Scotland and its representatives will have far more influence over how that money is spent than under the status quo. I am glad you intervened on me, because I wanted to give you some political advice, because you are very good at giving political advice to us—

The Second Deputy Chairman of Ways and Means (Mr Nigel Evans): Order. You are not the only one who is doing this, Tom, but I remind everybody not to use the word "you" unless you are referring to me. You are speaking through the Chair.

Tom Hunt: I am very sorry, Chair. I know that you have let me get away with it once or twice before, and it is right that you are stern.

Getting back to this important point about political advice, and in the spirit of co-operation, I would say that I am proud of the Union. I am a Unionist. My Welsh grandfather fought for Britain in the second world war, and I love every nation in the United Kingdom, and that includes Scotland. I want Scotland to remain part of the United Kingdom, but I respect the fact that the hon. Member for Perth and North Perthshire (Pete Wishart) has a different view, and I respect him and all his people.

However, one of the hon. Gentleman's colleagues, the hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey), denigrated this country, entire and whole, on Monday, saying that we have a history to be ashamed of. He went back over the past 200 years and found different reasons why we should be ashamed of Great Britain and Northern Ireland at a time when we reflect upon the battle of Britain and how it was Scottish pilots, Ulster pilots, Welsh pilots and English pilots who

made the most decisive intervention. The hon. Member for Kirkcaldy and Cowdenbeath says that we are a country of chancers and lawbreakers, but we should be proud of the fact that we made a decisive intervention in standing up to the most evil regime in modern history. The hon. Member for Perth and North Perthshire should reflect upon that.

Going back to clauses 46 and 47, I do not see a power grab. I see greater opportunities for the people of Scotland, Wales and Northern Ireland and also the people of England and the constituency that I represent, because we all have crazy examples of how the structural funds have been spent in the past. Let us come together as a House and frame the way that money is spent and invest it in our communities.

I am not surprised that the Labour party has taken a position that seems to be slightly contrary to supporting the Union, because we know that some Opposition Members see no problem in mocking St George's flag. I found it interesting on Sunday night that a shadow Front Bencher was mocking new Conservative MPs for being proud of the Union flag and for having the Union flag in their backgrounds while they were speaking. I am as proud of the Union flag as I am of St George's flag. I rest my case.

Miss Sarah Dines (Derbyshire Dales) (Con): It is a pleasure to follow my hon. Friend the Member for Ipswich (Tom Hunt).

From the debates on this Bill, it would seem that everyone who once wore a wig and a gown, and many others who have never even read a law book, have suddenly become experts in international law. I make no such claim—I am just a humble divorce lawyer—but a lot of my lawyer colleagues on these Benches have asked me for my views. As a divorce barrister, I can say that it is through that prism that I look at the withdrawal agreement and this Bill. The simple fact is that the United Kingdom has divorced itself from the EU, and let us not pretend that it was a no-fault divorce. It was an abusive and exploitative relationship, and one which the United Kingdom just had to leave.

As a divorce lawyer, I am all too aware that bullying and unreasonable demands sometimes complicate the end of a relationship, and I know attempts at coercive control when I see them. The House legislated against domestic coercive control earlier this year. We are legislating this week and next week to prevent the EU's attempt to coercively control the relationship within our family of nations in the United Kingdom.

As you will know, Mr Evans, it is famously said that a week is a long time in politics, but we forget at our peril the fact that this Parliament was elected and sits for one reason and one reason alone: to deliver Brexit. The British Parliament can make law. It can amend and repeal laws. It can make treaties, and it can unmake treaties. The legislation before us, including clauses 46 and 47, will cut away once and for all the dead hand of the EU from British sovereignty.

The present stance of the Opposition parties is just the latest, and perhaps the last, device aimed at delaying or diverting Brexit. It has to be seen as such. The European Union has repeatedly misread the British public. There will be no foreign borders within the United Kingdom. There will be no border down the Irish sea, separating

our precious countries within this precious kingdom. If the EU so desperately wishes to have a hard border, let it construct one wherever it desires, but it will not be within our United Kingdom. The hard-won peace process in Northern Ireland just means too much to us. We will protect that peace and the Belfast agreement. There will be no hard border from us. The EU's attempt to invoke the Good Friday agreement in order to coerce trade concessions is outrageous on so many levels. What an insult to the peace process and to us peace-loving citizens of the United Kingdom! The EU's true colours in trade negotiations have been shown.

Anna McMorrin: Will the hon. Member give way?

Miss Dines: No; there are many Members still to speak before the end of the debate.

The EU has broken international commitments. Germany has broken international commitments. The Irish Republic has broken international commitments. My right hon. Friend the Member for Chipping Barnet (Theresa Villiers) is right when she points out that international law is essentially a political construct—and, goodness me, the EU is very good at it.

Clauses 46 and 47 allow the UK to meet commitments that otherwise would be funded through the EU. They give the UK Government back the power to provide financial assistance for economic development anywhere in the UK. I cannot see how anybody would object to that. That power formerly sat with the EU, and I know who I would prefer to have it: the people who vote in this Chamber. The importance of this power has been demonstrated in UK-wide events such as emergency flood responses—we have heard about Storm Ciara—and the response to covid. However, people like the good people of Derbyshire Dales often get overlooked.

Alex Davies-Jones (Pontypridd) (Lab): Will the hon. Member give way?

Miss Dines: No, I will not; there is not much time.

The dreadful flood in November 2019 along the River Derwent led to the loss of a life. The former high sheriff of Derbyshire, Annie Hall, died in those floods. The powers brought back from the EU under the Bill will enable more money to assist in that sort of area.

Clauses 46 and 47 will enable us to be freer to invest in economic development—for example, to produce the much-awaited bypass in Ashbourne in Derbyshire Dales. We will be able to invest economically at home as we will it. These powers are totally in line with the Conservative Government's manifesto commitment to level up the regions, from Matlock to Moffat, from the Menai bridge to Moy. We are one Union. There are good British citizens at the moment all around the UK who are in despair at the opposition to this Bill. They want their country back and their powers back. They want the UK to protect their markets—that means all of them—and to bargain hard with the EU. These clauses bring powers home. They bring our sovereignty home. We must back the Bill.

Ben Bradley (Mansfield) (Con): On 23 June 2016, the British people voted to take back control from the European Union. Parliament prevaricated, and for the next four years we had dither and delay—to coin a phrase—elections, and what seemed like millions of

[Ben Bradley]

votes in this place on the same thing, over and over again, under three Prime Ministers. But here we are, still talking about the same thing, albeit hopefully coming to the end of this period, when we can finally decisively put the issue to bed. On 12 December 2019, the people of Mansfield voted overwhelmingly to get Brexit done, and the rest of the country agreed. We want to be a free trading, independent country that is in charge of our destiny and, vitally, in charge of our own borders. This Bill is vital to ensuring that we can do that.

On Monday, Labour once again sided with the European Union rather than the British people, and rather than backing the people that the party once considered its core voters, who rejected it in droves in December. Labour failed to prioritise the structural integrity of the UK, and instead advocated giving away more control to Brussels. Thankfully, we on this side of the House were able to ensure that the Bill was given its Second Reading.

6.30 pm

Anna McMorris: If the hon. Member thinks that the Bill is so great, can he explain why the Prime Minister has just announced a climbdown, saying that he will bring it back and try to get his own disgruntled Back Benches onside?

Ben Bradley: I think it is right that the Prime Minister is willing to have a conversation and be pragmatic in how we approach delivering Brexit. If that means having constructive conversations about this Bill and the best way to take our country forward, that is the right thing to do. Perhaps Opposition Members could learn from those constructive conversations about how we get things done in this place. That might be helpful to them.

This week the Labour party voted against the Bill, which will ensure unfettered trading access within the United Kingdom. A party that is supposedly pro-Union voted to risk our ability to trade freely throughout the UK. This is a strange new world, although by this point we are used to the Opposition having a totally incomprehensible policy on Brexit. They would instead give the European Union a free hand, allowing it to threaten us and negotiate in bad faith, and they think we should do nothing at all.

I have been reading a book this week—amazing, I know. There will be colleagues here who are not convinced that I read books, but I do. It is called “Beyond the Red Wall” and is by a former Labour strategist, Deborah Mattinson. It highlights how the feeling of patriotism and pride felt by residents in my community and the importance of UK sovereignty, and specifically the control of borders, are defining problems that mean that voters in my part of the world do not trust the Labour party any more. It seems from this week that Labour has learned absolutely nothing from its crushing defeat in December.

It is quite right that this Bill ensures that the people and businesses of Northern Ireland cannot become the political football that the EU would like them to be. If anything could serve to strengthen the feelings of my constituents in Mansfield about wanting to leave the bureaucratic and self-serving institution that is the European Union—bearing in mind that they voted 71% to leave back in 2016—then this is surely it. It must be clear to

everybody in this place that the withdrawal agreement rests on reasonable interpretations of what is an acceptable outcome for both sides, and nobody could reasonably suggest that carving up the internal market of the United Kingdom in the way that has been suggested is reasonable.

My constituents have been contacting me this week to express their overwhelming support for the Prime Minister. While the media focus on negative commentary from here in the Westminster bubble, my constituents have been overwhelmingly supportive of the fact that he is putting our best interests as a country first and doing what needs to be done to deliver on his promises. He has my full support in doing that.

I turn to the amendments, which focus on the relationship between the UK and devolved Governments. Throughout today’s debate, we have heard a number of times from the Opposition Benches about this nonsensical idea of a supposed power grab. It is simply wrong. The powers that are currently in the control of the European Union are coming back to the United Kingdom. This is no power grab; it is what Brexit is all about. It is about bringing those powers closer to home, here in the United Kingdom. As my hon. Friend the Member for Moray (Douglas Ross) exposed in the House so effectively a few weeks ago, nobody can actually name a power that is being grabbed from the devolved nations. Those powers do not exist.

Anna McMorris: The hon. Gentleman may have missed it, but during my speech I listed all the powers that are being grabbed. The Welsh Government and Parliament currently have powers in an array of areas that the Government are seeking to take away.

Ben Bradley: I did miss the hon. Lady’s speech, but colleagues around me are looking slightly nonplussed as to what those powers were. They do not seem to remember, despite the powers having been listed. However, I remember very well the debate a few weeks ago, when my hon. Friend the Member for Moray, the leader of the Scottish Conservatives, had a lengthy conversation with the SNP across the House. It was pretty clear then that nobody could name a single one, and that remains the case as far as I am aware.

This is what my constituents voted for: a strong internal market, which provides an opportunity for the UK Government to invest in all parts of the United Kingdom, and a strong United Kingdom. By tabling these amendments to clauses 46 and 47, and supporting rejoining the European Union, the SNP and Plaid Cymru have become the only nationalist political parties in the world that I have ever heard of that would prefer powers to be held in a different time zone far away from their own country. It is frankly nonsensical.

Of course, the UK Government already invest directly in projects in Scotland; that is not new. The fact that the UK Government are once again committing to funding projects through the shared prosperity fund should be welcomed by everybody, as it has great potential for all corners of the United Kingdom. As my hon. Friend the Member for Ipswich (Tom Hunt) noted, Opposition Members might invest their energies in constructive decision making in this place, using the powers that we hold here and the platform that they have in this House to discuss where that money might best be spent.

Alex Davies-Jones: The hon. Gentleman is talking about money being spent and decisions being made in this House, but I draw his attention to moneys that were pledged by this House to my constituency and Rhondda Cynon Taf, which were decimated by flooding earlier this year. The Welsh Government and Rhondda Cynon Taf are still waiting for that money—more broken promises. All this Bill will be is more broken promises and money not delivered.

Ben Bradley: I cannot pretend that I know a great deal about that.

Alun Cairns *rose*—

Ben Bradley: I will let my right hon. Friend intervene.

Alun Cairns: If the hon. Member for Pontypridd (Alex Davies-Jones) had been in her place earlier, she would have heard the discussion between me and the hon. Member for Rhondda (Chris Bryant), in which I pointed out—and I think it was accepted—that flooding is a devolved responsibility, and that Wales receives £120 for every £100 that is spent in England. If the hon. Lady votes in favour of this Bill, there will be the capacity for the UK Government to step into her constituency to help with such flooding problems in the future.

Ben Bradley: I thank my right hon. Friend for that intervention. I feel as if I am chairing this debate. I will move on.

Sammy Wilson: The hon. Gentleman is making some very good points about how Government spending directed centrally could help many of the devolved regions. For example, the A75 in Scotland, which is an important route to Northern Ireland, is one of the most unsafe roads in the United Kingdom. The Scottish Government have, for whatever reason, not been able to spend money on it. That is a good example of how money from outside Scotland could be spent on national infrastructure to improve safety and the infrastructure in the area.

Ben Bradley: The right hon. Gentleman is absolutely right. As has been discussed at length in this debate, being able to direct funding from the United Kingdom, with our own priorities at heart, rather than from the European Union, gives us the ability to pick out those projects and deliver on the key priorities that will benefit our whole United Kingdom. That is the entire point of what we are trying to achieve.

Alan Brown: Will the hon. Gentleman give way?

Ben Bradley: I will not give way, because I have literally one sentence left.

Alan Brown: Will the hon. Gentleman give way?

Ben Bradley: Oh, go on.

Alan Brown: I thank the hon. Gentleman for giving way. Even on the example of the A75, Members should check *Hansard*; all the way back to the 1940s there were promises in Westminster that the A75 would be upgraded, and it never was. The European funding that Scotland has been able to access has upgraded many roads and

bridges, and increased connectivity on the islands. Scotland needed that money from Europe because Westminster was not funding the infrastructure that we needed. That is the reality. The Bill will leave us further exposed.

Ben Bradley: I thank the hon. Gentleman for that intervention, and for pointing out that the EU was kind enough to return some of the money that we sent to it, having taken tax off the top, so that we could spend it in Scotland. The great joy is that we will have all that money now to spend on Scottish projects, and perhaps we can do a better job.

I will draw my remarks to a conclusion. I look forward to voting once again for what my constituents want: to get Brexit done and deliver a prosperous future for our great country as a whole United Kingdom. As this draws to an end and we approach 31 December, this is our opportunity to push through exactly what we promised to do in that election and deliver on Brexit. The Bill has my full support.

Alex Davies-Jones: Thank you, Mr Evans, for allowing me to speak in this lively debate. To put it bluntly, and I do not mince my words, the Bill is an absolute disgrace. Earlier this week, the Business Secretary said:

“By protecting our internal market, the Union and its people will be stronger than ever before.”

I fail to see how that will actually be the case. In fact, as colleagues across the House have said, this is a power grab, disguised as a Bill. Wales’s Counsel General has said, on behalf of the Welsh Government, that

“the UK Government plans to sacrifice the future of the union by stealing powers from devolved administrations. This bill is an attack on democracy and an affront to the people of Wales, Scotland and Northern Ireland”.

I wholeheartedly agree.

It is clear that the Bill is a weak attempt to rip up the devolution settlements that are so vital to local communities such as mine in Pontypridd in south Wales. Devolution is vital for those people to have a voice on the issues that matter most to them.

Alun Cairns: I want to try to bottom this out. This is an Administration that passed the Wales Act 2017, which extended significant powers to the Welsh Government. A similar Act was passed extending further powers to Scotland. Leaving the European Union extends still further powers to the devolved Administrations. Can the hon. Lady identify one power that the devolved Administrations now hold that they will not hold when the Bill is passed?

Alex Davies-Jones: I can wholeheartedly say: spending powers. The Government will take that power away from the Welsh Government and away from the Welsh people, and prevent them from spending that money, on which they rightly have the decision to make.

The cherry on top of the world’s worst cake is that the UK Government did not even bother to consult the Welsh Government on the Bill. We are told that the Welsh Government only saw a copy of the Bill at 8 pm the day before it was published—an absolute disgrace. I would consider myself a creative person, but it is a stretch even for me to see how the UK Government can say in good faith that the Bill aims to strengthen the Union. At a time when co-operation between our nations has never

[Alex Davies-Jones]

been more important, I am frankly flabbergasted by the Government's shameless attempt to squeeze power and undermine our devolved nations. It is vital that when the UK leaves the EU, we have a system in place that ensures that standards are maintained across all four countries, but there are ways to do that, which do not undermine our devolved Administrations. Yet, as we hear in the media today and in the breaking news just now, the Government are preparing to undertake yet another U-turn. I have lost count of the number of U-turns we have seen in recent months, but an additional parliamentary vote on breaking the law will not make the problem go away.

The Bill and the UK Government are making us an international laughing stock. What happened to the Government's oven-ready Brexit deal? The microwave is waiting, but it is empty. Not only does the Bill mean that the UK Government will have the power to overrule the Welsh Government and centralise power in the hands of a serially incompetent Tory Government in 10 Downing Street, but it will make it harder for the Welsh Government to legislate on issues that matter to people locally in my constituency of Pontypridd. I have had hundreds of emails from constituents concerned about the rolling back of animal welfare and food standards across our country. Does the Minister agree that the Bill, as it stands, could lead to a race to the bottom in the standards of goods produced in the UK?

The Bill will also make it harder for the devolved Administrations to legislate on climate issues, and, as my hon. Friend the Member for Cardiff North (Anna McMorrin) has already stated, the Welsh Government are currently proposing a ban on nine different single-use plastic items in Wales—actually making a difference in the climate emergency. By contrast, the UK Government are proposing just three. If the Bill passes, the mutual recognition principle could mean that Wales would not be able to legislate to ban the sale of the other six items, even though there is clearly high demand and we are in the middle of a climate emergency. The Welsh Government are taking that seriously, but the Bill and the Westminster Tory Government are deliberately making their work harder.

Ultimately, the Bill risks the integrity of the Union and undermines devolution at every opportunity. The Government are showing complete contempt for the people of Wales, Scotland and Northern Ireland. I urge Members on the Benches opposite, especially those who represent constituencies in our devolved nations, to ensure that spending provided by the UK Government actually comes forward in the first place and then, when it is in a devolved policy area, will have to be approved by the UK Parliament or allocated by the devolved Administrations. We must stand up for devolution and we must respect the devolution deal. Diolch.

The Second Deputy Chairman of Ways and Means (Mr Nigel Evans): Before I call Gavin Robinson, I want to remind everybody that we are clearly limited in time. The wind-ups will be at around the 7.35 pm mark, because we will want to hear from both Front Benches and from Alison Thewliss, so I ask Members to show some restraint and not to forget the clauses and amendments we are talking about today.

6.45 pm

Gavin Robinson (Belfast East) (DUP): Thank you, Mr Evans. Of course I will focus the majority of my remarks on amendment 22, but I hope you will permit me a little latitude to work around our amendment. [Interruption.] Well, I hope Mr Evans will; I do not really care about the hon. Member for Rhondda (Chris Bryant) as he is not in the Chair, so I will listen to you, Mr Evans. I say that with all affection and kind regards for the hon. Gentleman.

Chris Bryant: That is a fib.

Gavin Robinson: It is, no doubt about it.

I have been here for the guts of four hours during this debate, which has been going for four hours and 45 minutes, and at times I felt I had entered a parallel universe. For Government Members, this Bill is an important and necessary step: it is a safety net, it respects the internal market of the UK, and it is something prudent and expedient to do in the circumstances in which we find ourselves in the current negotiations. From Opposition Members I hear that it is the most egregious and outrageous power grab, driving a coach and horses through everywhere—England, Scotland and Wales. This coach and horses is very tired. Yet I find it difficult to get Members on both sides to focus on some of the fundamentals that affect us in Northern Ireland.

I have heard Members from across the Chamber say in all sincerity that they believe there are elements in the Bill that protect the single market of the United Kingdom, that talk about the customs union of the UK. Let us be under no illusion: the single market of the UK, as we know it, was gifted away at the time this House passed the withdrawal agreement and the associated Northern Ireland protocol. Let us reflect on the financial assistance provisions in this Bill and clause 46 in particular. When I raise those with the Government, they say clearly that this is a power that extends throughout the UK. That in itself is true, but there is no recognition in this debate, save in the contribution from my right hon. Friend the Member for East Antrim (Sammy Wilson), that that unrestricted power to offer financial assistance is hugely curtailed. It is curtailed by article 10 of the Northern Ireland protocol associated with the withdrawal agreement.

Article 10 says that we in Northern Ireland remain under the single market regime of the EU; that the state aid rules, no matter what this financial assistance provision says, will apply to Northern Ireland; and that any decision on financial assistance from this Government to businesses in Northern Ireland that fall within the EU state aid rules will not only be subject to challenge by EU member states, but will bring with it the full jurisdiction of the European Court of Justice. I struggle when I hear Members in this House say that this Bill protects the integrity of the UK single market—it does not. That is why I ask that people sincerely look at amendment 22, because it would allow the people of Northern Ireland to benefit and would mean that the provisions on direct and indirect discrimination actually mean something to businesses in Northern Ireland. We will spend a lot of time on Monday considering the things we can do that will appropriately protect businesses in Northern Ireland and enable them to trade with their biggest market in Great Britain, but we also need Members

to consider the implications of the regime passed at the start of this year, the restrictions that there will be on trade from GB to NI, and the costs associated with the regimes in place through GB and NI. I know that those negotiations have not concluded and that we do not have a full picture of how that will be, but here we are, three and a half months from the end of the transition period, and businesses in Northern Ireland have no clarity as to how they are going to trade with their main market.

I struggle fundamentally with the arguments advanced by some Members about the Good Friday agreement. I listened very carefully to the contributions of the hon. Members for Foyle (Colum Eastwood) and for Belfast South (Claire Hanna), neither of whom are here now, and I make no criticism of that at this stage. However, throughout the course of Brexit, there have been claims ad nauseam—in this Chamber, in the Northern Ireland political context, in the United States of America, which has been referred to today, and elsewhere—that taking sovereign decisions within a political entity is in some way injurious to peace in Northern Ireland. That is wrong.

Stuart Anderson: The hon. Gentleman speaks very wisely. I have listened to the debates this week. I served for 18 months in Northern Ireland during the troubles. My regiment, the Royal Green Jackets, probably lost more than any other regiment throughout the whole process. To use this as a political football is an offence to me and every veteran around the country. It is a tagline that has been thrown away and, I think, will land very badly.

Gavin Robinson: I am grateful to the hon. Gentleman. I have great regard for him. We served on the Defence Committee together. I commend him for his service to this country and to our Province of Northern Ireland.

The arguments advanced are fundamentally wrong. They never point to who is going to engage in violence. They never condemn the threat of violence that would frustrate a legitimate political decision being made—they never reach that far. They never point to which part of the Belfast agreement they take issue with. They say, “This drives a coach and horses through the Belfast agreement”: you will hear it and read it in *Hansard* day in, day out. I say, show me the clause—show me the provision that it breaches. When we ask that question, then we get to the next stage—“Ah, but it is the spirit of the Belfast agreement that you are interfering with.”

I caution Members, particularly those who are not from Northern Ireland and who want to be saying and doing the right thing, and advocating the right position, but perhaps do not have the full picture: when you hear that argument related to European Union matters and to Brexit issues in this Bill, you are hearing it through a one-dimensional prism. I am not saying that nationalists are not entitled to their nationalism just as I am entitled to my Unionism—we are all entitled to our perspectives—but they present this injury to the Belfast agreement in a way that suggests it is a one-dimensional document. They suggest that the only concern within the fragility of peace in Northern Ireland is the satisfaction of those who look to Dublin—those who have an aspiration of unity in the island of Ireland—without reflecting on the fact that the document itself is a balance that brings

communities together and allows them to co-operate with one another. And that has to include Unionism too. It has to include Unionists in Northern Ireland who look to London and believe that the Union is best for us all. For as long as we hear and listen to those arguments, never proven, and for as long as we say, “I’m sorry, we can’t make a legitimate political decision because of the fear—the fantasy—of something that may go wrong in future”, we see this only through the prism of one perspective, and we will end up making the wrong choice.

I say that not to attack Members, who are entitled to their own views, but to say, “Careful, and look a bit beyond some of the arguments.” This Bill does not protect the internal market of the United Kingdom. It is a very good move for those who are concerned about ECJ application and state aid rules affecting businesses in GB. That is the intended purpose of clause 46 and some of the other clauses dealing with state aid. There is nothing in clause 46 or clause 47 without our amendment, or indeed anything, that turns back the clock on the agreements around state aid rules of the European Union applying to Northern Ireland, and nor will there be. That is not an aspiration of the Government. The Government’s perspective is that those issues have been resolved.

In speaking to amendment 22, which I do not believe will be pushed to a vote, I hope that Members who are present this evening and respectfully listening to what I have to say will be here on Monday, when we consider and thoughtfully focus on the Northern Ireland aspects of trade from GB to NI and NI to GB. Those are two different propositions because of the protocol. They are fundamentally different. When we talk about access to the UK’s single market, we are only talking about selling to GB, not buying from it.

I ask that, over the next number of days, Members reflect on some of those issues, and that when we meet on Monday to consider the Northern Ireland implications of the Bill and the wider underpinning agreements that already exist and are not intended to change, they reflect on the amendments that we put forward and proceed on that basis.

Ruth Cadbury (Brentford and Isleworth) (Lab): I rise to support the amendments standing in the name of my right hon. Friend the Member for Doncaster North (Edward Miliband), who I must say made an impressive opening speech on Monday. Those of us elected in 2015 are old enough to remember when we were told we would get chaos if he was elected Prime Minister. As I look at the current Government, the word “chaos” feels like an understatement.

The seat I represent is in west London, but I know that many of my constituents care deeply about the Union of the four nations of the UK, the UK’s reputation, and the credibility of the UK and the rule of law. The debate is not about whether people support or oppose Brexit. I voted against triggering article 50 back in 2017, because I knew that it would take time to sort out the nuts and bolts of Brexit and that we had a long way to go, but we now have only three months until we leave the EU single market. As we can see from the mess in this Bill, there is still an awful long way to go. That hits business, it hits people and it hits our nations.

[Ruth Cadbury]

The debate is, however, about how our Government approach devolution and our future relations with the devolved nations, as well as our current and future trade partners. That approach is, in my view, deeply flawed. The Bill is an act of self-destruction in the middle of a destructive pandemic. In the clauses we are discussing today, we see powers and money pulled away from the devolved nations while we are all caught up in a race to the bottom on standards.

The Government's White Paper claims that they will legislate in a way that "respects the devolution settlement". However, as many have already said in the debate, the Bill does the exact opposite. With due respect to the hon. Member for Belfast East (Gavin Robinson), I am sorry—I disagree. The Bill leads to a significant recentralisation of power away from the devolved Administrations and back to Whitehall, undermining so many of the very many benefits and the core principles of devolution.

Jonathan Gullis: I am going to try asking this question, as a number of my hon. Friends have. Which specific powers that the Welsh Government and the Scottish Government already have are being completely taken away? Clause 47 says "to provide financial assistance". I do not understand how "assistance" means completely taking power away. "Assistance" means to assist.

Ruth Cadbury: I am happy to respond to the hon. Member. Clause 46 specifically says:

"A Minister of the Crown may, out of money provided by Parliament, provide financial assistance to any person... or in connection with, any of the following purposes".

And so it goes on. The power is all in a Minister. That is taking power away from the devolved Governments.

We know that this is a Government who enjoy hoarding power and consistently ignore devolved government, whether it is local councils, city hall or devolved Governments. "Centralisation, centralisation, centralisation" is the mantra from this Government, and it has been since 2010.

7 pm

The Bill hoards financial assistance for our devolved nations back at the centre, and I support the amendments to clause 47 in the name of Her Majesty's Opposition. When financial assistance is provided in areas covered by a devolved Administration, we must work with the devolved Administrations. We cannot and should not see yet another power grab away from our devolved Governments.

Jonathan Gullis: Will the hon. Member give way?

Ruth Cadbury: I will not, because time is short, and I have already given way once.

A central plank of our devolution settlement has been the right of devolved areas to set their own priorities, yet the Bill undermines that by giving Ministers the power to provide funding over a wide range of issues, from culture to sport and economic development. Many voters in red wall seats changed their allegiance at the election, and according to the polling, many of them did so because they felt divorced from Westminster and Whitehall. That is true of people in the devolved countries.

In Scotland and Northern Ireland, they voted strongly away from this Government and also away from Brexit in the referendum.

These powers will only make people in the UK feel further divorced from decision making that affects their lives, on issues such as culture, sport and economic development. The explanatory notes to the Bill even accept that, saying that these powers

"fall within wholly or partly devolved areas".

Members need not take my word for it. The Welsh Government have called this Bill

"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."

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Will the hon. Member give way?

Ruth Cadbury: I will not, because other Members want to speak.

Finally, I want to address state aid. We have witnessed a rather interesting piece of spin from the Government and their supporters. One of the central aims of the Bill—indeed, one of the central reasons why the Government are embarking on breaking international law—is to overrule the provisions on state aid rules that apply in Northern Ireland. Let us not forget that the Government agreed to those provisions in their so-called oven-ready deal.

What is even more concerning is that, while the UK was an EU member, successive Conservative Governments had an almost allergic attitude to state aid. In 2017, France spent almost twice as much as the UK on state aid, and Germany spent a staggering four times as much, so why the sudden focus on state aid? The Conservatives have never been very interested in it, to the detriment of UK businesses, innovation and enterprise. The Government know that, if they have genuine and sincere problems with state aid, that is exactly what the Joint Committee exists for. Once again, we see the Government using a sledgehammer to crack a nut.

Frankly, the buck should stop with the Prime Minister. He knows the damage that this Bill would do to the Union, to the UK's international reputation and to the rule of law. This Bill sets up confrontation with the EU—some 40% of our international trade is with EU countries—and it sets up a stand-off with the courts. It is an attack on the rule of law, and it undermines the UK's commitment to the rules-based international order.

Patricia Gibson: I am delighted to participate in the debate, and I am going to do something unusual: I am going to talk about clauses 46 and 47, which most Government Members have refused to do. I will begin by saying that I support amendment 33 from the Scottish National party.

We are witnessing in this Bill a smash and grab on Scotland's powers. Far from the much-touted "powerhouse Parliament", we have clause 48, a clause that sees the UK Government reserving the devolved policy of state aid, and clause 47, which sees powers given to the UK Ministers in devolved areas. [Interruption.] I will say that again, because the hon. Member for Stoke-on-Trent North (Jonathan Gullis) obviously does not understand it—I know that because I saw him questioning people earlier.

Clause 46 sees powers given to UK Ministers in devolved areas—I will speak slowly so he understands—such as infrastructure, economic development, public spending, culture, sport, education and training. The list goes on.

Jonathan Gullis: Will the hon. Lady give way?

Patricia Gibson: No, I will not. I was trying to educate the hon. Gentleman a wee bit. I am always happy to clear up confusion about what devolution means, because there is a clear lack of knowledge about it.

What we are seeing in this legislation is an underhand, sleekit sleight of hand whereby Scots, who for decades have rejected the Tories, are being put in their box, with powers stripped from their Parliament—a Parliament for which the case was hard fought, and won in the teeth of vociferous Tory opposition—and taken back to Westminster. We all know that the Scottish Parliament was established for Scots to have some say in their own affairs; to allow Scotland to do things differently, instead of every single aspect of our lives being governed by a Tory Government who have won the support of few Scots and the hearts of even fewer.

After 21 years, the Tories have run out of patience with us pesky Scots and they are using legislative procedures, hellbent on bringing to heel the nation that continues to reject them. In the Bill, Scotland will now be denied the choice to use her Parliament to do things differently—to do things according to our values, according to our beliefs. The very essence of devolution is being undermined, diluted and constrained, and in the process opposition to this arrogant madness has united whole swathes of Scottish society—our people, civic society, our educational institutions, our farming communities and our trade unions.

We in Scotland rejected these measures in the Scottish Parliament last month, overwhelmingly. Tory Members do not seem to understand that for Scotland's Parliament not to have control over its own spending priorities is an affront to the democratic will of the sovereign people of Scotland.

The fact that the plans are set out in these clauses means that democratically elected MSPs and members of the Scottish Government can be overlooked, bypassed and marginalised when it comes to spending decisions, and the Bill will jeopardise the current Barnett funding formula. For the Tories, though, it will certainly solve the problem identified by Labour's Baron Foulkes of Cumnock, who—I paraphrase—said, "Scotland is doing things better than England" and

"they are doing it deliberately."

This mean-spirited, grubby, underhand, squalid, sweaty-handed power grab is an attempt to stop just that—Scotland doing things better, and doing them better deliberately. In short, the Bill grabs power from the Scottish Parliament. In answer to the question of what powers will be lost, the Bill could even allow Westminster to interfere on devolved taxation powers, threatening schemes such as the small business bonus.

The Sewel convention says that the UK Parliament would "not normally" legislate in respect of devolved matters without the consent of the devolved Parliaments, and the devolution settlement is clear: what is not reserved is devolved. For this Tory Government to undermine the devolution settlement by refusing to

recognise the correct vehicle for delivery for such programmes designed to replace EU funding is to ride a coach and horses through it. Spending decisions on key infrastructure projects, such as social objectives, will be taken out of the hands of the Scottish Parliament and could be completely out of step with the social and public policy of Scotland's elected Government, excluding important players in Scotland's civic society.

What if the UK Government impose on Scotland a project that goes against the democratic wishes or priorities of the Scottish Parliament? What will happen? How will such disputes be resolved? I think we know where the power grab takes us, in answer to that question. I can barely believe the blatant insult of this UK Government trying to portray the dismantling of the powers of the Scottish Parliament as a power surge. They should get a grip of themselves. Who on earth do they think that they are fooling? Scots are not daft. We can see the bluff and the bluster and the grubby way that this Government do politics. We have waited too long for our own Parliament to see it dismantled by a party that has been rejected by Scotland again and again and, for the record, has been rejected because it simply does not understand Scotland.

Jerome Mayhew: I am very grateful to the hon. Lady for giving way—it shows that perseverance is rewarded eventually. She has referred to the devolution settlement, so I draw her attention to Donald Dewar's 1997 White Paper, "Scotland's Parliament", which says:

"Westminster will continue to be responsible for those areas of policy best run on a United Kingdom basis."

It goes on:

"By preserving the integrity of the United Kingdom, the Union secures for its people participation in an economic unit, which benefits business, provides access to wider markets and investment and increases prosperity to all."

What is wrong with that?

Patricia Gibson: What the hon. Gentleman does again, as, to be fair to him, many of his colleagues have done, is demonstrate that he does not understand devolution. There is nothing to prevent common frameworks. The SNP Government have never objected to that, but what the Government are doing with this Bill is deliberately removing powers from the Scottish Parliament, preventing the Scottish Government from setting their own priorities, so common frameworks are not the issue.

There is a dawning realisation that up with this we in Scotland need not put. The UK Government know that they will never get legislative consent from the Scottish Parliament for this Bill. If the Tories want to win Scotland, if they want to run Scotland, then they really should try winning an election. The grubby tactics being used in this Bill to emasculate our national Parliament will simply not work. The more they try to constrain Scotland's democratic rights, the more the ties that bind us to the rest of the UK loosen, so keep talking. The Scottish people are sovereign. Clauses 46 and 47 are merely footnotes on the journey to Scotland's independence. All this Government are doing with their incompetence and bluster is moving us along our way to independence. They are overplaying their hand and putting the final nails in the Unionist coffin. For that at least, Scotland can be grateful.

Gerald Jones: May I state at the outset that I am extremely proud to be Welsh—that is no secret—but I am almost equally proud to be British? I have never subscribed to the nationalists’ view that we have to choose one over the other. I want to live in a strong Wales, with a vibrant, dynamic and forward-thinking Welsh Government, but I also want Wales to be a strong, active and equal part of the United Kingdom—[*Interruption.*] Do you mind? I want it to have a healthy respect for devolution. That is why I am so concerned about the damage that the Government will do to the future of the Union by pushing ahead with this Bill, not to mention the damage that they have already done and will continue to do to Britain’s reputation and standing in the world.

As we know, the Prime Minister negotiated and signed an agreement with the EU and, just a few months later, is saying that it contains serious problems that could break up our country. Instead of working with the EU to try to find a way forward, this Government are introducing legislation that knowingly and openly breaks international law and will frustrate the process of getting a deal.

The UK’s long-standing reputation has been built on our values and the fact that we have long stood up for the rule of law, and this Prime Minister and Government want to risk all that and throw it away by disregarding an international treaty that the Prime Minister personally negotiated and signed up to. That is not just wrong but completely incompetent, and his behaviour will do us no favours around the world and will not help us to negotiate new trade deals with other countries. We have only to listen to the comments from the US Democrats in the past few days to know that.

It is clear that there needs to be a strong internal market within the UK to enable businesses across all our four nations of the UK to trade freely, which will be vital for the economy and shared prosperity.

7.15 pm

Daniel Kawczynski: Of course, all of us in this House respect the devolution process and Welsh decision making in Cardiff, but does the hon. Gentleman accept for a moment that, as Cardiff and London increasingly diverge, for border communities such as mine with businesses on both sides of the border there are additional problems and risk as a result of that increasing divergence between our two capitals?

Gerald Jones: I thank the hon. Gentleman for his comments, but it is certainly clear to me from comments I have heard from the Government side of the Chamber that plenty of people do not understand devolution. Devolution is about giving powers to those devolved nations to make the decisions for themselves, and that is where some Government Members struggle.

In Wales, the Welsh Government have, as we have heard, stated that the Bill is an attack on democracy and an affront to the people of Wales, not to mention Scotland and Northern Ireland, who have voted in favour of devolution on numerous occasions. As we have heard, one of the Conservatives’ long-standing Senedd Members has resigned as shadow Counsel General over the Bill, commenting:

“The publication today of the Internal Market Bill has done nothing to lessen my anxieties about the dangers facing our 313-year-old Union. Indeed they have been gravely aggravated by the decisions made in the last few days by the Prime Minister.”

That is from a well-respected Member in the Welsh Senedd, and of course we have heard very clear concerns from three former Conservative Prime Ministers and two former Labour ones—in fact, from all living Prime Ministers.

One of the foundations of the devolution delivered by the Labour Government for Wales and Scotland in 1997 and developed over the past 20 years has been the right of devolved nations to set their own priorities on key spending areas. The explanatory notes to the Bill state:

“Part 6 grants power to a UK Minister of the Crown to provide funding across...economic development, infrastructure, culture, sporting activities, and international educational and training activities and exchanges.”

Of course, I welcome any additional funding or assistance that would benefit Wales and my constituents. However, it is not for the UK Government to play Father Christmas and pull those pet projects out of the air. Any additional funding should be delivered by devolved Governments in line with what has been developed over the past 20 years, in a strategic way involving local authorities and local stakeholders. If the Government have their way, spending decisions previously made in Edinburgh, Cardiff and Belfast will now be made in London, and that flies in the face of devolution.

The Government argue that the Bill strengthens the Union on the grounds that it will give the UK Government new powers to spend across all four nations, but I believe that it will have exactly the opposite effect. A Government official reportedly told *Politico* that the spending powers would be used sparingly but demonstrated that the

“devolve and forget approach of the Blair/Brown years”

was over. However, the Bill poses a risk that the UK Government will now be able to undermine the spending decisions and policy priorities of devolved Administrations.

It is no accident that we have yet to receive clarity on the UK shared prosperity fund, after almost two years of waiting. The Government stated that the consultation should have been held in 2018 and that Wales would not lose a penny compared with what we have received until now from the UK structural funds. That funding was based on genuine need, not on patronage or favour. It is essential that any funding Wales now receives is allocated in a similar way, involving the Welsh Government and local authorities in Wales in determining and delivering on local priorities.

On Second Reading, I supported the reasoned amendment tabled by my hon. and right hon. Friends declining to give the Bill a Second Reading, and I voted against the Bill. I will continue to oppose the Bill until the Prime Minister and the Government reconsider and come up with a way to ensure that the devolved settlement is preserved and the Union is intact.

The Government must negotiate in good faith with the EU and devolved nations, instead of creating division and discord that puts getting a deal at risk. So my message to the Prime Minister is this: please get back around the table and negotiate properly and stop posturing. We do not have time for distractions like this when a deal is on the line. We need leadership from the Prime Minister, not theatrics.

Sally-Ann Hart (Hastings and Rye) (Con): The United Kingdom of England, Ireland, Scotland and Wales is the most successful union of nations the world has known.

The Bill will ensure that we continue to thrive as a United Kingdom and that unfettered trade across our four nations continues.

I oppose the Opposition amendments to clauses 46 and 47, although I hear the reasoned speech from my hon. Friend the Member for Belfast East (Gavin Robinson). It is essential that the UK Government have powers to provide financial assistance for economic development throughout the UK, as has been vital during coronavirus and our recovery from the pandemic. The existing clauses will help the Government to deliver on our commitments to replace EU funding programmes, which will include delivering a shared prosperity fund to replace the bureaucratic EU structural funds.

The clauses are consistent with the Government's levelling-up agenda throughout the whole UK. They better position England, Ireland, Scotland and Wales to take advantage of opportunities for future growth and develop our place in the world as a united and independent nation. Our nations—all of them—require investment in and support for our communities, businesses, infrastructure, sport, education and training, among many other policy areas. The Bill will create new opportunities for the Government to do that.

Kirsten Oswald (East Renfrewshire) (SNP): Will the hon. Lady give way?

Sally-Ann Hart: I will not.

If we strengthen our internal market, our nations' economies will be protected. Take Scotland, for example: 60% of Scottish exports, worth more than £50 billion per year, go to other parts of the United Kingdom. The Bill will mean more powers for all parts of the United Kingdom and ensure that businesses can continue to trade across our country, avoiding new burdens and barriers, protecting jobs and supporting our recovery from coronavirus.

The British public want us to get on with delivering Brexit, and it is our responsibility to do so.

Kirsten Oswald: Will the hon. Lady give way?

Sally-Ann Hart: No.

Faced with a choice of supporting our Union or the European Union, I know whose side I am on; do you?

Chris Bryant: There is nothing like a dame, Dame Rosie.

This debate today! I remember sitting in the theatre a few years ago—do you remember the theatre?—and there was a couple in front of me who had had a terrible row. The woman turned to the man and said, just as the curtain was coming up, “The worst of it is that you're so bloody ‘paytronising’.” He kissed her on the forehead and said, “It's ‘patronising’, dear.” If I am honest, I feel we have all patronised each other to death today. Actually, there are lots of areas where there could be some common ground, if we chose to try to find it, which is what I shall try to do in my speech.

Let me start with principles, because they should inform all the legislation that we support. The first principle must surely be—I say this as a proud socialist; I have never run away from the word “socialist”, even when Tony, whom I much admired, was leader of the Labour party—that any country performs best when it

is most equal. When it is most equal, a country is happier, more successful economically and a better country to live in.

Secondly, decisions about policies and, for that matter, about funding are best made closest to the people that they most directly affect. I was a Minister for around 20 minutes, and my experience was that it is all very well coming up with all these grand ideas, sitting in an office in Westminster, but if they cannot be delivered because they do not fit alongside other policies, is just a waste of time—someone would just be wasting their own energy dreaming up legislation, and although they might buff their fingernails at the end of the day, they would not have actually got their hands dirty and achieved anything.

Thirdly, no single policy area stands alone. I have tried to do a lot of work on acquired brain injury over the past few years; it is an issue that affects every single Government Department—the Ministry of Defence, the Department for Work and Pensions, the Department of Health and Social Care, the Ministry of Justice and so many others, including the Treasury, of course. My experience suggests that unless we manage to devise policies that fit with other policies, we are not going to achieve what we could possibly achieve. Perhaps that is just because I believe that we achieve far more by our common endeavour than we do by going it alone.

All that is why I am afraid to say to the people with whom I am often in the same Lobby, but not so much this evening, that I believe in the Union. I believe that Wales is stronger in the Union and—I hate to say this to the people I disagree with in many ways—I am also still a Unionist when it comes to the European Union. I know that I am not meant to raise that decision any more, and that that battle is meant to be done, but—*[Interruption.]* Yes, I did not get the memo, but I will doubtless be sent it later.

I say all these things because I represent one of the poorest constituencies in the UK, one of the poorest constituencies in Wales and one of the poorest constituencies in the whole European Union. I was proud when we kept on getting structural funds in Wales. One of the things that I thought were clever about structural funds was that the funding had to be matched. It always had to sit alongside decisions made locally and money that was raised locally, so there was a degree of devolved decision in there.

I hate to say this, Dame Rosie, but I have a list of things that the Rhondda needs. We need to finish the Rhondda Fach relief road. I would like to improve the railway so that people can get into work much more quickly, with bigger trains and proper toilets. I would like to unblock Stag Square in Treorchy and, for that matter, the roundabout outside Asda. I would like to rebuild the powerhouse in Tonypany, which is falling apart. I would like proper cycle routes up both valleys. I would like a fully funded youth service: unfortunately, the service has been cut in pretty much every part of the UK over the past 10 years.

This year has been—there is a four-letter word for it, but I am not allowed to use it—not very good in the Rhondda. We have had terrible flooding. A quarter of the floods in the whole UK were in my constituency, and my hon. Friend the Member for Pontypridd (Alex Davies-Jones) has experienced, something similar. One of the culverts will cost £300,000 to be mended, and about £140 million-worth of work needs to be done to

[Chris Bryant]

ensure that people's homes are safe. I do not think that that should be met within the normal envelope of the Barnett formula, because I think that is part of us being a Union of four nations.

I have repeatedly asked the Prime Minister for that money, and the Prime Minister has actually said at the Dispatch Box that we will get it, but it has not come and, of course, that makes me worried, because if Rhondda Cynon Taff has to do that work and has to find the money from elsewhere, there is a real danger that lots of other budgets will be slashed to the bone, and, if I am honest, things are already pretty threadbare—if I am not mixing my metaphors.

The one issue that I have had rows with the former Welsh Secretary about—he is not here—is that Wales and many mining constituencies across the UK have former coal tips. They are the responsibility of the Coal Authority and, of course, the problems that stem from them today predate devolution, because nearly all of them were closed long before devolution came to pass—certainly all the ones in the Rhondda. I gather that the Coal Authority, which is an agency of the Westminster Government under the Department for Business, Energy and Industrial Strategy, has produced a new report, or is in the process of doing so, which is likely to suggest that many of those tips need a lot of investment to be made safe.

Just like those in Nottingham or Durham or wherever else in the UK, including in Scotland for that matter, I think that the coal tips in the Rhondda are a UK responsibility—a moral responsibility, even if not a legal responsibility—and we need to ensure that they are safe. A tip in Tylorstown collapsed in the floods earlier this year, and 60,000 tonnes of material needs to be moved, which is a phenomenal job of work for a relatively small local authority to undertake. It is doing it because it has to be done, otherwise there is a real danger of further slippage if there is much more serious flooding later this year. However, we have still not had the guarantee from the Westminster Government that the £1.2 million, which would seem a tiny amount to most people, will come our way.

Now, I actually think that clause 46 is both unnecessary and impotent. It is unnecessary because the Government could do every single thing in clause 46 without it. I do not think it is needed at all, but, equally importantly, I think it is impotent. Let us say for the sake of argument that the Government decided, having heard my pleas for a youth service in the Rhondda and to do up the powerhouse in Tonypandy, that they were going to spend money on a brand-new youth service facility in Tonypandy in the powerhouse. "Hurrah!", I would say. They would not be able to do it without the local authority agreeing to it because they would have to get planning permission and work with the transport facilities. They would have to make sure that people were available to work in it and that it was sustainable, so it would be impossible to implement that simply on the basis of clause 46. I say gently to some of my colleagues that I think they have slightly over-egged the argument that suddenly Westminster will descend and plant things in constituencies, because I do not think it will be able to. I think this is very poorly drafted legislation, as it happens.

7.30 pm

My final point is that I think there would be a better process available to make sure that we bind together—

Alan Brown: Will the hon. Member give way?

Chris Bryant: I know that the hon. Member has spoken a bit. I would normally give way, but I am not going to on this occasion.

There would be a better process available. We have been waiting for a very long time for the shared prosperity fund structure to be announced. That should have been here long before we got to this point. I have a terrible feeling that what the Government will introduce is something that will either try to bypass the Welsh Government or the Scottish Government, or will try to set up a competition between different local authorities. I do not think that that will mean that the money goes where it is most needed and where it can be most effective. I urge the Government to think hard about introducing a shared prosperity fund and the outline of that as soon as possible.

Of course, money should be spent in relation to need—it is a very old principle for all of us Opposition Members: from each according to his ability, to each according to his or her need—and that is all I really want. I am never going to say no to money for the Rhondda. I will constantly ask for it and I am very hopeful that the Minister, when she answers, is going to say, "Yes, Chris—or yes, Dame Rosie, Chris can have his money for the flooding, the tips and the youth service." Incidentally, as chair of the Rhondda arts festival in Treorchy, RAFT, I declare my interest—I have no financial interest; I am not remunerated for it. We would quite like some money for that as well.

Aaron Bell (Newcastle-under-Lyme) (Con): It is a pleasure to follow the hon. Member for Rhondda (Chris Bryant) and I thank him for his courtesy in rejecting an intervention and giving me and the people of Newcastle-under-Lyme a few moments at the end of the debate.

This debate is focused on part 6, and I believe that the commitments that we are making demonstrate the seriousness of the Government's intent to deliver on the promises of the Vote Leave campaign. We will match what happened with the EU structural funds in each home nation through the new UK shared prosperity fund, and we will continue to co-operate across the UK to overcome coronavirus together. Coronavirus has demonstrated the true value of the Union, with the devolved Governments working together with Westminster to help people and businesses through the pandemic. The Bill will facilitate more of that joint working to the benefit of everyone across the UK.

We have heard a lot today and yesterday about power grabs. If there is a power grab, it is from Brussels, because having won our independence referendum, we are quite rightly restoring the powers that used to reside in this place. The UK's internal market is centuries old and has never needed to be recognised in statute in this way before. However, that is necessary now to provide legal certainty for businesses and consumers across all four home nations as we exit the internal market of the EU.

This Bill and these clauses are needed to protect jobs and prosperity across the United Kingdom and to prevent new burdens and new barriers restricting the historical unfettered right to trade. In fact, it is SNP Members who are trying to grab more and new powers for the Scottish Government through these amendments. At the time of the Scotland Act 1998, which created the Scottish Parliament, it was never envisaged that the devolved Assemblies would be endowed with the powers that they now seek. All the talk we have heard of the Sewel convention and the rest of it is, therefore, anachronistic, because the convention was after the fact of our being in the internal market. We are restoring the situation that existed prior to the EU. These powers were never promised to Scotland at the time, and we have heard many arguments about that this evening. I understand why SNP Members seek these powers—they know they are a necessary part of independence—but I remind them that the Scottish people have already had their say on that. Indeed, I think that this is once again an attempt by the SNP, regrettably, to disrupt the Bills with which the Government seek to legislate in the national interest and to make this debate about independence, which is a pity.

To wrap up, I will quote my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb), who spoke earlier: when did devolution become about stopping this place from acting in the best interests of the whole UK? This is the right place. Westminster has Scottish, Welsh and Northern Irish representation in it. This is the right forum for these discussions and these issues. I commend the clauses to the Committee, and urge hon. Members to reject the Opposition amendments this evening.

Paul Blomfield (Sheffield Central) (Lab): I rise both to reflect on today's debate and to speak to amendments 14, 15 and 16, which are tabled in my name and those of my hon. and right hon. Friends. In doing so, I hope to strike a similar tone to my hon. Friend the Member for Rhondda (Chris Bryant), because our amendments, quite contrary to some of the things suggested about them, are intended to strengthen the Bill. That is because we want a successful internal market for all four nations of the UK when we leave the transition on 31 December, just as we want the Prime Minister to deliver the oven-ready deal with the EU that he promised the British people in December, with the promise of tariff-free and barrier-free trade.

For those who have suggested otherwise, we are a party of the Union; we simply think that the best way of protecting the Union is by respecting the devolution settlement. That is what our amendments seek to do, by correcting two fundamental flaws in the Bill as drafted: the way that it gives the Government powers to dish out financial assistance in whatever way they like, with no policy framework to provide accountability, and the way that it gives powers to the centre at the expense of the devolved Administrations, while marginalising local authorities and local communities in England, too.

Clause 46 sets out the powers being given to Ministers for the disbursement of funds in an extraordinary range of areas—economic development; sports and cultural activities, projects, events and infrastructure; education and training activities and infrastructure; capital investment in water, electricity, gas, telecommunications, sewerage,

railways, roads, transport, health, prisons, courts and housing. These are massive potential spending powers, yet we have no details of how they will be exercised, allowing Ministers to award financial assistance in any way, and to anyone, they like.

These powers go further than replacing EU structural funds, but the need to replace them was the starting point for this part of the Bill. EU structural funds were of huge importance to many parts of the UK, acting as a redistributive mechanism and taking from the rich and giving to the poor, based on the principle of levelling up—long before the Government had ever stumbled across the idea, and forgetting the role of their predecessors in making sure that so many parts of our country were left behind. Structural funds led to real social and economic development, improving opportunities in areas that were previously held back. Crucially, the priorities were set locally: money was drawn down for use within the agreed criteria of the funds, which were primarily focused on need, but set by those engaged in developing the programmes at a local level.

Dame Rosie, you and I both saw the benefits of structural funds in South Yorkshire after our coal and steel industries were decimated by Margaret Thatcher. Objective 1 funding over seven years helped to grow our economy by over 8%, from the advanced manufacturing park to community skills projects, supporting business growth and creating new jobs. Crucially, all those projects were conceived, planned and delivered locally.

How EU structural funding is to be replaced has been an important issue since we took the decision to leave the European Union. The right hon. Member for Preseli Pembrokeshire (Stephen Crabb), in the smaller part of his contribution earlier, identified the problem here. Colleagues on both sides of the House have been pressing the Government for answers on how the funds will be disbursed. The response was: “We’re going to have a shared prosperity fund”, but to this day there has been no detail on how it will work. The Government promised a consultation as early as 2017, in the Conservative party manifesto. They proclaimed that they would “consult widely” so that the fund would be “targeted where it is needed most.”

Nothing happened. Under pressure, there were some engagement events to “seek views”, but they stopped in the middle of last year. There has not been a single engagement event or consultation event since this Prime Minister took office.

The Conservatives’ 2019 manifesto says of leaving the EU that

“we can take back control of the money that was being channelled via its Structural Funds.”

But who do they mean by “we”? Ministers, without reference to anyone? It is no surprise that Members have talked about this being an open door to pork barrel politics: funding for skills training, bus stations, sports events and theatres, directed to meet the political needs of the Conservative party; more contracts, perhaps, for party donors and friends—or perhaps the latest project from Dominic Cummings and his team of what he describes as “weirdos and misfits”.

Amendment 14 should reassure Members on both sides of the Committee, because it simply proposes what the Government promised: a clear policy framework for the distribution of funds. We are talking about very large sums of money. The UK would have received

[Paul Blomfield]

£13 billion over the next seven years from structural funds. The Government have pledged to match that, but how it is spent matters to everyone in this House and those we represent. Parliament must agree it. Amendment 14 would empower us to do that, and we should do so after comprehensive engagement with the devolved Administrations, local authorities, elected Mayors and those who speak for our communities.

There are other fears about the impact of the Bill on the devolution settlement—fears that amendments 15 and 16 seek to address. As others have explained, the Bill allows for money currently spent in Scotland, Wales and Northern Ireland through the devolved Administrations to be directed from the centre. Given how this Government operate, there are real fears that existing funds for those Administrations could be top-sliced and redirected for spending in those nations by UK Ministers. The powers handed to Ministers through part 6 of the Bill could be used to serve their political agenda and to undermine the devolved Administrations.

Ben Lake: I am very interested in amendments 14 to 16. Will the hon. Gentleman clarify a little further the role that he envisages the devolved Governments playing in the formulation of the policy frameworks that he has just referred to?

Paul Blomfield: I am happy to take that point, because I would have imagined that the consultation that the Government promised but have failed to deliver would have at its heart real engagement with the devolved Administration, but also with local authorities across the nations of the UK and with our elected Mayors. I would have imagined that all those critical stakeholders would shape the framework, which we as a Parliament could then agree.

Amendments 15 and 16 would provide transparency and protect the decision-making powers of the Senedd, Holyrood and Stormont by making clear that, in relation to all the areas of spending set out in clause 46, funding is allocated to the devolved Administrations, and that all financial assistance related to devolved matters is delivered through the devolved Administrations. That would prevent the Bill from creating a back door through which Ministers could undermine devolution—a power grab in which spending decisions previously made in Edinburgh, Cardiff and Belfast would be made in London, and that would also marginalise local authorities.

We debated on Monday, and next Monday we will debate again, those parts of the Bill that have dominated the headlines and shocked people around the world, but today's debate has demonstrated that it has other deeply concerning aspects. We heard about some yesterday, and they were echoed in the issues raised today. They are concerns about where power lies and how we make the decisions affecting our communities. Labour's amendments seek to ensure that we hear local voices, spend money where it is needed and protect the Union. I commend them to the House.

The Minister of State, Cabinet Office (Chloe Smith): First, I thank you, Dame Rosie, for presiding over us in Committee this afternoon, and I thank the hon. Member for Sheffield Central (Paul Blomfield) on the Opposition Front Bench for his calm tone at the end of

what has been a fiery debate. Indeed, in that vein, I also thank the hon. Member for Rhondda (Chris Bryant), who brought us to a mature tone after much back and forth. At this early point in my response, I thank him for his points about flooding funding and his coal tip, which I will take away and ensure are looked into the spirit in which he spoke this evening.

7.45 pm

As everybody here knows, this Government are determined to deliver on the commitments on which we were elected, which include levelling up the whole United Kingdom, delivering prosperity for all our citizens and strengthening the ties that bind our Union together. Part 6 of the Bill helps to achieve that. The power, as many have already observed today, will enable spending in the areas of infrastructure, economic development, culture and sport, and will support educational and training activities and exchanges both within the UK and internationally, much of which was previously done at EU level.

The EU previously directed investments in many of those areas on the basis of priorities set by 28 different countries, and the power will allow us instead to focus UK taxpayers' money on UK domestic priorities. For the first time, the funds will be open to direct scrutiny in this House by Scottish, Welsh, English and Northern Irish MPs. I was shocked that those on the Scottish National Benches appeared to dismiss that and think that constituency representation in this House was in some way either unnecessary or, worse, improper.

The creation of a UK-wide Government power, in addition to the devolved Administrations' existing powers, will allow the UK Government to complement and strengthen the support already given to citizens in Scotland, Northern Ireland and Wales without taking away responsibilities from the devolved Administrations, and I emphasise that point to, among others, the hon. Members for Cardiff North (Anna McMorrin) and for Pontypridd (Alex Davies-Jones).

As we heard from the Chair of the Welsh Affairs Committee, my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb), it is a legitimate authority for the UK Government to seek to look after all citizens, and Members of this House have a legitimate authority in arguing for their own constituencies. The hon. Member for Leeds North West (Alex Sobel), who is not in his place, called that idea "pork barrelling", but Labour Members crowded into my right hon. Friend's office when he was in Government to argue that investment in their areas was needed.

Putting that to one side, it is essential that we continue to support businesses and communities in recovering from the impacts of covid, and that is why, as my hon. Friend the Member for Brecon and Radnorshire (Fay Jones) pointed out, we need to level up the country now and drive investment into all parts of the UK. In fact, we have showcased the benefits that such funding can bring through the city and growth deals across the entire country, through which the Scottish Government, the Welsh Government, the Northern Ireland Executive and local partners have accepted funding to support economic growth. Indeed, there is nothing new about the UK Government supporting economic development, using, for example, the Industrial Development Act 1982 to do so.

The power we are considering today seeks to support a wider range of crucial areas that can improve people's lives and livelihoods. That is very important, as my hon. Friends the Members for Heywood and Middleton (Chris Clarkson), for Bishop Auckland (Dehenna Davison) and for West Bromwich West (Shaun Bailey) pointed out. It seeks to ensure that the UK Government can respond effectively to opportunities across the UK. As some Members have put it today, objecting to that is tantamount to objecting to the UK Government being able to spend taxpayers' money on the communities and businesses of Scotland, Wales or Northern Ireland in every corner of the country for which the Government are responsible.

Amendments 33, 11 and 19 suggest that UK Ministers ought to request consent from the devolved Administrations to use the power. Let me start with the context that I referred to at the outset of my remarks. Currently, EU bodies do that spending on our behalf. They are unelected and they spend billions of pounds that we have provided as a net contributor, and that is drawing to an end. This legislation confers a power to ensure that we can invest UK taxpayers' money nationwide on UK priorities and support people and businesses here in the UK. We intend to take a much more collaborative approach to delivering replacements to EU programmes than was ever the case with the European Union mandate. That will include engaging heavily with local authorities and the devolved Administrations, as well as with wider organisations. The new power will ensure that the UK Government are well positioned following the transition period to deliver investments to replace EU structural funds, at a minimum maintaining levels of investment across all four nations as per our manifesto commitment.

It is right that this responsibility should be held by the UK Government, rather than the EU. This will ensure that any financial assistance can be unified, that it can be universal in some instances and intra-UK in others, and that it can be at a scale that the whole of the UK can achieve. It is right to want to ensure that citizens in Scotland, Wales and Northern Ireland can continue to benefit from any initiatives that can bring such UK-wide benefits, as we did most recently with something on the scale of the furlough scheme. I again want to assure the hon. Members who tabled the amendments in this group that—

Alan Brown: Will the Minister give way?

Chloe Smith: I certainly will not, because the hon. Gentleman has asked every single speaker this afternoon to give way, and I really need to answer the points raised by other hon. and right hon. Members here tonight.

The UK Government do not take any powers away from the devolved Administrations, because this is in addition to devolved powers, which continue. As I have said, we want to continue to work with the devolved Administrations and local authorities to ensure that this power is used to best effect, augmenting the existing powers used to support citizens across the UK. At this point, I want to thank the hon. Member for Edinburgh West (Christine Jardine), who made the point very well about the need for consultation and partnership working.

I believe that UK Government Ministers, under the scrutiny of the UK Parliament, should have that ability to invest UK-wide. A legislative obligation to seek consent from colleagues in Stormont, Cardiff Bay or Holyrood

might not always be appropriate in that context. That is because, as I have set out, the plans for investment will be at a strategic level, including on UK-wide projects, which would not be suitable to be blocked by any one part of the country. Indeed, the hon. Member for Glasgow North (Patrick Grady) revealed in his comments that his party's priorities lay elsewhere. Perhaps that is the case on independence, as SNP Members have missed no chance to tell us about that this afternoon, but the hon. Gentleman said that economic development, infrastructure, education, culture, sport and more were not a priority in Scotland. Those were his words, and there we have it—[*Interruption.*] They would block such things.

Amendment 14, from the hon. Member for Sheffield Central, would require both Houses of Parliament to agree by resolution how the power should operate. It is absolutely essential that any and all spending of taxpayers' money is subject to proper scrutiny and, as the House well knows, we have this responsibility and authority when the Government seek to raise taxes and set budgets for public spending. We have it in the Commons, but not in the Lords, and the first thing I would say about amendment 14 is that it has a weakness—indeed, a major flaw—in that it invites the House of Lords to take a stance on financial matters, which it does not do. I have full confidence in the House of Commons to scrutinise UK Government spending decisions in this way, as it also does daily through Committees such as the Public Accounts Committee. The House would also have the opportunity to vote on spending allocation under this power, through the estimates process. So I argue first that amendment 14 is unnecessary because there are already processes for looking at that expenditure, and I argue secondly that it is not right to give that power to the House of Lords as well as to the House of Commons.

Amendments 15, 16 and 12 propose that the devolved Administrations should themselves be funded to provide financial assistance under this legislation. I have already articulated why a new power is needed, so this really comes down to the very core point. For investment that is strategic, that is at a certain scale, that can be intra-UK and that can provide benefits universally across the UK, should the power be held at UK level or at the devolved level? This argument has been made pretty clearly, and it has reverberated across every part of the Chamber this afternoon. I do not think I need to re-summarise it here, but I say very clearly that this Government is a Unionist Government and we put the argument today that it is a sensible role for the UK Government to hold such a power. Therefore, I turn away from amendments that are simply based on a different view.

Amendment 12 seeks to go further. It suggests that the funding arising from the power be pre-allocated on the basis of GDP, and should take the form of multi-annual funding.

Let me take this opportunity to make it absolutely clear that devolved Administrations will continue to receive funding through the block grant and the Barnett formula, where appropriate. I thank my right hon. Friend the Member for Vale of Glamorgan (Alun Cairns) for making a powerful argument that the nations are home to some of the most deprived communities in the UK—and this goes to the argument that is contained in the amendment, perhaps, about where need is. The spending power in the Bill helps to answer that call.

[Chloe Smith]

As for the idea of long-term planning and multi-annual funding that is also encapsulated in the amendment, the funding arrangements and the governance for use of the UK-wide spending power will be a decision for the spending review, and that is the right way to allocate multi-annual funding. I urge hon. Members not to press the proposed amendment, because it is not necessary in this instance.

I turn to amendment 22, on which colleagues from Northern Ireland have spoken passionately today, especially the right hon. Member for East Antrim (Sammy Wilson) and the hon. Member for Belfast East (Gavin Robinson)—[*Interruption.*] The hon. Gentleman is waving at me from slightly outside the Chamber. I assure the hon. Members who authored the amendment that it is the intention and the effect of the power to apply equally across all of our nation, but I do not think that was quite the point of the hon. Gentleman's argument today. In fact, I suggest to him, politely and gently, that those arguments are best taken up again in the next session of this Committee, when we turn to Northern Ireland's interests more broadly, and specifically those to do with state aid, which is where I think he will be able to secure a much fuller discussion of the points that he was making.

I would like to take this opportunity also to reassure the hon. Member for Foyle (Colum Eastwood) that community balance can be accommodated, such as it has been indeed through the Derry/Londonderry and Strabane city deal, and we intend that kind of partnership to be able to continue.

I thank the hon. Member for Belfast South (Claire Hanna) for her passionate speech. She was of course right to quote John Hume: the best peace process of all is a job, and that is the kind of economic focus we intend through the Bill.

Let me also, just in passing, say to the hon. Member for Foyle—and I hope he is able to hear me, although he is also not in his place—that there is no intention to change any arrangements to do with water and water charges in Northern Ireland through the Bill. I hope he can note that—

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): I want to explain for the benefit of any people who may be watching that normally Members would be in their place, but the restrictions in the Chamber mean that some are not.

Chloe Smith: Of course, Dame Rosie, and I mean no discourtesy, either to them or to your chairing of the debate. It is just a little unusual not to be able to see the Member to whom you are directing a comment.

Let me turn to amendment 22, on the important topic of climate change, tabled by the hon. Member for Brighton, Pavilion (Caroline Lucas). She made her case with her usual passion and eloquence, which I greatly respect. I share her determination to see those goals achieved, and so do the United Kingdom Government. However, there is already an overarching legal and policy framework for achieving those goals, and I do not think it is necessary to put that restriction on that power, so I urge her not to press the amendment.

Let me turn briefly to Government amendments 23, 24, 25 and 36, which seek to add to the types of mechanisms by which such assistance can be provided to further support economic development and other matters across the UK by means of an investment fund. Those are to help to ensure that this power can be used to best effect to boost growth, and I certainly hope every right hon. and hon. Member would support that.

This power, and the Bill overall, present a real once-in-a-generation opportunity to level up our country, to strengthen our Union and to allow the UK Government to invest better the taxpayers' money that was previously spent by Brussels. We have a responsibility to support people, businesses and communities across the whole of our United Kingdom. This power enables the UK Government to do that in a variety of ways. I say to my right hon. and hon. Friends who asked about the UK shared prosperity fund that we can meet the manifesto commitment to deliver the fund, which matches the value of EU structural funds by using the provisions set out in this part of the Bill.

8 pm

This power gives us the ability to support our world-leading cultural sector, which includes more than 30 world heritage sites, some of the most visited museums and galleries in the world, and festivals that showcase the UK's creativity and innovation. It also provides the chance further to support sports policy interventions that will benefit the whole or any part of the UK. It gives us the chance to support educational and training exchanges in the UK and beyond, benefiting not only students but all of us. The Government are determined to pursue high-quality educational opportunities that meet our skills needs, fuel our economy and create world-leading outcomes for students.

The power means that we can consider infrastructure investment across the boundaries of the nations—constituency examples have been given that show why that is so important, especially in areas where two of our nations come together—and it leaves the competences of our devolved Administrations intact. Above all, the Bill will deliver a thriving UK internal market, underpinned by the strength of the UK Government. It will provide opportunity and prosperity for citizens across this country. I commend clauses 46 and 47 to the House.

Alison Thewliss (Glasgow Central) (SNP): The Minister has given no concessions and very little by way of explanation for why these powers are required and exactly what the Government intend to do with them. Some Members said that this is about money. It is not about money; there is no money in the Bill. It is about the principle, devolution and where powers are best exercised.

I have a lot of sympathy with what the hon. Member for Rhondda (Chris Bryant) said. Many people who now vote for the SNP did not start out as nationalists. That would be impossible, given the growth in our party over recent years. Many of them would have a lot of sympathy with what he said about what the Union ought to be, but that is not where we are. That is not where Scotland is right now, and it is as a result of this Government and previous Governments, and of promises made and promises broken, that we are in the situation that we find ourselves in today.

This Bill exemplifies the very worst of that with this power grab. The explanatory notes clearly state that the purposes in part 6

“fall within wholly or partly devolved areas under the Scotland Act 1998, Government of Wales Act 2006 and Northern Ireland Act 1998.”

They are powers that are being removed from the devolved institutions and hoarded here at Westminster. We will no longer have a say over all the issues that we have a say over at the moment; that will be exercised by a Government and Ministers we did not elect. That cannot be allowed to stand.

I have many things to say about the Bill, but we are late in hour and late in time. With the leave of the House, I will withdraw amendment 33, but I reserve the right to vote against clause 46. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 46

POWER TO PROVIDE FINANCIAL ASSISTANCE FOR
ECONOMIC DEVELOPMENT ETC

Question put, That the clause stand part of the Bill.

The Committee proceeded to a Division.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): I must inform colleagues that, unfortunately, the pass readers in the Aye Lobby are not working. This means that colleagues who wish to vote Aye will need to do so by walking through the Chamber and stating their names at the Dispatch Box. I ask colleagues who want to vote Aye to join the queue to enter the Chamber. The No Lobby is unaffected and colleagues can continue to use the pass readers—*[Interruption.]* Apparently, the pass readers in the No Lobby are not working either, so all colleagues will need to vote by walking through the Chamber and stating their names at the Dispatch Box. I ask colleagues to join the queue to enter the Chamber. I ask the Tellers for the Noes to take up their place in the Under Gallery and the Tellers for the Ayes to take up their place in the officials' Box.

Once the Tellers are in place, I will start inviting Members to file past the Table, stopping at the Dispatch Box to state their names and how they are voting. You should file to the left-hand side of the Table if you are voting Aye and the right if you are voting No. I suggest that Members on the Front Benches move further back for social distancing purposes, because other Members will be filing past. May I invite the first Member to step forward?

The Committee having divided: Ayes 340, Noes 51.

Division No. 98]

[8.4 pm

AYES

Adams, Nigel	Argar, Edward
Afolami, Bim	Atherton, Sarah
Afriyie, Adam	Bacon, Gareth
Ahmad Khan, Imran	Bacon, Mr Richard
Aldous, Peter	Badenoch, Kemi
Allan, Lucy	Bailey, Shaun
Amess, Sir David	Baillie, Siobhan
Anderson, Lee	Baker, Duncan
Anderson, Stuart	Baker, Mr Steve
Andrew, Stuart	Baldwin, Harriett
Ansell, Caroline	Barclay, rh Steve

Baron, Mr John	Drummond, Mrs Flick
Baynes, Simon	Duddridge, James
Bell, Aaron	Duguid, David
Benton, Scott	Duncan Smith, rh Sir Iain
Beresford, Sir Paul	Eastwood, Mark
Berry, rh Jake	Edwards, Ruth
Bhatti, Saqib	Ellis, rh Michael
Blackman, Bob	Ellwood, rh Mr Tobias
Blunt, Crispin	Elphicke, Mrs Natalie
Bone, Mr Peter	Eustice, rh George
Bottomley, Sir Peter	Evans, Dr Luke
Bowie, Andrew	Evennett, rh Sir David
Bradley, Ben	Everitt, Ben
Bradley, rh Karen	Fabricant, Michael
Braverman, rh Suella	Farris, Laura
Brereton, Jack	Fell, Simon
Bridgen, Andrew	Fletcher, Katherine
Brine, Steve	Fletcher, Mark
Bristow, Paul	Fletcher, Nick
Britcliffe, Sara	Ford, Vicky
Brokenshire, rh James	Foster, Kevin
Browne, Anthony	Francois, rh Mr Mark
Bruce, Fiona	Freeman, George
Buchan, Felicity	Freer, Mike
Buckland, rh Robert	Fuller, Richard
Burghart, Alex	Fysh, Mr Marcus
Burns, rh Conor	Gale, rh Sir Roger
Butler, Rob	Garnier, Mark
Cairns, rh Alun	Ghani, Ms Nusrat
Carter, Andy	Gibb, rh Nick
Cartlidge, James	Gibson, Peter
Cash, Sir William	Gideon, Jo
Cates, Miriam	Gillan, rh Dame Cheryl
Caulfield, Maria	Girvan, Paul
Chalk, Alex	Glen, John
Chishti, Rehman	Goodwill, rh Mr Robert
Chope, Sir Christopher	Gove, rh Michael
Churchill, Jo	Graham, Richard
Clark, rh Greg	Grant, Mrs Helen
Clarke, Mr Simon	Grayling, rh Chris
Clarke, Theo	Green, Chris
Clarke-Smith, Brendan	Green, rh Damian
Clarkson, Chris	Griffith, Andrew
Cleverly, rh James	Griffiths, Kate
Clifton-Brown, Sir Geoffrey	Grundy, James
Coffey, rh Dr Thérèse	Gullis, Jonathan
Colburn, Elliot	Halfon, rh Robert
Collins, Damian	Hall, Luke
Costa, Alberto	Hammond, Stephen
Courts, Robert	Hancock, rh Matt
Coutinho, Claire	Hands, rh Greg
Crabb, rh Stephen	Harper, rh Mr Mark
Crosbie, Virginia	Harris, Rebecca
Crouch, Tracey	Harrison, Trudy
Daly, James	Hart, Sally-Ann
Davies, David T. C.	Hart, rh Simon
Davies, Gareth	Hayes, rh Sir John
Davies, Dr James	Heald, rh Sir Oliver
Davies, Mims	Heappey, James
Davis, rh Mr David	Henderson, Gordon
Davison, Dehenna	Henry, Darren
Dinage, Caroline	Higginbotham, Antony
Dines, Miss Sarah	Hinds, rh Damian
Djanogly, Mr Jonathan	Hoare, Simon
Docherty, Leo	Holden, Mr Richard
Donaldson, rh Sir Jeffrey M.	Hollinrake, Kevin
Donelan, Michelle	Hollobone, Mr Philip
Dorries, Ms Nadine	Holloway, Adam
Double, Steve	Holmes, Paul
Dowden, rh Oliver	Howell, John
Doyle-Price, Jackie	Howell, Paul
Drax, Richard	Huddleston, Nigel

Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 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
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, David
 Morris, James
 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
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Quin, Jeremy
 Quince, Will
 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
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 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
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 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
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
Maggie Throup and
Tom Pursglove

NOES

Bardell, Hannah
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 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
 Eastwood, Colum
 Edwards, Jonathan
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Flynn, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hanna, Claire

Harvey, Neale
 Hendry, Drew
 Lake, Ben
 Law, Chris
 Lucas, Caroline
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McLaughlin, Anne
 Monaghan, Carol
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Oswald, Kirsten
 Saville Roberts, rh Liz
 Smith, Alyn
 Stephens, Chris
 Thewliss, Alison
 Thomson, Richard
 Whitford, Dr Philippa
 Williams, Hywel
 Wishart, Pete

Tellers for the Noes:
Owen Thompson and
David Linden

Question accordingly agreed to.

Clause 46 ordered to stand part of the Bill.

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.

Clause 47

FINANCIAL ASSISTANCE: SUPPLEMENTARY

Amendments made: 23, in clause 47, page 37, line 23, leave out "take the form" and insert "be provided by way".

This amendment, together with Amendment 24, would allow financial assistance under Clause 46 to take any form.

24, in clause 47, page 37, line 23, after "indemnities" insert "or in any other form".

This amendment, together with Amendment 23, would allow financial assistance under Clause 46 to take any form.

25, in clause 47, page 37, line 25, after "interest" insert "or other return".

This amendment would ensure that the Minister could provide financial assistance in a way that generates a return other than interest - which might be the case for investment in investment funds.

26, in clause 47, page 37, line 26, at end insert—

“(d) may be provided to an investment fund for onward investment or administrative costs relating to onward investment.”—(*Maria Caulfield.*)

This amendment would enable the Minister to provide financial assistance to investment funds for onward investment.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): Amendment 14 has been selected by the Chairman of Ways and Means for separate decision.

Amendment proposed: 14, in clause 47, page 37, line 29, at end, insert—

“(3A) Financial assistance under section 46 must be the subject of a framework agreement to be agreed by resolution of each House of Parliament.”—(*Edward Miliband.*)

The intention of this amendment is to provide a policy framework for the allocation of financial assistance.

Question put, That the amendment be made.

The Committee proceeded to a Division.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): It has not been possible to mend the electronic pass reader, so we will repeat the same procedure as previously. We need to wait until the tellers are in place and then I will invite the first hon. Member to come forward.

The Committee having divided: Ayes 208, Noes 330.

Division No. 99]

[20.39

AYES

Abbott, rh Ms Diane	Creasy, Stella
Abrahams, Debbie	Cruddas, Jon
Ali, Rushanara	Cryer, John
Ali, Tahir	Cummins, Judith
Allin-Khan, Dr Rosena	Cunningham, Alex
Amesbury, Mike	Daby, Janet
Anderson, Fleur	Davey, rh Sir Edward
Antoniazzi, Tonia	David, Wayne
Ashworth, Jonathan	Davies, Geraint
Barker, Paula	Davies-Jones, Alex
Beckett, rh Margaret	De Cordova, Marsha
Begum, Apsana	Debbonaire, Thangam
Benn, rh Hilary	Dhesi, Mr Tanmanjeet Singh
Betts, Mr Clive	Dodds, Anneliese
Blake, Olivia	Donaldson, rh Sir Jeffrey M.
Blomfield, Paul	Doughty, Stephen
Brabin, Tracy	Dowd, Peter
Bradshaw, rh Mr Ben	Dromey, Jack
Brennan, Kevin	Duffield, Rosie
Brown, Ms Lyn	Eagle, Ms Angela
Brown, rh Mr Nicholas	Eagle, Maria
Bryant, Chris	Eastwood, Colum
Buck, Ms Karen	Efford, Clive
Burgon, Richard	Elliott, Julie
Byrne, Ian	Elmore, Chris
Byrne, rh Liam	Eshalomi, Florence
Cadbury, Ruth	Esterson, Bill
Campbell, rh Sir Alan	Evans, Chris
Carden, Dan	Farry, Stephen
Chamberlain, Wendy	Fletcher, Colleen
Champion, Sarah	Fovargue, Yvonne
Clark, Feryal	Foxcroft, Vicky
Cooper, Daisy	Foy, Mary Kelly
Cooper, Rosie	Furniss, Gill
Corbyn, rh Jeremy	Gardiner, Barry
Coyle, Neil	Gill, Preet Kaur

Girvan, Paul	Murray, James
Glendon, Mary	Nandy, Lisa
Green, Kate	Nichols, Charlotte
Greenwood, Lilian	Norris, Alex
Greenwood, Margaret	Olney, Sarah
Griffith, Nia	Onwurah, Chi
Gwynne, Andrew	Oppong-Asare, Abena
Haigh, Louise	Osamor, Kate
Hamilton, Fabian	Osborne, Kate
Hanna, Claire	Owatemi, Taiwo
Hardy, Emma	Paisley, Ian
Harman, rh Ms Harriet	Peacock, Stephanie
Harris, Carolyn	Pennycook, Matthew
Hayes, Helen	Perkins, Mr Toby
Healey, rh John	Phillips, Jess
Hendrick, Sir Mark	Phillipson, Bridget
Hill, Mike	Powell, Lucy
Hillier, Meg	Qureshi, Yasmin
Hodge, rh Dame Margaret	Rayner, Angela
Hodgson, Mrs Sharon	Reed, Steve
Hollern, Kate	Rees, Christina
Hopkins, Rachel	Reeves, Ellie
Howarth, rh Sir George	Reeves, Rachel
Huq, Dr Rupa	Ribeiro-Addy, Bell
Hussain, Imran	Rimmer, Ms Marie
Jardine, Christine	Robinson, Gavin
Jarvis, Dan	Rodda, Matt
Johnson, Dame Diana	Russell-Moyle, Lloyd
Johnson, Kim	Shah, Naz
Jones, Darren	Sharma, Mr Virendra
Jones, Gerald	Sheerman, Mr Barry
Jones, rh Mr Kevan	Siddiq, Tulip
Jones, Ruth	Slaughter, Andy
Jones, Sarah	Smith, Cat
Kane, Mike	Smith, Jeff
Keeley, Barbara	Smith, Nick
Kendall, Liz	Smyth, Karin
Khan, Afzal	Sobel, Alex
Kinnock, Stephen	Spellar, rh John
Kyle, Peter	Stevens, Jo
Lavery, Ian	Stone, Jamie
Lewell-Buck, Mrs Emma	Streeting, Wes
Lewis, Clive	Stringer, Graham
Lloyd, Tony	Sultana, Zarah
Lockhart, Carla	Tami, rh Mark
Long Bailey, Rebecca	Tarry, Sam
Lucas, Caroline	Thomas, Gareth
Lynch, Holly	Thomas-Symonds, Nick
Madders, Justin	Thornberry, rh Emily
Mahmood, Mr Khalid	Timms, rh Stephen
Mahmood, Shabana	Trickett, Jon
Malhotra, Seema	Turner, Karl
Maskell, Rachael	Twigg, Derek
Matheson, Christian	Twist, Liz
McCabe, Steve	Vaz, rh Valerie
McCarthy, Kerry	Webbe, Claudia
McDonald, Andy	West, Catherine
McDonnell, rh John	Whitehead, Dr Alan
McFadden, rh Mr Pat	Whitley, Mick
McKinnell, Catherine	Whittome, Nadia
McMahon, Jim	Wilson, Munira
McMorrin, Anna	Wilson, rh Sammy
Mearns, Ian	Winter, Beth
Miliband, rh Edward	Yasin, Mohammad
Mishra, Navendu	Zeichner, Daniel
Moran, Layla	
Morden, Jessica	
Morgan, Stephen	
Morris, Grahame	
Murray, Ian	

Tellers for the Ayes:

**Bambos Charalambous and
Matt Western**

NOES

Adams, Nigel	Crabb, rh Stephen	Harrison, Trudy	Metcalfe, Stephen
Afolami, Bim	Crosbie, Virginia	Hart, Sally-Ann	Millar, Robin
Afriyie, Adam	Crouch, Tracey	Hart, rh Simon	Miller, rh Mrs Maria
Ahmad Khan, Imran	Daly, James	Hayes, rh Sir John	Milling, rh Amanda
Aldous, Peter	Davies, David T. C.	Heald, rh Sir Oliver	Mills, Nigel
Allan, Lucy	Davies, Gareth	Heapey, James	Mohindra, Mr Gagan
Amess, Sir David	Davies, Dr James	Henderson, Gordon	Moore, Damien
Anderson, Lee	Davies, Mims	Henry, Darren	Moore, Robbie
Anderson, Stuart	Davis, rh Mr David	Higginbotham, Antony	Mordaunt, rh Penny
Andrew, Stuart	Davison, Dehenna	Hinds, rh Damian	Morris, David
Ansell, Caroline	Dinenage, Caroline	Hoare, Simon	Morris, James
Argar, Edward	Dines, Miss Sarah	Holden, Mr Richard	Morrissey, Joy
Atherton, Sarah	Djanogly, Mr Jonathan	Hollinrake, Kevin	Morton, Wendy
Bacon, Gareth	Docherty, Leo	Hollobone, Mr Philip	Mullan, Dr Kieran
Bacon, Mr Richard	Donelan, Michelle	Holloway, Adam	Mumby-Croft, Holly
Badenoch, Kemi	Dorries, Ms Nadine	Holmes, Paul	Mundell, rh David
Bailey, Shaun	Double, Steve	Howell, John	Murray, Mrs Sheryll
Baillie, Siobhan	Dowden, rh Oliver	Howell, Paul	Murrison, rh Dr Andrew
Baker, Duncan	Doyle-Price, Jackie	Huddleston, Nigel	Neill, Sir Robert
Baker, Mr Steve	Drax, Richard	Hudson, Dr Neil	Nici, Lia
Baldwin, Harriett	Drummond, Mrs Flick	Hughes, Eddie	Nokes, rh Caroline
Barclay, rh Steve	Duddridge, James	Hunt, Jane	Norman, rh Jesse
Baron, Mr John	Duguid, David	Hunt, Tom	O'Brien, Neil
Baynes, Simon	Duncan Smith, rh Sir Iain	Jack, rh Mr Alister	Offord, Dr Matthew
Bell, Aaron	Eastwood, Mark	Javid, rh Sajid	Opperman, Guy
Benton, Scott	Edwards, Ruth	Jayawardena, Mr Ranil	Parish, Neil
Beresford, Sir Paul	Ellis, rh Michael	Jenkin, Sir Bernard	Paterson, rh Mr Owen
Berry, rh Jake	Ellwood, rh Mr Tobias	Jenkinson, Mark	Pawsey, Mark
Bhatti, Saqib	Elphicke, Mrs Natalie	Jenkyns, Andrea	Penning, rh Sir Mike
Blackman, Bob	Eustice, rh George	Johnson, Dr Caroline	Penrose, John
Bone, Mr Peter	Evans, Dr Luke	Johnson, Gareth	Percy, Andrew
Bottomley, Sir Peter	Evennett, rh Sir David	Johnston, David	Philp, Chris
Bowie, Andrew	Everitt, Ben	Jones, Andrew	Pincher, rh Christopher
Bradley, Ben	Fabricant, Michael	Jones, rh Mr David	Poulter, Dr Dan
Bradley, rh Karen	Farris, Laura	Jones, Fay	Pow, Rebecca
Braverman, rh Suella	Fell, Simon	Jones, Mr Marcus	Prentis, Victoria
Brereton, Jack	Fletcher, Katherine	Jupp, Simon	Pritchard, Mark
Bridgen, Andrew	Fletcher, Mark	Kawczynski, Daniel	Quin, Jeremy
Brine, Steve	Fletcher, Nick	Kearns, Alicia	Quince, Will
Bristow, Paul	Ford, Vicky	Keegan, Gillian	Randall, Tom
Britcliffe, Sara	Francois, rh Mr Mark	Knight, Julian	Redwood, rh John
Brokenshire, rh James	Freeman, George	Kruger, Danny	Rees-Mogg, rh Mr Jacob
Browne, Anthony	Freer, Mike	Kwarteng, rh Kwasi	Richards, Nicola
Bruce, Fiona	Fuller, Richard	Lamont, John	Richardson, Angela
Buchan, Felicity	Fysh, Mr Marcus	Largan, Robert	Robertson, Mr Laurence
Buckland, rh Robert	Gale, rh Sir Roger	Latham, Mrs Pauline	Robinson, Mary
Burghart, Alex	Garnier, Mark	Levy, Ian	Rosindell, Andrew
Burns, rh Conor	Ghani, Ms Nusrat	Lewer, Andrew	Ross, Douglas
Butler, Rob	Gibb, rh Nick	Lewis, rh Brandon	Rowley, Lee
Cairns, rh Alun	Gibson, Peter	Lewis, rh Dr Julian	Russell, Dean
Carter, Andy	Gideon, Jo	Liddell-Grainger, Mr Ian	Rutley, David
Cartlidge, James	Gillan, rh Dame Cheryl	Loder, Chris	Sambrook, Gary
Cash, Sir William	Glen, John	Logan, Mark	Saxby, Selaine
Caulfield, Maria	Goodwill, rh Mr Robert	Longhi, Marco	Scully, Paul
Chalk, Alex	Gove, rh Michael	Lopez, Julia	Seely, Bob
Chishti, Rehman	Graham, Richard	Lord, Mr Jonathan	Selous, Andrew
Chope, Sir Christopher	Grant, Mrs Helen	Mackinlay, Craig	Shannon, Jim
Churchill, Jo	Grayling, rh Chris	Mackrory, Cherylyn	Shapps, rh Grant
Clark, rh Greg	Green, Chris	Maclean, Rachel	Sharma, rh Alok
Clarke, Mr Simon	Green, rh Damian	Mak, Alan	Shelbrooke, rh Alec
Clarke, Theo	Griffith, Andrew	Malthouse, Kit	Simmonds, David
Clarke-Smith, Brendan	Griffiths, Kate	Mangnall, Anthony	Skidmore, rh Chris
Clarkson, Chris	Grundy, James	Mann, Scott	Smith, Chloe
Cleverly, rh James	Gullis, Jonathan	Marson, Julie	Smith, Greg
Clifton-Brown, Sir Geoffrey	Halfon, rh Robert	Mayhew, Jerome	Smith, Henry
Coffey, rh Dr Thérèse	Hall, Luke	Maynard, Paul	Smith, Royston
Colburn, Elliot	Hammond, Stephen	McCartney, Jason	Solloway, Amanda
Collins, Damian	Hancock, rh Matt	McCartney, Karl	Spencer, Dr Ben
Costa, Alberto	Hands, rh Greg	McPartland, Stephen	Spencer, rh Mark
Courts, Robert	Harper, rh Mr Mark	Menzies, Mark	Stafford, Alexander
Coutinho, Claire	Harris, Rebecca	Mercer, Johnny	Stephenson, Andrew
		Merriman, Huw	Stevenson, Jane

Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian

Walker, Mr Robin
 Wallace, rh Mr Ben
 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
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Maggie Throup and
Tom Pursglove

Question accordingly negated.

Clause 47, as amended, ordered to stand part of the Bill.

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.

The occupant of the Chair left the Chair (Programme Order, 14 September).

The Deputy Speaker resumed the Chair.

Progress reported; Committee to sit again tomorrow.

Intelligence and Security Committee of Parliament

Motion made, and Question proposed,

That Chris Grayling be removed from the Intelligence and Security Committee of Parliament under Schedule 1 to the Justice and Security Act 2013 and Bob Stewart be appointed to that Committee under section 1 of that Act.—(*Mr Rees-Mogg.*)

Question put and agreed to.

Business Without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Rosie Winterton):
 With the leave of the House, we shall take motions 4 to 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (PROFESSIONAL QUALIFICATIONS)

That the draft Professional Qualifications and Services (Amendments and Miscellaneous Provisions) (EU Exit) Regulations 2020, which were laid before this House on 6 July, be approved.

EXITING THE EUROPEAN UNION (HEALTH AND SAFETY)

That the draft Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) (EU Exit) Regulations 2020, which were laid before this House on 7 July, be approved.

EXITING THE EUROPEAN UNION (IMMIGRATION)

That the draft Immigration (Persons Designated under Sanctions Regulations) (EU Exit) Regulations 2020, which were laid before this House on 15 June, be approved.—(*David Duguid.*)

Question agreed to.

Misogyny in Sport

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

9.10 pm

Alex Davies-Jones (Pontypridd) (Lab): Diolch, Madam Deputy Speaker, for the opportunity to introduce my first Adjournment debate. I also thank the Minister for being here to respond to what is a global issue in sports clubs big and small around the world.

Misogyny in sport is an incredibly broad topic for debate, and I want to make clear that it operates at every level. I could talk for hours about every sport known to man or woman—no pun intended—and those who know me would say that that is not hard, but it is already late, so we do not have the time. I will therefore try to focus my speech on a few specific issues that may not be so well known to the Minister or, indeed, to others listening here today.

The first is the misogyny we see in wrestling. While some will say that wrestling is not a sport, that is a debate for another day. The hon. Member for Bolsover (Mark Fletcher) and I are co-chairs of the all-party parliamentary group on wrestling, which I of course encourage Members of all political persuasions to join, so this is an issue close to my heart, not least because of the close links with my constituency in south Wales.

I will also touch on the barriers to participation in sport for women and girls. Simple issues, including kit and equipment designed with boys and men in mind, allow such inequalities to persist. I spoke to many individuals and sports clubs ahead of this evening's debate, and they told me that everything from street harassment during training to unequal funding is having a gendered impact on interest in sports and exercise.

As colleagues across the House know, I am a proud woman of the Welsh valleys, so it seemed only fitting to begin my preparation for this debate by looking at the media coverage of Wales's most famous sports stars, but there were far fewer women than men in those articles. What message does that send to young girls in my constituency, and across the country, about who sport is for, and what our sporting heroes should look like?

This is really a debate about the opportunities that we afford young people. Time and again I have heard the same stories about how some sports are gendered early on. Although I left school some years ago now, it surprises me that netball and hockey are still routinely aimed at women and girls, and football and rugby associated with men and boys.

Wendy Chamberlain (North East Fife) (LD): I thank the hon. Lady for bringing an important topic to the Chamber. As a proud Scotswoman, I play the Scottish sport of shinty, which is often mistaken for hockey. Does the hon. Lady welcome, as I do, the quadrupling in women registering to play shinty over the past 10 years despite the challenges to which she refers?

Alex Davies-Jones: I thank the hon. Member and absolutely echo her call. I look forward to watching shinty once it is given the prominence it deserves.

If we are to reduce misogyny and sexism within sport, we must do more to encourage variety at the first opportunity. A huge part of that battle lies with all of us. We all have a responsibility to call out misogyny and

sexism where and whenever we can. On that point, I pay tribute to my hon. Friend the Member for Walthamstow (Stella Creasy) for her campaign to make misogyny a hate crime. Only when misogyny is recognised for exactly what it is will we be able to reduce the abuse that women in sport often face. We all know how important sport and exercise are for both mental and physical wellness, and I am particularly worried that fears around misogyny are having an impact on the number of women participating in sport. The charity Women in Sport recently reported that 1.5 million fewer women than men participate in sport at least once a month.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on securing this debate, because it is important to address misogyny in sport. Does she agree that we need to take all possible practical steps to ensure that, for example, my three beautiful young granddaughters—they get their good looks from their mother and grandmother, not me—have the same opportunities in sport that my handsome wee grandson will have? It is important for the future that we do this for the children.

Alex Davies-Jones: I thank the hon. Member for his intervention. Now that he has intervened in my Adjournment debate, I feel that I am a proper MP. I completely echo his calls, and hope to see his grandchildren among our sports stars of the future.

Women make up only 18% of qualified coaches and only 9% of senior coaches. In almost half of publicly funded national governing bodies, less than a quarter of their board are women, and, in total, women make up only around 30% of board members. While it is easy to get lost in the statistics, these numbers really do matter, particularly in traditionally male-dominated sports such as wrestling. The disturbing reality and lived experience for many female wrestlers is, more often than not, entrenched in misogyny. I have heard horrific tales from female wrestlers who were faced with threats of rape or sexual assault, all in the name of "friendly banter". I have also heard from women as young as 13 or 14 who, at the start of their careers, were the targets of vile behaviour that saw male wrestlers competing to be the one to take their virginity.

The #MeToo movement shone a light on the inherent misogyny that persists across so many industries, but less well known is the Speaking Out movement, which has left the wrestling industry tainted with its harrowing stories of emotional and sexual abuse. These behaviours are disgraceful, yet they continue to persist, and ultimately, the sports industry urgently needs more regulation.

The UK Government have a responsibility to engage proactively with governing bodies to support women and to bring an end to this abuse. I would be interested to know how many meetings the Minister has had with governing bodies to discuss misogyny in sport. What tests has his Department put in place to hold these institutions to account, particularly when there is no governing body to hold to account, as with wrestling? Who should these young women turn to? We saw this problem with British Gymnastics. It is welcome that UK Sport and Sport England are commissioning the Whyte review into British Gymnastics, but the UK Government must take the lead.

Women also often face barriers to accessing the proper equipment they need to participate in sports. Think about large-scale running events: most of these events

provide runners with kit, which is almost always “unisex”—which of course, in reality, is not true. Yet it is not all doom and gloom; there is hope. There are many wonderful examples in my own constituency of groups that are doing an excellent job of encouraging women and girls’ participation in sport. Rhondda Ladies Hockey Club, supported by Hockey Wales, has been doing amazing work to encourage women, as well as members of the LGBTQ+ community, to participate in sport. I pay tribute to their fantastic work, and especially the work of my own former head of sixth form at Tonyrefail School, Kay Tyler, the club secretary. I also would love to highlight the fantastic work of the Pontyclun Falcons ladies’ rugby team in my community, and their team manager, Michelle Fitzpatrick, in encouraging and supporting women to play rugby.

Yet issues around misogyny in sport are apparent across every age group. University teams across the UK have repeatedly hit the headlines, most commonly when men’s sports teams have been penalised for horrendously sexist, homophobic or racist themed nights out. And still, as in many industries around the country, women are paid less than their male counterparts for exactly the same work.

There are also massive differences in the funding opportunities. We saw that just recently: during the coronavirus crisis, the suspension of top-level football was initially applied equally to both the men’s and women’s competitions, but when games were allowed to start up again, the Football Association cancelled the women’s super league and championship matches. In contrast, the men’s premier league and championship games were able to resume.

Yet what is perhaps most shocking of all lies in public attitudes towards sport. Insure4Sport recently found that an incredible 40% of participants do not believe that women’s and men’s sport should get equal TV coverage. Some of the responses on this reasoning were, frankly, disgraceful, ranging from, “I think women lack enthusiasm,” to, “I find them slow, weak and boring,” and, my personal favourite, “I personally think it’s not natural for a woman to play these types of sports.” Call me old-fashioned, but in 2020, I am flabbergasted that women’s sport is seen as “less than” in every sense.

The coronavirus pandemic has, of course, added to the strain that sports clubs across the country are facing. Clubs at all levels are feeling the severe financial pinch and there is already concern that the women’s game and their funding will suffer most in the long term. Many women’s elite teams are tied to or are subsidiaries of professional men’s clubs. When the men’s clubs hit hard financial times, they often cut ties with the women’s teams to save money. For example, when the men’s club withdrew funding in 2017, the Notts County women’s club collapsed, leaving their players jobless and, in some cases, homeless just two days before the season was due to start.

The Minister must ensure that the UK Government act to support women’s sport through the coronavirus crisis and to guarantee that future generations have the opportunity to develop a love for sport, which will pay dividends throughout their lives. Nevertheless, bleak as this sounds, there is hope. Generations of children are now growing up with female sport heroes to look up to, and we must not lose this momentum.

Jim Shannon: The hon. Member for Chatham and Aylesford (Tracey Crouch) is an ambassador and a pioneer in this House for football. She has not been able to attend the House because of illness, but we should put on record our thanks to her for what she did to promote the sport of football. She came to my constituency and visited the Comber Rec women’s football team, and really encouraged those people to take sport forward.

Alex Davies-Jones: I thank the hon. Member for his contribution, and I completely echo his call. I have not had the opportunity to meet the hon. Lady yet, but I wish her well from the House. I know that she is a passionate advocate for women’s sport, as am I, and I am glad that we could work cross-party on this.

As I have said, there are some real trailblazers in traditionally male-dominated sport. I am sure that we will be seeing my two nieces, Katie and Robyn, on prime-time sports programming in the near future—well, fingers crossed anyway. From Tegan Nox, a proud Welsh valleys woman who is making waves in the wrestling world, to the formidable Fallon Sherrock, who I am sure will teach the men a thing or two in the upcoming world series of darts, it cannot be denied that women really can compete alongside the very best, regardless of gender. I am sure that the Minister will agree that these women are excellent examples of the very reasons why women and girls should be given equal opportunities early in life.

Lastly, it would be foolish of me to secure such an important debate without touching on the decade-long period of cuts that has seen sports clubs and facilities fold at the hands of this Government. In July 2019, it was reported that since 2010, more than 700 council-run football pitches across the UK have been lost forever.

Wendy Chamberlain: I thank the hon. Member for giving way again. I would like to echo that and promote the #SaveLeisure campaign, because this is not just about sports clubs folding, but about the local council trusts that are running sport across the UK, which are now finding things really challenging, and that is having a knock-on effect on clubs.

Alex Davies-Jones: I completely agree with the hon. Member, and thank her for her contribution.

On that subject, by contrast, the Welsh Labour Government’s Vision for Sport truly prioritises the needs of people in Wales, and we are seeing some fantastic local initiatives pop up. In my constituency of Pontypridd, the local Labour-led council set up the fantastic “Dark in the Park” project in conjunction with Newydd housing association. This project uses local outdoor spaces such as Ynysangharad park to deliver a couch-to-5k running activity in the evening for local people.

I would like the Minister to join me this evening in acknowledging the deeply misogynistic behaviours that still exist across the sport industry. While it would be foolish of me to ask the Government to intervene on the practices in sports club boardrooms across the country, I can ask that he and the Department for Digital, Culture, Media and Sport actively encourage better practices for clubs, big and small. I specifically request that he consult the Chancellor ahead of the upcoming autumn Budget to ensure that local authority spending is not subject to further cuts that will impact the availability of sports facilities for all.

Carla Lockhart (Upper Bann) (DUP): We saw in the last few weeks the England football team giving pay parity to the women's and men's teams. Does the hon. Member agree that the Government need to do more to encourage broadcasters to promote women's sport? If we look at the disparity between the showing of male-dominated sport and that of female-dominated sport, we see there is quite a gap.

Alex Davies-Jones: I completely agree with the hon. Member's calls. If we do not see women's sport, there is no women's sport. It needs to be visible to all of us for all of us to be encouraged to take part and see those heroes, so that we have heroes for our young people to look up to.

I also request that fair funding is given to the devolved nations in terms of the Barnett consequential, which will allow for small steps to be taken to provide equal opportunities for everyone interested in sport. Ultimately, leadership to eradicate sexism and misogyny must start at the top. The road to ending this deeply entrenched inequality is undeniably long—a marathon, not a sprint, if you will—but until we see real change from the Government and a true commitment to eradicating sexism and misogyny in sport, I am afraid that the conversation will not even get off the starting blocks. Diolch.

9.24 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Nigel Huddleston): I thank the hon. Member for Pontypridd (Alex Davies-Jones) for tabling this important topic for debate this evening. She spoke eloquently, knowledgeably and passionately about this very important topic, and I agreed with her on the vast majority of the issues she raised.

The great power of sport is that it has an amazing ability to bring people together and to unite for common goals. Sport should be an inclusive sector to work in, with opportunities for everyone. It should be enjoyable to watch, with everyone feeling welcome and included. Everyone should be able to take part in the sport or physical activity of their choosing—from football to rugby to wrestling, and beyond.

We have seen great progress, as the hon. Lady acknowledged, with women's sport in recent years, with levels of media coverage and sponsorship higher than they have ever been, but of course there is much more to do. Misogyny has no place in our society. Any form of discrimination is abhorrent, and we must do all we can to tackle it. We have heard examples this evening of women facing disproportionate challenges in the sector. The examples the hon. Lady gave and others remain, sadly, all too frequent, and they happen across many aspects of the sporting sector.

In broadcasting, women's sport still lags behind men's in coverage. It is often only in the biggest events—the Olympics, the Paralympics, Wimbledon and so on—that women's sport gets equal screen time and debate. However, the issue goes deeper than broadcasters' decisions. Sporting federations and event organisers support a great many more top-level men's events than women's. As the hon. Lady mentioned, covid has had a disproportionate impact on women's competitions compared with men's events, with many women's top-level leagues and events cancelled.

The inherent economic imbalance between men's and women's sport is leaving women's sport having to fight harder to recover from coronavirus. That cannot be right.

Women have been historically under-represented as presenters or commentators, but that is starting to change with the concerted effort of broadcasters and some fantastic role models in this arena. This should be recognised and praised, and we are now more likely to see female presenters, pundits and commentators for both men's and women's sport on TV and radio. However, that itself has been a catalyst for online abuse, with female presenters being trolled and receiving misogynistic abuse from so-called fans who obviously believe women have no right to talk about sport, as the hon. Lady mentioned.

As I have said before about women in politics, if we want more women in sport, we need to start treating the ones we already have a lot better. This is something we do take very seriously as a Government. We are working on the plans set out in the Government's online harms White Paper to introduce world-leading legislation to make companies more responsible for the users' safety online. There are of course provisions in the Equality Act 2010 to protect people against discrimination, whether in the workplace, as consumers or as members of private clubs or associations. However, I repeat that there should be no place in sport for discrimination of any kind. Whether it is done consciously or unconsciously, we need to address discrimination and have open and challenging conversations about these issues.

Are there challenges? Yes. Should we do everything we can to tackle them? Of course. We can take heart from the great progress we have seen in women's sport over recent years, and I want to say a few words about that now. The year 2019 was a fantastic one for women's sport. To choose just two, the FIFA women's world cup in France and the netball world cup in Liverpool were fantastic events that shone a spotlight on brilliant women sport stars. On top of that, the UK hosted the women's Ashes and a thrilling Solheim cup.

We will be hosting some more great events in the coming years, including the Rugby League world cup in 2021, which will for the first time see a combined men's, women's and wheelchair tournament. In 2022, the UK is due to host the UEFA women's Euro football championships and, of course, the Birmingham 2022 Commonwealth games, where there will be more women's medal events than men's. This will be the first time in history that a major multi-sport event will feature more women's than men's medal events, and we can have it right on our shores, which we should all be very proud of.

We are seeing the popularity of women's sport continue to grow, with record audiences tuning in or turning up to watch international and domestic women's events. On the commercial investment side, we have seen record sponsorship deals struck, including Barclays' sponsorship of the women's super league and Boots's sponsorship of women's national football teams. There are also many examples of individual clubs promoting equality between their men's and women's teams. Just last month I was delighted to visit Lewes Football Club in East Sussex. As many hon. Members will know, it was the first professional or semi-professional football club to have equal playing budgets for its men's and women's teams, which is something I applaud.

All of that is helping to inspire more women and girls to become active. The latest data from Sport England's Active Life survey in April showed that before covid-19 there were more than 210,000 active women compared with the previous year. We want to continue to encourage more women and girls to get active and build on the momentum generated by initiatives such as Sport England's "This Girl Can" campaign, which launched its latest TV advert just this week. The latest phase of the campaign recognises that, for many people, the pandemic has added to the physical, financial and time barriers to getting active. The campaign uses real-life stories to celebrate the inventive ways in which many women have stayed active during the pandemic and helped to inspire many others.

I am pleased to say that more women are working in the sector than ever before. Sport England's annual survey of diversity in sport governance, published in September last year, showed that women now make up an average of 40% of board members across Sport England and UK Sport-funded bodies. There is still progress to be made, but that is quite a remarkable achievement, and the Government continue to work with sports and sport bodies to ensure that opportunities to progress are open to all.

We want to raise the profile of, and encourage more commercial investment in, women's sport. Sponsorship and media coverage go hand in hand. As the hon. Member for Pontypridd mentioned, if women's sport does not have the media coverage, sponsors often do not see it as commercially attractive. It is fantastic to see elite women's sport getting better coverage, but our key aim is to use that exposure to encourage more women and girls to get active. As we set out in the Government's sport strategy "Sporting Future", sport and physical activity should be accessible to all, and we mean all.

However, there is still a gap in participation levels between men and women. We know that there is still more work to be done to break down the barriers that prevent women and girls from getting active. Over the summer I met sport governing bodies and the CEO of the fantastic charity Women In Sport, which the hon. Lady mentioned, to explore further the new challenges that covid-19 has posed to women in sport and to discuss what more can be done. I am happy to say that there was a real, shared commitment among sports to protect investment in women's sport and promote its growth. I also wrote to the major sports governing bodies and asked what they were doing to encourage women's sport. They came back with very positive responses. I look forward to seeing those positive responses and words turn into action, as I am sure the whole House does.

I recognise the impact that covid-19 has had on sport, but women's sport has been hit particularly hard. I want to take this opportunity to assure hon. Members that I am personally committed to helping women's sport come out of the current crisis stronger than ever, and I am working closely with the sector to ensure that that happens.

Jim Shannon: One thought that I have had while the Minister has been presenting his case is about the need for stars—those who can be role models to promote a sport. Is that something that he could work on? If we can do that for the adults, the children will come through on the back of it.

Nigel Huddleston: I thank the hon. Gentleman for his intervention; I, too, do not feel that it is a proper debate without being intervened on by him. As always, he makes a valid and important point. During the coronavirus crisis, for example, we have seen leading sportsmen and, in particular, women show real leadership, being absolute role models, helping out in their communities and getting out the important messages about coronavirus that we need to get out there. On an ongoing basis, we see many female sports stars getting the credit they deserve, but we need to do more. I applaud those who have stood up and helped during the coronavirus crisis. Many women's sport stars have played a lead role in many charities. They are deservedly on that pedestal.

Public funding in sport, which the hon. Member for Pontypridd mentioned, should clearly benefit women's sport and physical activity. That is something I am very passionate about. I have made it clear to all the major sporting bodies that if they are receiving Government funding, I expect and require them to make sure that an adequate share of that funding is spent on women's sport.

Misogyny has no place in our society and has no place in sport. Sport should bring people together. It should be inclusive as a sector and enjoyable to watch and participate in. We have seen great progress with women's sport, with bigger audiences, increasing sponsorship deals and more coverage, and we are seeing progress on participation with more women and girls being physically active, but we must not become complacent or turn a blind eye to discrimination or misogyny. I thank the hon. Member again for reminding us of that by securing this evening's debate.

Question put and agreed to.

9.35 pm

House adjourned.

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
James Brokenshire (Old Bexley and Sidcup)	Stuart Andrew
Ms Lyn Brown (West Ham)	Chris Elmore
Richard Burgon (Leeds East)	Zarah Sultana
Conor Burns (Bournemouth West)	Stuart Andrew
Liam Byrne (Birmingham, Hodge Hill)	Chris Elmore
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 (Torridge 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

Member eligible for proxy vote	Nominated proxy
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
Martin Docherty-Hughes (West Dunbartonshire)	Patrick Grady
Allan Dorans (Ayr, Carrick and Cumnock)	Patrick Grady
Peter Dowd (Bootle)	Chris Elmore
Nadine Dorries (Mid Bedfordshire)	Stuart Andrew
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
Paul Girvan (South Antrim)	Sammy Wilson
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
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
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
Dan Jarvis (Barnsley Central)	Chris Elmore
Ranil Jayawardena (North East Hampshire)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North)	Chris Elmore

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Alicia Kearns (Rutland and Melton)	Stuart Andrew	Layla Moran (Oxford West and Abingdon)	Wendy Chamberlain
Barbara Keeley (Worsley and Eccles South)	Chris Elmore	David Morris (Morecambe and Lunesdale)	Stuart Andrew
Afzal Khan (Manchester, Gorton)	Chris Elmore	James Murray (Ealing North)	Chris Elmore
Sir Greg Knight (East Yorkshire)	Stuart Andrew	Ian Murray (Edinburgh South)	Chris Elmore
Julian Knight (Solihull)	Stuart Andrew	John Nicolson (Ochil and South Perthshire)	Patrick Grady
Ian Lavery (Wansbeck)	Kate Osborne	Dr Matthew Offord (Hendon)	Rebecca Harris
Chris Law (Dundee West)	Patrick Grady	Guy Opperman (Hexham)	Stuart Andrew
Clive Lewis (Norwich South)	Chris Elmore	Kate Osamor (Edmonton)	Nadia Whittome
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew	Owen Paterson North Shropshire)	Stuart Andrew
Tony Lloyd (Rochdale)	Chris Elmore	Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Rebecca Long Bailey (Salford and Eccles)	Cat Smith	Yasmin Qureshi (Bolton South East)	Chris Elmore
Julia Lopez (Hornchurch and Upminster)	Lee Rowley	Christina Rees (Neath)	Chris Elmore
Mr Jonathan Lord (Woking)	Stuart Andrew	Ellie Reeves (Lewisham West and Penge)	Chris Elmore
Holly Lynch (Halifax)	Chris Elmore	Naz Shah (Bradford West)	Chris Elmore
Kenny MacAskill (East Lothian)	Patrick Grady	Mr Virendra Sharma (Ealing, Southall)	Chris Elmore
Karl McCartney (Lincoln)	Stuart Andrew	Mr Barry Sheerman (Huddersfield)	Chris Elmore
Stewart McDonald (Glasgow South)	Patrick Grady	Tulip Siddiq (Hampstead and Kilburn)	Chris Elmore
John McDonnell (Hayes and Harlington)	Zarah Sultana	Henry Smith (Crawley)	Stuart Andrew
Anne McLaughlin (Glasgow North East)	Patrick Grady	Jo Stevens (Cardiff Glasgow Central)	Chris Elmore
John Mc Nally (Falkirk)	Patrick Grady	Sir Gary Streeter (South West Devon)	Stuart Andrew
Khalid Mahmood (Birmingham, Perry Barr)	Chris Elmore	Mel Stride (Central Devon)	Stuart Andrew
Shabana Mahmood (Birmingham, Ladywood)	Chris Elmore	Jon Trickett (Hemsworth)	Olivia Blake
Ian Mearns (Gateshead)	Chris Elmore	Karl Turner (Kingston upon Hull East)	Chris Elmore
Mark Menzies (Fylde)	Stuart Andrew	Dr Philippa Whitford (Central Ayrshire)	Patrick Grady
Carol Monaghan (Glasgow North West)	Patrick Grady		

Written Statement

Wednesday 16 September 2020

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Commercial Property Tenants and Landlords

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): I am today informing the House that I have laid a statutory instrument that will extend the moratorium on commercial landlords' right to forfeit a lease due to the non-payment of rent to the end of the year.

The moratorium was established via Section 82 of the Coronavirus Act 2020 and was due to expire on 30 September. It has now been extended by three months and will expire on 31 December 2020. This extension will help provide businesses and employees with certainty and protect vital jobs, particularly in the retail and hospitality sectors.

This is being accompanied by an amendment to Commercial Rent Arrears Recovery measures led by the Ministry of Justice. Accompanying restrictions on the service of statutory demands and winding-up petitions, implemented through the Corporate Insolvency and Governance Act 2020, are currently in place until 30 September, and we are working closely across Government to consider a similar extension to these.

Since March, Government have implemented a range of measures to support commercial property tenants and landlords. The objective of these measures was to preserve tenants' businesses through the covid-19 lockdown

and to give time and space to landlords and tenants to agree reasonable adjustments to rent and lease terms, including terms for the payment of accumulated rent arrears.

This is a temporary measure being extended; however Government recognise that it cannot go on indefinitely. We recognise the impact that this extension has on landlords, therefore we expect both sides of the sector to use this time to negotiate and Government will intervene further if necessary.

This extension will provide the businesses with certainty as they scale up their recovery from covid-19 and will ensure that sectors most acutely impacted by the closure of non-essential retail can benefit from the Christmas trading period.

This is not a rent holiday. Government are clear that landlords and tenants should be coming together to negotiate in good faith where a tenant is unable to pay in full, using the principles set out in the voluntary code of practice we published in June which recommends that those tenants who can pay should do so while those landlords who are able to grant concessions should do so. This code of practice and approach was supported by a wide range of sector bodies representing tenants and landlords.

England, Northern Ireland and Wales are covered by the protection from forfeiture in the Coronavirus Act. Section 82 relates to England and Wales, and the Welsh Government have already laid a statutory instrument to extend the measures for an additional three months. Section 83 relates to Northern Ireland, who are currently considering a similar extension. The Scottish Government passed separate emergency legislation to implement similar measures.

[HCWS453]

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Wednesday 23 September 2020**

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