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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 23 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.]

Speaker's Statement

Mr Speaker: I remind colleagues that deferred Divisions will take place today on seven statutory instruments in the Members' Library between 11.30 am and 3.30 pm. Members will cast their votes by placing their completed Division slip in one of the ballot boxes provided. I remind colleagues of the importance of social distancing during deferred Divisions and ask them to pick up a Division slip from the Vote Office and fill it in before they reach the Library, if possible. The result will be announced in the Chamber as soon as possible after the Division is over.

Oral Answers to Questions

WOMEN AND EQUALITIES

The Minister for Women and Equalities was asked—

Disabled People: Covid-19

Debbie Abrahams (Oldham East and Saddleworth) (Lab): What assessment she has made of the effect on disabled people of the covid-19 outbreak. [906534]

The Minister for Disabled People, Health and Work (Justin Tomlinson): The Government are committed to supporting disabled people affected by the covid-19 outbreak. We continue to monitor the impact of covid-19 on disabled people using existing and new data sources.

Debbie Abrahams: Between March and July, disabled people, including people with a health condition or impairment, accounted for almost 60% of all covid deaths, yet a survey of disabled people in Greater Manchester revealed that eight out of 10 were not included in the official Government shielded group, in spite of 57% having significant support needs. With the second wave upon us, what is the Secretary of State doing to ensure that all clinically vulnerable people are shielded and properly supported?

Justin Tomlinson: That is a really important point. Through my work as the Minister for Disabled People and in conjunction with the Disability Unit, for which I am responsible, where stakeholders identify challenges around support for those who were shielding, we raise that with the relevant Minister. Obviously, shielding has come to an end, and that is kept under review. We must ensure that people feel safe, particularly those who are

seeking to work. We expect employers to act in accordance with the Equality Act 2010. Working with the Department for Business, Energy and Industrial Strategy, the Health and Safety Executive and ACAS, we are publishing helpful guidance to ensure that there is sufficient support for those who are coming out of shielding and returning to normality.

Caroline Nokes (Romsey and Southampton North) (Con): The charity SignHealth has been working to provide British Sign Language translation for covid sufferers in health settings free of charge since the pandemic began. It has submitted a grant application to the Department of Health and Social Care, but so far the grant has not been awarded. Will my hon. Friend use his best endeavours with colleagues at that Department to get this apparent blockage shifted? As we seek to avoid a second wave of the virus, we also have to ensure that deaf people who are reliant on BSL as their main form of communication are not disadvantaged in terms of access to information.

Justin Tomlinson: I know that, through my right hon. Friend's work as Chair of the Women and Equalities Committee, there is no stronger advocate for accessible communications. Stakeholders rightly raise this issue time and again, and through the Disability Unit, we have reminded all Departments of its importance. It sounds to me as though SignHealth has provided a wonderful service. I know that the DHSC values good services, and I will encourage the relevant Minister to look at this personally and respond as quickly as possible.

Anne McLaughlin (Glasgow North East) (SNP): Before I ask my question, I would like to pay tribute to the many people out there with disabilities who have been helping others during the pandemic. It is important to keep saying that having a disability does not stop someone contributing. However, for many people, their disability prevents them from having a job, and they are dependent on social security payments. Sometimes they have to jump through hoops to prove that they are disabled enough to "deserve" those payments. Face-to-face work capability assessments are on hold right now, understandably, but the wait is causing untold stress, so will the Minister represent the needs of those people to the Work and Pensions Secretary and join me in calling for paper-based assessments to be made available to everyone?

Justin Tomlinson: That is a really good question. First, the hon. Lady is absolutely right about people wanting to contribute. If we ask any disabled person, they will say they want to have the same opportunities that anyone else would take for granted. Rightly, we had to suspend face-to-face assessments. We have used paper-based reviews where possible, and we are bringing telephone assessments into the WCA in the same way as we have done with personal independence payments, which is warmly welcomed by stakeholders. In the long term, as part of the Green Paper in the coming months, we will be exploring better ways to reform the assessment and increase the likelihood of being able to do paper-based reviews wherever possible, predominantly where we are able to get better-quality medical evidence.

STEM Subjects

Claire Coutinho (East Surrey) (Con): What steps she is taking to encourage girls and young women to take up STEM subjects. [906535]

Jack Lopresti (Filton and Bradley Stoke) (Con): What steps she is taking to encourage girls and young women to take up STEM subjects. [906543]

The Minister for Equalities (Kemi Badenoch): We continue to fund numerous programmes to increase girls' and young women's take-up of science, technology, engineering and maths subjects. The number of girls' STEM A-level entries has increased year on year, despite an overall reduction in cohort size. Since 2010, there has been a 31% increase in girls' entries to STEM A-levels in England and a 34% increase in women accepted on to full-time STEM undergraduate courses in the UK.

Claire Coutinho: We know that the new core maths course is highly regarded for both its accessibility and its pragmatism, and can therefore play a huge part in increasing participation in maths. Can the Minister tell me how we are engaging with female pupils in particular to encourage them to take up this fantastic course?

Kemi Badenoch: Our advanced maths support programme, worth £8 million per year, aims to increase the number of girls studying level 3 maths, which includes core maths. Of more than 17,000 students participating in the programme's events last year, 55% of attendees were female. We will be using research such as our behavioural insight studies to inform future work on how to get more girls studying maths after GCSE.

Jack Lopresti: My constituency is a world-renowned centre of aerospace and defence expertise, so how can the Government help to encourage more women to take up these subjects and apprenticeships in particular so that we can equip the country and them with the skills we need for the future?

Kemi Badenoch: Along with the significant measures that I have mentioned on increasing the take-up of STEM subjects among girls and women, we are raising awareness of STEM careers through programmes such as STEM ambassadors, 45% of whom are women. The Department for Education is also taking steps to engage with the sector through apprenticeships. On aerospace specifically, we are supporting industry's efforts to increase diversity in the sector through the women in aviation and aerospace charter, recognising that a more diverse sector is good for business, customers and workplace culture.

Janet Daby (Lewisham East) (Lab) [V]: In the UK, female employment in the technology industry stands at 16.7% and has grown by less than 1% in the last 10 years. This is one of the most promising and booming industries, but it is one that women hardly find themselves in. What discussion has the Minister's Department had with her Cabinet colleagues to provide incentives for technology businesses to employ women?

Kemi Badenoch: The Government take this issue very seriously. The Government Equalities Office carries out various studies to encourage women into this sector. We know that there are disparities in gender representation

in some sector subject areas. Women still account for, respectively, 6% and 8% of starts in construction, planning and the built environment and in engineering and engineering technologies. This is a space in which we are working very hard. We continue to consult business and I know that my Cabinet colleagues are also working on this issue.

Geographic Inequality of Opportunity

Mrs Pauline Latham (Mid Derbyshire) (Con): What steps she is taking to tackle geographic inequality of opportunity in the UK. [906536]

Steve Double (St Austell and Newquay) (Con): What steps she is taking to tackle geographic inequality of opportunity in the UK. [906547]

The Minister for Women and Equalities (Elizabeth Truss): We are determined to tackle geographic inequality and level up our country. The Equality Hub will look at the data to identify the real barriers that are holding people back.

Mrs Latham: Does my right hon. Friend agree that geographical inequality has been a neglected strand of the equality agenda?

Elizabeth Truss: I very much agree. Often, the differences in wages or employment are greater between regions of the UK than they are in other types of inequality. For example, there is a 28% gap in weekly pay between the north-east and London.

Steve Double: I thank my right hon. Friend for that answer. She will be aware that people in Cornwall have for far too long faced a disadvantage of opportunity because of our geography. Will she ensure that amid all the loud political noise at this time, levelling up geographical inequalities remain at the heart of this Government's agenda?

Elizabeth Truss: I agree. It is vital that we level up across the country and make sure that someone's postcode does not dictate their life chances. As I saw when visiting Cornwall's growing lithium mining industry last week, there are real opportunities to level up and help Cornwall to grow economically and benefit all the people of that great county.

BAME Women: Covid-19

Theresa Villiers (Chipping Barnet) (Con): What steps the Government have taken to protect women in BAME communities from the disproportionate effect of covid-19 identified by Public Health England. [906537]

The Minister for Equalities (Kemi Badenoch): The Government have taken a number of steps to protect all those who may be disproportionately affected by covid-19 to reduce the spread of the virus. This includes targeted testing of occupations and groups at higher risk, including ethnic minority women. We have also translated the latest information into multiple languages in accessible formats to help to ensure that our public health communications reach all communities across the country.

Theresa Villiers: Women from black and minority ethnic backgrounds are strongly represented in the workforce in our care system, so will the Minister have a strong focus on keeping care workers safe from covid, with a particular emphasis on the higher risk faced by women from black and minority ethnic communities in those jobs?

Kemi Badenoch: My right hon. Friend is absolutely right: there are very many BME workers in the social care sector and they must be properly supported. That is why in June, the Department of Health and Social Care published a covid-19 adult social care workforce risk reduction framework to help to manage specific risks to staff, including risk by ethnicity. We are also providing financial support for the Race Equality Foundation to provide additional services to BME communities with dementia during the covid-19 pandemic.

International Trade: Opportunities for Women

Mrs Heather Wheeler (South Derbyshire) (Con): What assessment she has made of the effect of the Government's international trade policies on increasing business opportunities for women. [906538]

The Minister for Women and Equalities (Elizabeth Truss): Trade and enterprise are vitally important to women across the world to help them take control of their own lives. That is why we are backing programmes such as SheTrades and Female Founders to support women across the Commonwealth.

Mrs Wheeler: Many South Derbyshire residents have concerns about improving the lives of women in developing countries, as they often write to me about this. How will women in developing countries benefit from the trade policies of our Government?

Elizabeth Truss: On Sunday, I was pleased to speak at a United Nations General Assembly event on investing in Africa's female future. Nimco Ali's Five Foundation was also represented. It is doing great work to tackle female genital mutilation and bring more economic opportunity for women. In the Department for International Trade, we are currently working on trade continuity agreements with countries such as Kenya to help to build trade and help women in those countries to succeed.

Online Abuse

Nick Smith (Blaenau Gwent) (Lab): What recent discussions she has had with the Secretary of State for Digital, Culture, Media and Sport on tackling online abuse targeted at women. [906540]

The Minister for Digital and Culture (Caroline Dinenage): There has been a worrying rise in the amount of abuse, harassment and intimidation online, and women are often disproportionately targeted by such abuse. It is completely unacceptable and, in fact, impacts individuals' rights to participate online. We set out robust measures to deal with this in the online harms White Paper, and will be publishing a full Government response, later in the year.

Nick Smith: I am glad that the Minister recognises this issue. Almost one in two women report experiencing online abuse since the start of covid-19. However, the Government have delayed the draft of the online harms Bill until, I understand, the end of 2021. Legislation is clearly needed now, so when will the Government introduce the Bill?

Caroline Dinenage: I am afraid that the hon. Gentleman is misinformed. We are absolutely committed to making the UK the safest place to go online. The online harms White Paper will set out how we are going to make world-leading legislation. We intend to publish that before the end of the year, and the legislation to follow at the very beginning of next year.

LGBT Action Plan

Dan Carden (Liverpool, Walton) (Lab): What progress has been made on the implementation of the Government's LGBT action plan. [906541]

The Minister for Women and Equalities (Elizabeth Truss): We want to make sure that everyone in the UK is free to live their lives and fulfil their potential regardless of their sex, gender identity or sexual orientation. We will soon be hosting the Government's first ever international LGBT conference to advance LGBT rights across the world.

Dan Carden [V]: After an organisation in Anfield in my constituency was exposed for offering "cures" for homosexuality involving rituals and starvation, the Government gave me a commitment in this House that they would ban these so-called conversion therapies. That was back in 2018, and there is real concern that the new Government are backtracking on LGBT rights. When will they bring forward a ban on these harmful practices, as promised in their own LGBT action plan? Following the Minister's response yesterday on changes to the Gender Recognition Act 2004, which fell well short of what is needed to secure the rights of trans people in the UK, will she make a full statement in the Chamber to allow proper debate on it?

Elizabeth Truss: Conversion therapy is a completely abhorrent practice. We are working to end it. We are currently conducting research, and I will be coming back shortly to talk about the future and how we do end it, but it is important that research is conducted. As I made clear in my written statement yesterday, it is very important that we protect transgender rights but also improve transgender healthcare. That is what we are doing by opening more clinics and also making the process of gender recognition certificates kinder and more straightforward.

Protected Characteristics: Caste

Bob Blackman (Harrow East) (Con): With reference to the written statement of 23 July 2018, HCWS898, when she plans to bring forward proposals to remove caste as a protected characteristic from the Equality Act 2010. [906544]

The Minister for Equalities (Kemi Badenoch): I would like to make it clear that caste is not a protected characteristic in the Equality Act 2010. Case law has shown that a claim of caste discrimination may already qualify for protection under the race provisions in the

Act. We therefore intend to repeal the uncommenced duty in the Act to make caste an explicit aspect of race discrimination as soon as practicable.

Bob Blackman [V]: I welcome my hon. Friend to her place to answer my regular questions on this particular topic. The fact is that we have had a large-scale consultation of the community. We have had a written ministerial statement making it clear that we are going to remove this protected characteristic from the Equality Act. So I urge her to bring forward, without delay, proposals to remove this unnecessary, ill-thought-out and divisive move in the Equality Act 2010.

Kemi Badenoch: I thank my hon. Friend for that question. We do agree with him. The Government completely oppose any discrimination because of a person's origins, including any perception of their caste, and we do remain committed to repealing the duty as soon as the opportunity arises.

Statutory Sick Pay

Olivia Blake (Sheffield, Hallam) (Lab): What recent discussions she has with the Secretary of State for Work and Pensions on an equality impact assessment of the level of statutory sick pay. [906545]

The Minister for Disabled People, Health and Work (Justin Tomlinson): Statutory sick pay is increased annually through uprating, which does not require an equality impact assessment. Individuals requiring further financial support may receive it through the welfare system.

Olivia Blake: Research by my union, the GMB, has shown that a failure to raise statutory sick pay to Liverpool rates has had serious detrimental effects on particular groups in our society. The status quo is disproportionately harming women workers, older workers, disabled workers, black and minority ethnic workers, workers who hold particular religious beliefs, and workers who are married or in a civil partnership. Does the Minister agree that the Government should do an equality impact assessment of these policies and do more to ensure that statutory sick pay is set at a liveable rate?

Justin Tomlinson: Equality impact assessments are made when there are policy changes, not as part of the annual uprating exercise. That said, statutory sick pay should not be looked at in isolation because individuals, subject to their own circumstances, could access additional support from their employer, universal credit, or new-style employment and support allowance. We have recently concluded the consultation "Health is everyone's business", in which many of these issues were raised, and we will be publishing our reviews. We understand the points that the hon. Member has raised.

Older People: Covid-19

Dr Philippa Whitford (Central Ayrshire) (SNP): What steps her Department is taking to support older people during the covid-19 outbreak. [906549]

The Minister for Disabled People, Health and Work (Justin Tomlinson): Our priority has been to continue delivering the state pension and pension credit to new

and existing customers. We also supported those in the shielding group who would normally have had to rely on cash through the post office to cover their weekly outgoings.

Dr Whitford: We know that elderly and disabled people, especially those living alone, are less likely to access online platforms. During this covid pandemic, knowing the rules and understanding the ideas and information behind them is critical, so will this UK Government be re-establishing regular briefings, including British Sign Language translation, as we have in Scotland, so that no one misses out on vital information?

Justin Tomlinson: The hon. Member is absolutely right to highlight the importance of accessible communications. It was an issue raised particularly in the early stages that we then shared cross-Government. I am delighted that BSL, for example, was then picked up by the BBC and was provided. Yesterday, the Prime Minister's statement to the House was also simultaneously interpreted by a BSL interpreter. That was a very valid point to raise.

Young Female and Disabled Athletes: Covid-19

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): What recent discussions she has had with the Secretary of State for Digital, Culture, Media and Sport on the effect of the covid-19 outbreak on the training and competition opportunities for young (a) female and (b) disabled athletes preparing to take part in the Olympic and Paralympic Games in 2024 and beyond. [906561]

The Minister for Digital and Culture (Caroline Dinenage): Appropriately, a question on sport is asked as I sprint to the Dispatch Box.

We remain committed to supporting our young, female and disabled Olympic and Paralympic athletes through this very difficult period. We continue to work with UK Sport to ensure that athletes are assisted and supported in their preparation for the Tokyo games and beyond to Paris 2024.

Jamie Stone: Does the Minister agree that this kind of investment will establish role models, which will encourage people to get active in their own communities?

Caroline Dinenage: I welcome the hon. Gentleman to his new role as the Liberal Democrat spokesperson on digital, culture, media and sport. He asks his question on a very appropriate day, as today is National Fitness Day. He is absolutely right: if you can see it, you can be it. We want to inspire the next generation of young people to get physically fit and active not only for their own physical health, but for the mental health and well-being that it brings.

Topical Questions

[906604] **Alicia Kearns** (Rutland and Melton) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for International Trade (Elizabeth Truss): I want transgender people to be free to live and prosper in modern Britain. We will maintain the Gender

Recognition Act, protect single-sex spaces, and work to make the recognition process kinder and more straightforward. In line with the priorities of transgender people, we are improving health services and reducing waiting times, and we have also launched the Cass review to ensure that under-18s are getting the right support.

Alicia Kearns [V]: I am grateful to my right hon. Friend, as well as to the Secretary of State for Health and Social Care and the Prime Minister, for backing my campaign to end the abhorrent practice of so-called LGBT conversion therapy. Will my right hon. Friend kindly update the House on when she hopes to introduce that vital legislation?

Elizabeth Truss: I congratulate my hon. Friend on her leadership on this issue, and on her work to support women when they are giving birth. Conversion therapy is an abhorrent practice and we are currently conducting research, which I hope will be finished by the end of this month, on how to end it in the United Kingdom. Shortly after that, we will set out steps to end it.

Marsha De Cordova (Battersea) (Lab) [V]: Yesterday, after nearly three years, the Government finally published their response on reforming the Gender Recognition Act 2004; disgracefully, they have let the trans community down. The written statement said that the Government were opening at least three new gender clinics this year. Will the Minister clarify whether the mention of those three clinics was a reference to the pilot services committed to by the previous Government in 2018, or represents a new investment by this Government to improve trans healthcare?

Elizabeth Truss: In line with the priorities of the transgender community, we are seeking to reduce waiting lists in the health service by 1,600 people, as well as to improve access to services, with three new gender-identity clinics. We also want to make sure that proper training is available to general practitioners so that we get better services on the frontline.

Marsha De Cordova: I did not get an answer to my first question, but I will try this one. The average waiting time for NHS gender services is 18 months, yet the NHS constitution says that the first appointment should be within 18 weeks. The Government have rightly committed to reducing waiting lists by 1,600 people by 2022, but that will still leave an estimated 10,000 trans people on the list. Will the Minister set out what steps the Government are going to take to bring the waiting lists down, to ensure that trans people can access healthcare within the time set out in the legal framework?

Elizabeth Truss: The hon. Lady is right that it is a priority to bring down waiting lists and make sure that transgender people get the healthcare that they deserve. That is why the Government Equalities Office has put in extra funding to support Dr Michael Brady as our LGBT health adviser. We are working closely with the Secretary of State for Health and Social Care and the NHS to make sure that those services are in place.

[906613] **Mrs Pauline Latham (Mid Derbyshire) (Con):** Does the Minister agree that if girls aged between 16 and 18 are persuaded to be married instead of

continuing their education, they are likely to be disadvantaged for the rest of their life and less economically active than those who complete their education when they are at least 18?

The Minister for Equalities (Kemi Badenoch): I absolutely agree with my hon. Friend: education is important and it is obviously wrong when girls get married at an early age against their will. My hon. Friend has done a lot of work to raise these issues, and the Government are listening carefully to the debate on the legal age of marriage and continue to keep it under review. Tackling forced marriage is one of our key priorities, and I am proud that we made forced marriage an offence in 2014.

[906605] **Dame Diana Johnson (Kingston upon Hull North) (Lab):** The recent report by the all-party group on sexual and reproductive health in the UK found that women are increasingly having difficulty accessing contraception because of cuts in budgets and complex commissioning arrangements. The past president of the Royal College of Obstetricians and Gynaecologists, Professor Dame Lesley Regan, has pointed out that Viagra was made available to men over the counter and without a prescription within a year of being licensed, whereas the safe progestogen-only pill has been licensed for more than 60 years and we still do not trust women to get it over the counter at the chemist. What is the Minister going to do about this blatant discrimination against women?

Elizabeth Truss: I thank the hon. Lady for her question. I will take the issue up with the Secretary of State for Health and Social Care.

[906619] **Chris Loder (West Dorset) (Con):** Being gay in the farming community is incredibly hard, not least because of isolation. The Gay Farmer Helpline plays a vital support role, but has highlighted a high suicide rate. What is the Minister doing to support gay farmers, and will she meet me and representatives of the helpline to see what else we can do? [R]

Elizabeth Truss: Farming is a vital industry in Britain, and I want all farmers to feel supported. I applaud the work of groups such as Agrespect in supporting LGBT farmers to thrive. I would be delighted to meet my hon. Friend and his colleagues to discuss what more we can do.

PRIME MINISTER

The Prime Minister was asked—

Engagements

[906429] **Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** If he will list his official engagements for Wednesday 23 September.

The Prime Minister (Boris Johnson): 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.

Jamie Stone: The unanimous decision by Highland Council to grant planning consent for the UK's vertical space launch site in Sutherland is clearly extremely

good news. I hope that the Prime Minister agrees that this will be extremely good for the local economy of the highlands, and will provide a huge opportunity for the UK economy in the international satellite market.

The Prime Minister: Absolutely; I congratulate Launch UK on what it is doing. As the hon. Gentleman rightly says, the project would create 250 full-time jobs, including 130 at the facility in Forres. I am in no doubt that it will launch the UK on a path to ever greater presence in the global satellite market.

[906430] **Lee Rowley** (North East Derbyshire) (Con): Yesterday evening, in order to keep the spread of the virus as low as possible, the Prime Minister announced a series of changes that none of us ever wanted to see; and residents of my constituency are understandably concerned and anxious. Will he reassure us all, and my constituents in North East Derbyshire, that the primary focus of the Government remains protecting both lives and—just as important—livelihoods?

The Prime Minister: Yes, indeed. My hon. Friend can certainly reassure his constituents that our purpose, and the purpose of the package that carried overwhelming support in this House yesterday, is to continue to drive down the R number while keeping businesses open and pupils in school.

Keir Starmer (Holborn and St Pancras) (Lab): Three months ago today the Prime Minister said that test and trace could be a “real game changer” for us. He was backed up by the Health Secretary, who said:

“Finding where the people who test positive are is the single most important thing that we must do to stop the spread of the virus.”

Yesterday the Prime Minister said the complete opposite. Standing at that Dispatch Box, he said:

“Testing and tracing has very little or nothing to do with the spread or the transmission of the disease.”

Both positions cannot be right. Which one is it, Prime Minister?

The Prime Minister: It is an obvious fact of biology and epidemiology that, alas, this disease is transmitted by human contact or aerosol contact. One of the great advantages of NHS Test and Trace—which, alas, we did not have working earlier in the pandemic because we simply did not have it in the spring—is that we now have the ability to see in granular detail where the epidemic is breaking out and exactly which groups are being infected. That is why we have been able to deliver the local lockdowns and it is why we are able to tell now, at this stage, that it is necessary to take the decisive action that we are taking and which I think the right hon. and learned Gentleman supports—he did yesterday, anyway—to drive the virus down, keep kids in school and keep our economy moving. That is the point.

Keir Starmer: So why, yesterday, did the Prime Minister say:

“Testing and tracing has very little or nothing to do with the spread or the transmission of the disease.”?—[*Official Report*, 22 September 2020; Vol. 680, c. 822.]

The Prime Minister: I hesitate to reprove the right hon. and learned Gentleman for a flaw that he sometimes seems to fall into, which is not listening to my previous answer. I gave a very clear answer. The answer, simply

and sadly, is that it is an epidemiological fact that transmission of the virus takes place via human contact from person to person. Test and trace enables us to isolate the cases of the virus in ever greater detail, which we were not able to do before. Thanks to the efforts of NHS Test and Trace, through many thousands of people—trainee nurses, doctors, young people and members of the armed services—not only are we testing more than any other country in Europe, but capacity today is at a record high. He should pay tribute to that work.

Keir Starmer: I listened to the answer that the Prime Minister gave to the questions; that is why I asked him the question, because yesterday he said the complete opposite of what he said today. Everybody who was in the Chamber, and everybody who reads *Hansard*, will see it. He talks about testing. May I remind the Prime Minister that last week, before the Liaison Committee, he admitted that testing currently “has huge problems”? Dido Harding said,

“plainly we don’t have enough testing capacity”.

The Health Secretary said that fixing testing would take weeks. Pretending that there isn’t a problem is part of the problem, Prime Minister.

Let us test what the Prime Minister’s explanation is—it is unclear. Is the explanation for the problem that we do not have enough capacity? [*Interruption.*] He says, “Which problem?” The problem that he acknowledged one week ago before the Liaison Committee. Is the explanation from the Prime Minister that we do not have enough capacity because nobody could have expected the rise in demand? That is the Dido Harding defence. Or is it that we have all the capacity we need; it is just that people are being unreasonable in asking for tests? That is the Hancock defence. Which is it?

The Prime Minister: The continual attacks by the Opposition on Dido Harding in particular are unseemly and unjustified. Her teams have done an outstanding job in recruiting people from a standing start, but this is not for a moment to deny the anxiety of those who want a test, which I readily accept. Of course we would love to have much more testing instantly. It is thanks to the efforts of NHS Test and Trace that not only are we at a record high today, testing more people than any other European country, but, to get to the point that the right hon. and learned Gentleman raises, we are going to go up to 500,000 tests by the end of October. That is the work of Dido Harding and her team.

What we want to hear—what I, frankly, want to hear—is more of the spirit of togetherness that we had yesterday. This is an opportunity to support NHS Test and Trace. This is an opportunity to get behind that scheme—to encourage people to believe in it and its efficacy. Instead, the right hon. and learned Gentleman constantly knocks it from the sidelines. [*Interruption.*]

Mr Speaker: Sorry. I will just say to the Whip, the hon. Member for Halesowen and Rowley Regis (James Morris), that there is a little bit of rowdiness coming from the Opposition, but also from your good self—I would normally never have that from you. I want to be able to hear the Prime Minister. When I cannot hear him, I worry about the people who watch our proceedings. If you have any further comment to make, please speak to me afterwards.

Keir Starmer: The Prime Minister knows that my complaint is not with the NHS; it is with the Government. My wife works for the NHS. My mother worked for the NHS. My sister works for the NHS. So I will not take lectures from the Prime Minister on supporting the NHS.

The Prime Minister says we have capacity—he goes on and on about capacity. Let us test that. Three weeks ago, millions of children went back to school—that is a good thing. Then the inevitable happened. Kids get coughs, bugs, flu. That is what happens; it is in the job description. But there is no effective system in place to deal with it. Many cannot get tests quickly. Schools are allocated only 10 tests, and many wait days for results. The outcome is obvious: child and siblings off school; mum, dad or carer off work; and in some cases, all-year groups off school. How on earth did we get into this mess?

The Prime Minister: Come on: the right hon. and learned Gentleman knows perfectly well—or he will have read the advice from the four chief medical officers—that there is an exceptionally small risk to children of primary and secondary school age from this disease. He knows that children have a significantly lower rate of infection. That is all in the letter that the chief medical officers published today. But he also knows that we are doing our level best to get every child who has symptoms a test, and further that, thanks to the efforts of teachers in this country and of parents and pupils, 99.9% of our schools are now back, in spite of all his attempts throughout the summer to sow doubt on the idea that schools were safe. The people of this country had more common sense.

Keir Starmer: That is such a poor defence. The point is not whether the children have got covid, but that they have got covid symptoms and then they are off school. The Government's own Department has shown that one in eight children are off school this week. That disrupts their education. Whether it is covid symptoms or other symptoms is not the point. If the Prime Minister does not see that, he is really out of touch with families and what they have been going through in schooling, day in, day out, in the last few weeks. The reality is that losing control of testing is a major reason why the Prime Minister is losing control of the virus. As a result, he is phasing in health measures—restrictions that we support—but at the same time, he is phasing out economic support. Health measures and economic measures are now dangerously out of sync. Let me quote the director-general of the CBI:

“there can be no avoiding the crushing blow new measures bring for thousands of firms...It is vital that all announcements of restrictions go hand in hand with clarity on the business support that protects jobs.”

Why was that not announced yesterday?

The Prime Minister: Let us be in absolutely no doubt that the work that this Government have done to protect this country's economy and support the jobs of 12 million people through the furlough scheme and overall expenditure of about £160 billion is unexampled anywhere else in the world. The right hon. and learned Gentleman should pay tribute to the Chancellor and his work. We will go forward with further creative and imaginative schemes to keep our economy moving. That is the essence of our

plan and proposals. The right hon. and learned Gentleman talks about our plans; he supported them yesterday. I hope he continues to support them. The essence of what we are saying is that we want to depress the virus but keep pupils in school and keep our economy moving. That is the single best thing we can do to support firms across the country.

Keir Starmer: I am not asking about the support that was put in place in the past. We support that. I am asking about the support that is needed now, particularly in the light of the restrictions that were announced yesterday. This is not theoretical. Yesterday, 6,000 jobs were lost at Whitbread, one of the major employers in the hospitality sector. The CBI, the TUC and trade unions, the Federation of Small Businesses, the British Chambers of Commerce and the Governor of the Bank of England are all calling on the Prime Minister to stop and rethink, to support the businesses affected, not to withdraw furlough. We have been saying it for months. When is the Prime Minister finally going to act?

The Prime Minister: These are indeed tough times, and I have no doubt that many businesses and many employees are feeling a great deal of anxiety and uncertainty, and we will do our level best to protect them throughout this period. But we will get through this by precisely the methods that we have outlined and that were agreed upon in the House yesterday. The reality of the Opposition position has been exposed—the cat is out of the bag—because the shadow Education Secretary said of the current crisis,

“don't let a good crisis go to waste.”

That is the real approach of the Labour party—seeking to create political opportunity out of a crisis, out of the difficulties and dangers this country is going through, while we are taking the tough decisions to get the virus down, to keep our education system going and to keep our economy moving. The right hon. and learned Gentleman supported that yesterday. I hope that, in a spirit of togetherness and unity, he will continue to give it his support.

[906432] **Ben Bradley** (Mansfield) (Con): Our local football clubs are hugely important to our communities and Mansfield Town is a fine example of a club that both works with and invests in our town. Many sports clubs around the country have found that their hopes of welcoming fans back to stadiums next month have been dashed. Given that many Football League clubs are so reliant on gate receipts to be viable, will my right hon. Friend assure me that he will do everything possible to support those clubs, both as businesses and for the communities that rely on them?

The Prime Minister: I know what a passionate supporter of Mansfield Town my hon. Friend is, and I want to thank John and Carolyn Radford for all they have done for the club. The Secretary for State for Digital, Culture, Media and Sport is in active consultations with clubs across the country to see what we can do to help.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Last night, the Prime Minister and leaders of the devolved Governments announced restrictions aimed at stopping the number of covid cases reaching a predicted 50,000 a day by mid-October, but there are other major threats that we face this October. There is another set of

numbers—all this is of the Tory Government's own making—with 1 million jobs at risk if furlough ends early, a £30 billion-a-year bill for the taxpayer from a no-deal Brexit, and today we learn of 7,000 trucks queuing for days at Dover. If those numbers become a reality, the Prime Minister is leading us into another winter of discontent.

Our First Minister has shown leadership on all fronts during this pandemic. However, the responsibility and powers for extending the furlough scheme lie with the Prime Minister and the Chancellor. The Prime Minister must announce an immediate extension—no half measures, no half-baked projects—of this vital and life-saving scheme. Will the Prime Minister show the leadership required and save the jobs?

The Prime Minister: I notice that both the leader of the Scottish nationalist party and the Leader of the Opposition now support an indefinite extension of the furlough scheme. *[Interruption.]* That is what he said. What we will do, as I have said throughout, is continue to put our arms around the people of this country going through a very tough time and come up with the appropriate creative and imaginative schemes to keep them in work and keep the economy moving. That is the essence of our approach.

Ian Blackford: That is so poor. What we are talking about is protecting the jobs of people today. It is not indefinite, and nobody—nobody, Prime Minister—has asked for that. The first step to any recovery is admitting that there is a problem. Even the Governor of the Bank of England is telling the Prime Minister to stop and rethink. The solution for millions of people right now is an extension of the furlough scheme beyond October. The alternative is putting 61,000 jobs in Scotland at risk. Yesterday, the only reassurance the Prime Minister gave those Scottish workers was saying that he would throw his arms around them. I can tell the Prime Minister that the last thing those 61,000 Scots are looking for is a hug from him. They need the security of knowing that they can hold on to their jobs and incomes for themselves and their families. Time is running out. Workers are facing the dole today. Will the Government instruct the Chancellor to extend the furlough scheme and stop 1 million workers being sold on to the scrapheap by this Government?

The Prime Minister: What I can certainly tell the right hon. Gentleman is that the furlough scheme has already been extended until the end of October, and people should be in no doubt about that. As I have said before, we will continue to provide the best support we can possibly give to keep people in jobs and to get people into work—new jobs are being created—while suppressing the virus. I can imagine that he does not want a hug from me, but that was a metaphor. It is physically incarnated by the £12.7 billion of Barnett consequential that we are seeing come from the UK Exchequer to support people across the whole of our country.

Mr Speaker: I suspect, Prime Minister, that you might get a hug from Andrew Bowie.

[906433] **Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): I couldn't possibly, Mr Speaker—not in present company.

It is interesting that the leader of the Scottish National party went for jobs, given that on this side of the House, we voted this week and last to protect 500,000 jobs by enshrining Scotland's most important market—our internal UK market—in statute. Why does my right hon. Friend think the SNP did not support that Bill?

The Prime Minister: I have absolutely no idea. It is totally baffling, because it is a Bill that underpins a massive transfer of powers back to Scotland from Brussels. About 70 powers and prerogatives go back to Scotland, which SNP Members would throw away again, as they would throw away again the entire beautiful, glistening haul of Scotland's spectacular marine wealth by handing Scotland's fisheries straight back to Brussels. That is what they want to do.

Caroline Lucas (Brighton, Pavilion) (Green): Last week, a Royal Society for the Protection of Birds report noted that the UK had seen a lost decade for nature, with the Government failing to reach 17 out of the 20 targets they had signed up to. There is a major United Nations biodiversity summit next week. It is a vital moment to put this right and to show some real leadership. The EU's biodiversity summit aims to protect a minimum of 30% of land and sea for nature by 2030, so will the Prime Minister commit now at least to match that goal of 30% of land and sea for nature by 2030 and deliver the funding via the forthcoming spending review?

The Prime Minister: The hon. Lady simply cannot be unaware that the campaign to get the world's leaders to sign up to a leaders' declaration on biodiversity has been led over the past few weeks by this Government. *[Interruption.]* She knows that, Mr Speaker. It is this Government who devised the charter. It is this Government who are leading the world in protecting biodiversity across the planet, and we will put in the funding. We pioneered the 30% idea, and we will certainly put in all the funding required.

[906434] **Gareth Bacon** (Orpington) (Con): There is growing concern in my constituency, and across the country, about the rising number of illegal crossings across the channel. To stop those dangerous journeys, save lives and protect our borders, the UK must deter people from making those crossings. The law in this area is complex. Will my right hon. Friend assure my constituents and the country that, at the very latest, a comprehensive Bill to deal with this problem will be put before the House following the next Queen's Speech?

The Prime Minister: I thank my hon. Friend, and he is completely right that the legal position is currently very difficult because of the inflexible and rigid Dublin regulation on returns. What is happening now is that people think there is a way in that is legally very difficult to resist, and it is tragic for those who are coming across in rubber dinghies or children's paddling pools and who are being cheated by gangs, as they are. We must find a better way of doing this. Once we are out of the EU and able to make our own return arrangements and settle our own laws on this matter, I have no doubt that we will find a way forward.

[906431] **Grahame Morris** (Easington) (Lab): I hope, respectfully, that the Prime Minister is not having problems with his memory. Just yesterday—we have had a recent

exchange—metaphorically, he promised to put his arms around the British people and support jobs and the economy. The CBI and the TUC, businesses and unions, employers and workers, and now even the Bank of England, are united in a call for a targeted expansion of the covid job retention scheme. Make no mistake: a tsunami of job losses is in the pipeline within 38 days. Will the Prime Minister please listen to that advice and take urgent action? I would like a yes or no answer.

The Prime Minister: The hon. Gentleman is entirely right about the gravity of the situation, and although it is true that some firms are powering through this, many face very difficult circumstances. That is why we have put in the support that we have, and do not forget the job retention bonus at the end of the year that will help firms to keep people in employment. That is also why we are looking at a massive package of investment in jobs and growth in the short, medium and long term. We have already put in place the £2 billion kickstart fund and about £640 billion of investment overall in infrastructure. In addition to the package that I set out yesterday, as I said earlier, there will be creative and imaginative measures from the Chancellor to help people through this crisis.

[906435] **Neil Parish** (Tiverton and Honiton) (Con): Like the Prime Minister, I can say that one of my top priorities is improving education and spreading opportunity, across Devon and the west country. I welcome the new £1 billion school rebuilding programme, which will help to refurbish 50 schools from next year. Tiverton High School in my constituency is currently in a flood zone, but we have permission to build a new school and move out of that flood zone. Sammy Crook, the headteacher, as well as the governors and Devon County Council, are all backing that scheme. May I make an early bid for Tiverton High School? Will the Prime Minister back us to have a new school in the rebuilding programme, and to raise aspiration and opportunity for the great young people of Tiverton?

The Prime Minister: The cause of education in Tiverton can have no more fervent and effective advocate than my hon. Friend, and although the first 50 schools have not yet been announced, my right hon. Friend the Secretary of State for Education will have heard that powerful cry, and I have no doubt that my hon. Friend will be answered.

[906436] **Patrick Grady** (Glasgow North) (SNP): Does the Prime Minister understand that as long as these powers are reserved, the Government have to meet the costs that come with the pandemic? He can do that either by extending the job retention schemes, especially for those who are excluded or through sector-specific support, or he can pay the long-term price of long-term unemployment, increased social security and all the damage to the economy and society that comes with that. Which of those is it going to be? What is the Prime Minister's vision for "building back better"?

The Prime Minister: I thank the hon. Gentleman. Very simply, it is to keep doing what we have been doing, but to intensify our support for every part of the Union and—from spaceports to backing our armed services throughout the whole UK and investing in our

healthcare—that is what we will do. The overall Barnett consequential, as I have said, so far are £12.7 billion, and we will continue to provide that support.

[906440] **James Wild** (North West Norfolk) (Con): On Saturday, I was at Norwich City's match as part of the pilot to let fans back into football, and it is disappointing that the reopening has now been postponed. With King's Lynn Town, Mansfield and many other clubs and sports facing a real threat to their viability, with no fans coming into the grounds, will my right hon. Friend urgently look at a sports recovery fund to ensure their viability and their place at the heart of our local communities?

The Prime Minister: It grieves me to see football clubs—Mansfield, Norwich City and others—not able to go back in the way that they want to right now. I totally sympathise with my hon. Friend and with the fans, and I really wish we did not have to do this now. The best way obviously to get through it, as I say, is to follow the advice and suppress the virus; but in the meantime, my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport is looking actively at solutions to help Norwich City and other clubs.

[906437] **Neil Gray** (Airdrie and Shotts) (SNP) [V]: Sometimes doing the right thing is not easy, but in this case, it is essential. It is clear that doing the right thing to stop the spread of covid-19 is going to have a social, business and economic impact, but as yet the UK Government have not moved to ensure in this new phase that there is full security for those doing the right thing. So will the Prime Minister do the right thing and look now, as a minimum, at the support available to businesses—in particular, the self-employed, who may need to self-isolate repeatedly or be back in the realm of zero income—extend the furlough scheme, and ensure that the limited universal credit uplift is expanded to legacy benefits and made permanent?

The Prime Minister: The hon. Gentleman is right in the sense that of course the Government are going to come forward with further measures. I do not think that it would be sensible simply to extend the current existing furlough scheme in its present form beyond the end of October, but we will do everything we can to support businesses and to support those in jobs and, indeed, the self-employed, as the hon. Gentleman rightly says.

[906443] **Saqib Bhatti** (Meriden) (Con): My constituents in Meriden understand the need for more housing, but the majority of Meriden is green-belt land. Across Meriden—in places such as Balsall Common, Dorridge, Knowle, Dickens Heath, Hockley Heath, Catherine-de-Barnes and Hampton-in-Arden—residents are quite rightly concerned about the pressures on the green belt. Can the Prime Minister confirm that his Government are a "brownfield first" Government, and can he also confirm that he will do everything he can to protect our precious green belt?

The Prime Minister: I certainly can. It was a former Labour Planning Minister who said, "The green belt is a Labour achievement, and we intend to build on it." That is what he said. The Government's approach is entirely different. Our planning reform will not change.

That is what the Opposition want to do. We will not change existing policy to protect the green belt, and our housing targets, which are very ambitious, will focus, as my hon. Friend rightly says, on brownfield.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]: Unsafe cladding is leaving hundreds of leaseholders across Vauxhall unable to sell or remortgage their properties. The EWS1 forms are not being used as intended, leaving my constituents trapped between risk-averse lenders and irresponsible building owners. They have been waiting three years already, so can the Prime Minister tell me what steps he is taking now to resolve this really dangerous situation?

The Prime Minister: I thank the hon. Lady, because I am aware of this problem of people facing real disadvantage—leaseholders and others—because of unsafe cladding still on their buildings. I think it is disgraceful, and both ACM and HPL cladding, in my view, should come off as fast as possible. We are investing massively to achieve that as fast as we can, but I sincerely appreciate the problem that she raises.

Mrs Sheryll Murray (South East Cornwall) (Con): In 2006, Menheniot parish council was told of improvement plans for the dangerous junction on the A38—something I have long campaigned for. However, two months ago, the regional director of the south-west part of Highways England told me that this was not going to happen, blaming the change from the old Highways Agency. Can my right hon. Friend tell me when, if ever, the people of Menheniot will finally see shovels in the ground?

The Prime Minister: I am grateful to my hon. Friend, because she gave me advance notice of this question. This is really a case for a project speed, and I hope that Highways England, which is currently undertaking a safety study of the A38 between Bodmin and Saltash, will be able to accelerate its work and get on with the Menheniot junction as fast as possible.

[906439] **Siobhain McDonagh** (Mitcham and Morden) (Lab): Before lockdown, children on free school meals finished education on average 18 months behind their classmates and the gap was getting worse. Schools closed and a quarter of these children did less than one hour's schoolwork a day. Lockdown was temporary, but the impact could be lifelong. To help these children to catch up, and in the spirit of togetherness invoked by the Prime Minister earlier, will his Government give time for my Bill to close the digital divide and give children on free school meals access to the internet in their homes?

The Prime Minister: I am grateful to the hon. Lady, because she is raising a very important point. Getting kids back into school has been the most important objective that we have had over the last few months, and I am glad that it has got under way, but she is right in what she says about the digital divide. That is why we are investing massively in online education, giving 2,200,000 laptops and tablets, and putting routers in schools across the country. That is what we are going to do, and I want to see a world in which every school in our country has full gigabit broadband, with the equipment that will give pupils the access to the internet that they need.

Giles Watling (Clacton) (Con): Does my right hon. Friend agree that, as the UK's performing arts are a global gold standard that are not only the envy of the world but a vital showcase for UK plc across the world, we should treasure them and look after that industry? We have had the furlough and other job retention schemes, but those who have fallen through the cracks are the freelancers. We must do something to protect the freelancers—the actors, the costumiers, the prop makers and many others. Can we do something to look after those people?

The Prime Minister: That is a very important point. Obviously the job retention scheme has been very effective in keeping people in work, but there are of course people who do not have employment of that kind. That is why we have given £1.57 billion to support the creative, culture and media sectors, including the theatres. We will do whatever we can to support the freelancers whom my hon. Friend describes, because they are the backbone of our theatrical world, which, as he knows, is the jewel in the crown of the London cultural economy.

[906441] **Ronnie Cowan** (Inverclyde) (SNP) [V]: The word is that Downing Street is taking control of the upcoming review of gambling legislation. Is this true, and if so, will No. 10 consider all the recommendations made by the all-party parliamentary group for gambling related harm in our report published in June?

The Prime Minister: What I can certainly tell the hon. Gentleman is that I am not an enthusiast for encouraging the spread of gambling in this country.

Anthony Browne (South Cambridgeshire) (Con): Like the vast majority of the British public, I support the new restrictions. My right hon. Friend the Prime Minister said we will get through this, but in the long term, there are only three routes out of this pandemic: one, eradicate the virus; two, gain herd immunity; or three, suppress the virus and reduce deaths until a vaccine or highly effective treatment arrives, such as the ones that the brilliant researchers of South Cambridgeshire are working on. Will my right hon. Friend the Prime Minister tell me which of these three routes the Government are taking?

The Prime Minister: Number three, Mr Speaker.

[906442] **Sammy Wilson** (East Antrim) (DUP): Only time will tell whether the predictions made this week by the medical advisers about coronavirus deaths and infections have any credibility, or whether they are as exaggerated as the claims made at the beginning of the year that there would be half a million deaths within weeks. What is not in dispute, however, is that the scare tactics being used, and the regulatory actions taken, will have an immediate impact on high streets and the hospitality industry, and will cause further devastation for the aviation industry. Since the economic consequences are borne by people, businesses and local economies, will the Government make a commitment to retaining continued support for employment, giving resources to devolved authorities to help local economies, and suspending air passenger duty to stave off bankruptcies and save jobs?

The Prime Minister: The right hon. Gentleman makes a powerful point of scepticism about the medical forecasts. All I can say is that everybody should look at what has already happened in the first phases of this pandemic

and be in no doubt that it is possible that such a thing could happen again. It is precisely to avoid that that we are taking the steps that we are now, because a stitch in time saves nine. There would be far more damage to the economy throughout our country if we failed to control the virus now and we were obliged to put in seriously damaging lockdown measures that really affected every business in the country. That is why we are taking the approach that we are now, and that is why I hope it has his support and the support of his party. I can certainly tell the right hon. Gentleman that the advantage of this approach is that it will allow us not just to keep the virus down—if we all follow the guidance; if we all do follow the package that we have set out—but to enable

education to continue and our economy to go forward. Of course we will continue to support businesses in Northern Ireland and across the country throughout the period.

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 am suspending the House for a few minutes.

12.36 pm

Sitting suspended.

End of Eviction Moratorium

12.40 pm

Tim Farron (Westmorland and Lonsdale) (LD): (*Urgent Question*): To ask the Secretary of State if he will make a statement on the end of the eviction moratorium.

The Minister for Housing (Christopher Pincher): I congratulate the hon. Member for Westmorland and Lonsdale (Tim Farron) on securing this urgent question. The Government have taken unprecedented action to support renters by banning evictions for six months, preventing people from getting into financial hardship and helping businesses to pay salaries. We have boosted the welfare safety net and increased the local housing allowance rates to cover the lowest 30% of market rents. We have made available £180 million for the discretionary housing payments this year, for local councils to distribute to support those renters who require additional support. We have now introduced comprehensive measures to ensure that renters continue to be protected over the autumn and winter, following the resumption of possession proceedings on Monday.

However, we must strike a balance so that landlords are able to access justice alongside measures to protect the vulnerable. That is vital to the long-term health of the private rented sector. We have worked with the judiciary to put in place new court arrangements that seek to ensure appropriate support for all parties within the current statutory framework. The judiciary will look to prioritise the most serious cases, including antisocial behaviour, fraud and egregious rent arrears. New court rules also require landlords to reactivate any claim they have made before 3 August, and to provide information to the court on the effect of the covid-19 pandemic on the tenant and their dependants. A court would be likely to take a very dim view of any landlord who tried to circumvent this requirement or mislead the court by not disclosing relevant information where known.

To help to keep people in their homes over the winter, we have changed the law, increasing notice periods to six months in all but the most serious cases. Tenants now served notice will not be required to move over the winter, while landlords will be empowered to take action where necessary—for example, when a tenant's antisocial behaviour severely affects their neighbours' quality of life. To further support renters, guidance has been issued to bailiffs by my right hon. and learned Friend the Lord Chancellor to ensure that possession orders are not enforced in areas where lockdown restrictions are in place or over the Christmas period, except in the most serious circumstances.

Our package strikes a fair balance, supporting landlords to act in the most serious cases while keeping the public, including renters, safe. Comprehensive guidance has been published for landlords and tenants to explain these new arrangements and the possession process in courts. The Government are clear that all these measures are to protect renters over this period. They are kept under constant review in the light of evidence on public health, and we are prepared to take further measures as they are needed to protect landlords and tenants alike.

Tim Farron: I am grateful to you, Mr Speaker, for granting this urgent question.

The ban on possession proceedings has given many private renters protection against the economic impact of coronavirus; at least the roof over their heads could not be taken away. That protection ended on Sunday, and now 55,000 households are in immediate danger of losing their homes. They are the 55,000 served with eviction notices between March and August. Their landlords were not required to give six months' notice, so courts could be processing their eviction orders as I speak. In addition, by the way, asylum seekers who fled to Britain for sanctuary will receive eviction notices with immediate effect. For context, in the same period last year, just 21,000 eviction notices were served. The scale of the hardship that is now being unleashed is unprecedented and no one is ready for it. Shelter estimates that a colossal 322,000 private renters are newly in arrears since the pandemic began, so things will get worse even more quickly. Unless he acts now, the Secretary of State will break his promise made to this place on 18 March that

“no renter who has lost income due to coronavirus will be forced out of their home”.

The Minister insists there are new measures to provide protection. That is not so. The new civil procedure rules require landlords seeking possession to describe the effect of the pandemic on their tenants' circumstances, but judges have zero authority to take those circumstances into account. In practice, it provides no protection. We recognise, too, that some small landlords will be unable to pay their mortgages or put food on their tables, so I remind the Minister of his promise to landlords that none should face unmanageable debt. The Minister believed the eviction moratorium was justified as the pandemic took hold in spring, but as we battle a second wave in the harsh depths of winter, are not such measures justified still?

I do not ask the Minister to kick the can down the road. Instead, I ask for an extension to the eviction moratorium, so that the underlying problems can be solved. The 55,000 at risk of homelessness today cannot afford to pay their rent now, they are not likely to have the money in a few months' time, and they are not going to have enough money for a deposit on a new place if they are evicted; so, very briefly, my four suggestions are these.

First, let us enact a further six-month moratorium on the bulk of evictions starting today, but this time do not waste the six months. Secondly, let us amend section 8 evictions to give judges discretion over tenants who are in need. Thirdly, the Minister should, as his manifesto promised, fast-track legislation to repeal the section 21 provisions for no-fault evictions. Throughout the crisis, the Government have swiftly moved through legislation when they have needed to and there is nothing more urgent than preventing avoidable homelessness. Finally, the Minister should provide a comprehensive package of financial support for those in arrears, so that when the moratorium does end, we do not see the appalling misery of mass homelessness, whether that is in the Lakes or in London.

The British people are united in their decency and in their belief that the virus should not bring families to their knees and dump them on the street. The Minister has the power to prevent a pandemic of homelessness. I beg him to use that power, and take the actions I have outlined.

Christopher Pincher: I am grateful, again, to the hon. Gentleman for securing his urgent question. I remind him of the unprecedented series of measures we have undertaken to protect renters during this very difficult time. Court actions have been stayed on eviction for six months, the longest period of intervention in our history. I remind him that it is the courts themselves that wish to reopen and begin to hear cases again, because the Master of the Rolls, Sir Terence Etherington, and Mr Justice Knowles have made it quite clear that they believe that landlords and tenants alike should have access to justice and so the courts should not remain closed. The courts are able to prioritise cases and, of course, that is a matter for them. They will prioritise the most egregious cases first.

The hon. Gentleman quoted some figures. I can tell him that the most recent figures suggest that 3,022 applications have been made to the courts for evictions. That is 89% down on the same period last year. The fact of the matter is that landlords are acting responsibly and talking to their tenants to avoid such actions. Such a low figure for notices made is also due to the unprecedented measures we have introduced. We will continue to keep our policies under review. We will act fairly to landlords and tenants alike.

Rob Butler (Aylesbury) (Con): I draw attention to my entry in the Register of Members' Financial Interests.

Does my right hon. Friend agree that this is about achieving an appropriate balance between the unprecedented protection that was rightly provided by this Government and supported by many landlords and the right of landlords, many of whom rely on rents for their livelihood, to protect their properties in the face of egregious behaviour?

Christopher Pincher: I quite agree: it is about striking a fair balance. There are many landlords in this country, with the private rented sector accounting for about 21% of all houses available to live in, and many of those houses are owned by smaller landlords who need the rental income to pay their bills and survive. That is why, while extending the period of notice of eviction under section 21, we have reduced the period of notice to four weeks for the most serious matters, such as antisocial behaviour, domestic abuse and violence, fraud, and egregious rent arrears, which means arrears that predate the covid emergency. I think that is a fair balance, and I suggest the House should support it.

Thangam Debbonaire (Bristol West) (Lab): I congratulate the hon. Member for Westmorland and Lonsdale (Tim Farron) on securing this urgent question, because it is scandalous that this Government are lifting the ban just as we are heading into a second wave of coronavirus. The chief medical officer gave a stark warning, but 16 public health bodies and charities also warned of a rise in covid infections if the Government force people into homelessness or overcrowding.

In March, as we all know, the Secretary of State promised that

"no renter who has lost income due to coronavirus will be forced out of their home, nor will any landlord face unmanageable debts."

The Government have reneged on that promise. They have failed to change the law to prevent automatic evictions. The courts might take a dim view, but with

section 21 still on the statute book despite the Government saying they would get rid of it, the courts will have no choice. The Government have failed to prevent financial hardship—whatever the Minister says, many people are struggling with rent—and failed to deal with arrears, with the number of people in arrears having built up since the start of the crisis to over 300,000.

The Welsh Labour Government have a plan to prevent evictions and homelessness, but as with testing, this Government had summer to develop their plan and wasted it. They now choose to withdraw the protection of the evictions ban exactly when it is most needed. There have been last-minute chaotic announcements, creating a complex and confusing situation. Will the Minister confirm that the extension of notice periods will not help those who were served notice before 29 August? What steps are the Government taking to help tenants and landlords to navigate this complex situation? Why do lockdown regulations for Newcastle and Gateshead have no rules barring bailiffs from enforcing evictions? What are the Government doing to prevent illegal evictions, which are reportedly up by 50%? Why will they not stick to their commitment to remove section 21 and automatic evictions? Are they trying to collect any data that gives an accurate picture of the problem?

We are likely to see a rise in evictions and homelessness because of this Government's incompetence. The Government must act now to prevent a wave of evictions just as covid rises this winter, and honour their promise to landlords and renters.

Christopher Pincher: The Government have honoured their promise to landlords and renters. That is why we introduced the most significant package of support in our history for people suffering from the emergency: £35 billion has helped over 9 million people on the furlough scheme. We have introduced the local housing allowance and increased it to the 30th percentile of local market rents, which will increase the annual income of those in receipt of it by some £600. The next steps accommodation programme is providing 3,000 new homes for those who have found themselves homeless, to make sure that they receive long-term help.

The hon. Lady says the Welsh Government have a plan. Well, we would all like to know what it is. They have announced some form of help, but not told us when it starts or what the amount is. We have made the rules in lockdown areas very clear. The Lord Chancellor has written to the association of bailiffs to make the position clear, and further guidance will be issued. We will continue to keep our measures under review, but we will also continue to support landlords and renters alike through this crisis.

Craig Mackinlay (South Thanet) (Con): I draw the House's attention to my entry in the Register of Members' Financial Interests.

There are 2.5 million landlords in this country. Most have just one property, often indebted, and for retired landlords it can form the backbone of their retirement income. Good landlords repair properties, get them back into use and provide millions of properties that would otherwise fall to the public and quasi sectors. Sadly, however, landlords are too often demonised. Does my right hon. Friend agree that it is right and fair

[Craig Mackinlay]

that we allow courts to exercise due discretion and sensitivity, as they always do, to decide on the correct pathways from now on?

Christopher Pincher: My hon. Friend makes a valid point. Landlords in our country provide a valuable and important service to the many people who rent. Demonising landlords, forcing the good ones out of business, will result only in fewer properties available to rent, and it may result in more of those properties being rented out for Airbnb or by less scrupulous landlords, so he is absolutely right. We have tried to be fair to renters and to landlords; the package of measures that we introduced on 29 August is fair to both. It is important that those landlords who need access to justice are able to get it, and that those landlords who are facing egregious rent arrears, antisocial behaviour and issues of domestic abuse are able to repossess their properties, while at the same time those people who through no fault of their own have got into difficulties because of the covid-19 epidemic are helped.

David Linden (Glasgow East) (SNP): I congratulate the hon. Member for Westmorland and Lonsdale (Tim Farron) on securing the urgent question.

We have heard from colleagues about the urgency of the situation in England, which I can see, as an observer in these proceedings, clearly needs urgent action. I urge the Minister to reflect on that.

As a result of SNP Government action, in Scotland there is a ban on eviction until March 2021. The Scottish Government have also introduced a £10 million tenant hardship loan fund, as well as a further £3 million in additional funding for discretionary housing payments. I therefore urge the Minister, once again, to look north to Scotland to see what protecting tenants looks like.

I also want to raise some issues with the Minister about support for asylum seekers on accommodation. Will he agree that no one refused asylum or those with insecure status should be made street homeless, given the public health emergency? Will he further commit that the Government will not follow through on their decision to subject vulnerable asylum seekers to evictions and street homelessness without the explicit consent of the affected local authority and public health director?

The Prime Minister's announcement yesterday is a sage reminder of the precarious situation we find ourselves in as we head into a second wave. The last thing that people need is for the Government to pull the rug from under their feet. I very much urge the Minister to act now to protect people when they need our help most.

Christopher Pincher: I am grateful to the hon. Gentleman for his contribution. As he knows, the Scottish legal system is different from the system in England. He knows that tenancy arrangements are different in Scotland from those here in England. He also knows that the Scottish courts began their actions some several weeks ago, whereas we maintained our stay until 21 September. I note what he said about discretionary housing payments; I am sure he noted what I said about the £180 million that we made available to local authorities in England to help people who have difficulty with their housing

needs. He mentioned asylum seekers—I am sure that Her Majesty's Government will always do their duty by asylum seekers, and so will the courts.

Mr Speaker: Sarah Dines is not here, so I call Clive Betts, Chair of the Housing, Communities and Local Government Committee.

Mr Clive Betts (Sheffield South East) (Lab): I have two simple asks of the Minister. First, does he recognise that there will be people in dire financial hardship who struggle and cannot pay their rent? I heard what he said about help for discretionary housing payments. Will he continue to monitor that, and if local authorities say they do not have sufficient to help people in real need, will he look at expanding the amount of money?

Secondly, with regard to the issue of discretion, will the Minister confirm that, as long as landlords have talked to their tenants and presented their financial information to the courts, when applying for a section 21 notice or possession on ground 8, of rent arrears, the courts have no discretion at all to reject those applications? Will he further consider those points, do what the Housing, Communities and Local Government Committee has asked and strengthen the pre-action protocol to give the courts more discretion?

Christopher Pincher: We always listen with great care to the Chairman of the Select Committee. I can confirm that we will keep all our arrangements, including our financial provisions, under review as the situation develops; it probably has some time to go before things begin to get better. He mentions section 21. He knows that the Government are committed to repealing section 21 in our renters' reform Bill, and we will do that at the appropriate time, when there is a sensible and stable economic and social terrain on which to do it.

The hon. Gentleman will know that the courts do have discretion to prioritise the cases before them. He will also know that, if landlords do not provide the right information to the courts in pursuit of their section 21 application, the courts have the discretion to adjourn the case and push it to the end of the queue. I am quite sure that Sir Terence Etherton and Mr Justice Knowles will look carefully at landlords who fail to comply with their duties. Our approach has always been to be fair—fair to those who have lost out as a result of the epidemic, and also fair to landlords, particularly smaller landlords, who need their incomes.

Theresa Villiers (Chipping Barnet) (Con): The "Everybody In" programme has had unprecedented success in bringing rough sleepers off the streets. Will the Minister assure the House that the Government will do everything they can to build on that success, to engage with rough sleepers and to get them into long-term, stable accommodation, with support for them to grapple with the problems—substance addiction, mental health issues and others—that contribute to the causes of rough sleeping in the first place?

Christopher Pincher: I am obliged to my right hon. Friend, who is a doughty campaigner for her constituents in Chipping Barnet. I agree that we need to build upon the programme that she mentions. That is why, on 18 July, we announced the next steps accommodation programme, which I referred to earlier. At that point, it had spent about £263 million on 3,000 homes to help

the long-term homeless. Dame Louise Casey is tasked with ensuring that we get people off the streets and keep them off the streets. As a result of the measures that we have undertaken, about 90% of those who were homeless at the start of the epidemic are now housed. We will continue to discharge our obligations. That is why, on 17 September, we announced further funds to the tune of £93 million to support the sorts of programme to which my right hon. Friend referred.

Rachael Maskell (York Central) (Lab/Co-op): York has one of the highest levels of private rent in the country. So many people are falling into rent arrears, and we do not have any capacity in our social housing provision. In fact, the waiting list has gone up by 300—over 20%—over the last six months. How will the Minister ensure that local authorities such as mine have sufficient resources in their discretionary grant to support constituents and stop them becoming homeless?

Christopher Pincher: As I have already described, we have disbursed £180 million in discretionary housing payments to local authorities to help them to support those in difficulty. We have spent several billion pounds on supporting local authorities through this pandemic, and we will keep our proposals under review, to ensure that we help everybody who is affected by this crisis, including the hon. Lady's constituents in York. The measures put in place by my right hon. Friend the Chancellor of the Exchequer—described by the shadow Chancellor as a “lifeline”—and by the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester (Will Quince), which to date have injected a further £9.3 billion into our welfare safety net, are designed to do exactly what we want to do: keep people off the street, keep them in their homes and keep them in their jobs as we move through this crisis.

Andrea Leadsom (South Northamptonshire) (Con): The Government took really excellent, strong steps to get rough sleepers off the streets during the first wave of the pandemic. My right hon. Friend might recall that, together with the noble Lord Bird from the other place—the founder of *The Big Issue*—I wrote to the Government with some suggestions for how we could continue to ensure that rough sleeping becomes a thing of the past. Now, of course, with the end of the moratorium on evictions fast approaching, the risk of people losing their work and then their home is increasing, so will my right hon. Friend agree to look at some of the excellent and practical proposals of the Ride Out Recession Alliance, started by the founders of *The Big Issue*, and consider taking some of them up to prevent joblessness from becoming homelessness yet again?

Christopher Pincher: I have already described the package of measures that we have introduced: we have extended to six months the notice period that landlords are required to give their tenants, which means that tenants will not have to leave their homes over Christmas, and we have made it clear that over the Christmas period and in areas of lockdown there will be no evictions—between 11 December and 11 January there will be no evictions. I think, therefore, that we have taken some steps that my right hon. Friend has described. I am always prepared to look at ideas, particularly if they are supplied by my right hon. Friend.

John Spellar (Warley) (Lab): I find it incomprehensible that the Minister has not taken the opportunity to cut the Gordian knot and deal with section 21 and the need to protect decent, honest tenants who are facing the loss of not only their job but their home. There is another, smaller group of antisocial tenants who are ruining the lives of their neighbours with their behaviour and seem to think that at the moment they are untouchable. Will the Minister ensure that councils and the courts have the power and capacity—and are fully aware of that—to take action against antisocial tenants, and fast?

Christopher Pincher: I am grateful to the right hon. Gentleman for the points he has made, which are apposite. It is for the courts to determine the priority of their cases, but I am sure the House will be reassured to know that they will do so on the basis of matters such as antisocial behaviour, fraud, domestic violence and the like. As a result of the statutory instrument that we laid on 29 August, landlords seeking possession of property because of the antisocial behaviour of their tenants will be able to move much more quickly than the former rules allowed: they will be able to seek possession of their properties in four weeks. I think that is the right balance of fairness between those tenants who fall into difficulty because of no fault of their own, and those tenants who abuse their rights and privileges and against whom the courts should act.

Peter Gibson (Darlington) (Con): It is right that the Government brought about a moratorium on evictions, but it is also right that landlords' legal rights can once again be enforced. Will my right hon. Friend share with the House details of the level of unpaid rent in the private sector and what support he is giving to those individuals who rely on rental income as their only income?

Christopher Pincher: I understand from my discussions with the National Residential Landlords Association that about 89% of tenants are paying their full rent; about 4% of tenants have agreed either rent holidays or rent reductions with their landlords; and about 7% are in arrears. My hon. Friend is right to point out that smaller landlords rely on their rents, which is why we have made it plain, through our introduction of the SI on 29 August, that when there are egregious rent arrears, landlords should be able to move quickly to repossess their properties and rent them out again. If they do not, the likelihood is that the number of properties available to rent will fall away as landlords leave the sector. As I said, 21% of homes are in the private rented sector; it is an important part of our economy and we will support it.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Newcastle citizens advice bureau reports a massive jump in housing queries, and no wonder: for most people, after their family's health and wellbeing, their home is what is most important to them, and the two are often related because, as we know, covid-19 feeds off bad housing, overcrowding and the respiratory conditions associated with that. The Minister is giving a lot of general reassurances, but can he say to me specifically that no one in Newcastle will face eviction, court action or bailiff action as a consequence of arrears due to covid-19?

Christopher Pincher: The hon. Lady has heard clearly the measures that I have laid out to support tenants who find themselves in difficulty. Tenants who have not paid their rents for more than six months, which predates the covid emergency, may well find themselves in receipt of a notice from their landlords, and that notice to move will be much quicker. That seems to me to be a fair balance between protecting people who have got into difficulty through no fault of their own—which is why we have extended the notice period that landlords have to give other tenants—and protecting landlords and the neighbours of antisocial tenants, or tenants who are not paying their rents and have not been paying them for some time, so that we protect people who are doing the right thing as well as landlords who also want to do the right thing.

Laura Trott (Sevenoaks) (Con): I welcome the confirmation that as eviction hearings resume, cases of antisocial behaviour will be prioritised. However, to follow on from the question from the right hon. Member for Warley (John Spellar), will the Minister confirm that my constituents who are suffering from this blight will now have to wait only four weeks before being put out of their misery?

Christopher Pincher: I can confirm to my hon. Friend that neighbours of antisocial tenants will find that their landlords are able to move much more quickly now to seek justice and to seek repossession of their properties and ensure that that sort of behaviour is stymied.

Ms Karen Buck (Westminster North) (Lab): Housing advisers are reporting a surge in illegal evictions, and, indeed, I have had experience of this myself. Do the Government recognise those figures? Do the Government collect data on illegal evictions? Are the Government expecting illegal evictions to continue to rise during the coming months? When was the last time that guidance was issued to police forces across the country on what their duties are to intervene in these cases?

Christopher Pincher: The law is quite clear, and I advise and encourage all landlords to adhere to it. Those who do not may find themselves in receipt of a very dim view from the courts. Of the 7% of tenants who are in arrears, I am told that about 1% have received notices to evict, so landlords, on the whole, are doing the right thing. Those who are not will, I hope, be pursued by the law, because we need to make sure that landlords do the right thing and that illegal evictions of the sort that the hon. Lady notes are not tolerated in any way.

Bill Wiggin (North Herefordshire) (Con): I know that the Government are desperately trying to be fair, but the road to hell is paved with good intentions, and this is an absolutely clear example. My casework is full of landlords complaining about tenants who are working but have refused to pay their rent, and who are behaving antisocially—but is not antisocial behaviour rather a broad catch-all? What guidance will the Minister ensure that landlords and tenants receive so that when they go to court, justice is done, as he wishes?

Christopher Pincher: I am obliged to my hon. Friend. The advice that we have given to renters and landlords

is published on gov.uk. He can take advantage of his technological know-how to take a look at it. We keep it under constant review and revise it as necessary.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Urgent action is needed to strengthen support for tenants struggling to pay their rent, and many have joined us in calling for the UK Government to lift local housing allowance rates further to cover average rents. Has the Minister discussed that call with Department for Work and Pensions and Treasury Ministers, and if not, why not?

Christopher Pincher: We keep our policies under constant review, as I say, and I will certainly talk to my ministerial colleagues at the Department for Work and Pensions. We have increased the local housing allowance to the 30th percentile of local market rents. That was called for last year by Crisis and by Shelter, so we have been listening to stakeholders who are concerned about the effect on tenants. As a result of that intervention, we have increased tenants' incomes by some £600 a year to help them through this crisis.

Felicity Buchan (Kensington) (Con): Can my right hon. Friend confirm that this Government have made available an extra £9.3 billion in welfare support, including a more generous local housing allowance, to help renters like those in my constituency to pay their rent?

Christopher Pincher: Yes, I can. My hon. Friend is a hardy campaigner for her constituents. When I came to the House before the recess to answer a similar urgent question, I told the House that we had injected into the welfare system some £6.5 billion of further investment to help people in difficulty. I can now report to the House that, as she has pointed out, we have now spent £9.3 billion on the welfare system. That is a very tangible example of the investment that we are putting in to help people out during this crisis.

Cat Smith (Lancaster and Fleetwood) (Lab): Young people have been hit hardest by the coronavirus jobs crisis and receive less local housing allowance. As a consequence, 100,000 young people are now at risk of eviction. What discussions has the Minister had with youth organisations working with young people who are homeless, at risk of homelessness or perhaps sofa-surfing, to ensure that they do not face an evictions crisis?

Christopher Pincher: The hon. Lady makes a good point. My Department and my officials are in regular contact with a large number of stakeholders and groups concerned with those affected by this crisis. I myself have taken part in a large number of roundtables with various interlocutors. As I say, we will keep our policies under review to deal with the challenges that people face. I simply point her again to the interventions that we have already made, including the job retention scheme, the help with local housing allowance and the discretionary housing payments that have been disbursed to local authorities to help people in difficulty, including young people.

Alexander Stafford (Rother Valley) (Con): The Minister will know that a large number of homeless people and those facing eviction are veterans. Although there are many good charities out there working to help homeless veterans, such as Help 4 Homeless Veterans, led by

Steven Bentham-Bates and operating in South Yorkshire, what support can the Minister and his Department give those men and women—our heroes—who are facing evictions?

Christopher Pincher: My hon. Friend will know that anybody who has been a regular member of Her Majesty's armed forces will receive priority treatment from local authorities with regard to housing and housing need. I certainly commend the work of Help 4 Homeless Veterans, led by its chief executive officer, Mr Steven Bentham-Bates, in my hon. Friend's constituency. I wish them, and him, more power to their elbow.

Fleur Anderson (Putney) (Lab): In my constituency, the number of universal credit and jobseekers allowance claimants has more than doubled since the lockdown. Almost a third of employees have been furloughed and a third of households in Putney are rented privately. With the evictions ban ending last weekend, the ending of furlough coming up very soon, and yesterday's announcement of six months' more restrictions, does the Minister agree that this is the perfect storm? Will he now end section 21 no-fault evictions?

Christopher Pincher: The Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester (Will Quince), has, with his Department, increased welfare spending by £9.3 billion since this crisis began. That is helping millions of people who, through no fault of their own, are in need of universal credit. The Chancellor has introduced the job retention scheme and the furlough scheme, which has resulted in our spending something like £35 billion to help 9 million people, so we have taken very tangible steps to help people through this difficulty. We will continue to keep all our policies under review as the epidemic develops. It has some way to go yet, and we shall be watching and reacting as appropriate.

Shaun Bailey (West Bromwich West) (Con): Forty-two per cent. of my constituents are in the rented sector and they have appreciated the moratorium over the past six months, but can I just bring my right hon. Friend back to an answer that he gave some moments ago? Can he confirm that in areas in my constituency such as Sandwell, which is currently under local restrictions, there will not be any evictions during those local restriction periods?

Christopher Pincher: My hon. Friend is correct. My right hon. and learned Friend the Lord Chancellor wrote to the bailiffs' association to give it clear direction as to its duties and responsibilities in lockdown areas in this crisis. While there is a lockdown where movements are restricted, no evictions will take place.

Beth Winter (Cynon Valley) (Lab): I would be more than happy to meet the Minister to discuss the forward plan in Wales, which has been in the public domain since last week, so if he wants to take me up on that offer, please do. Hundreds of thousands of people are already in rent arrears and millions more are at risk in the coming months. It is imperative that we prevent evictions and ensure that people are safe and secure in their homes. Does the Minister agree that increasing the local housing allowance, as my Welsh colleagues have asked, to the 50th percentile is the most effective way to achieve this outcome?

Christopher Pincher: As I said in answer to an earlier question, we have increased the LHA and we did so in response to a call from Crisis and from Shelter. We are listening. As I said, that will result in £600 of additional income for people in difficulty. The best thing that we can do is to help people to pay their rents. That helps, and also means keeping people in jobs. Our primary focus as we work through this public health crisis is to keep the economy moving and keep people in jobs, ensuring that they can pay their bills.

Gary Sambrook (Birmingham, Northfield) (Con): The Government were absolutely right to protect renters over the last six months, but, unfortunately, some people have misused that protection by causing unnecessary levels of antisocial behaviour in streets, and law-abiding citizens have had to put up with that. Does the Minister agree that now is the right time to lift the ban so that people can go back to a good quality of life in their streets and not have to put up with antisocial behaviour?

Christopher Pincher: I am grateful to my hon. Friend for his question. The police have powers under the Anti-social Behaviour, Crime and Policing Act 2014 to deal with egregious antisocial behaviour, but he is absolutely right: when tenants are behaving irresponsibly, abusing their privileges and abusing their neighbours, not just the police but landlords and the courts should have the right to act swiftly, and that is the power that we have given them.

Robbie Moore (Keighley) (Con): I know that many of my constituents have warmly welcomed the evictions ban because they have faced severe financial difficulties as a result of the pandemic. So can my right hon. Friend confirm that landlords will still be required to take into account coronavirus issues when starting eviction proceedings?

Christopher Pincher: My hon. Friend is absolutely correct. If a landlord wishes to pursue an action through the courts, that landlord will have to give the courts clear and defined information about the status of the tenants and the way in which the covid-19 emergency has affected them. If any landlord fails to do so, or attempts to circumvent those rules, the courts can adjourn the case, pushing it to the end of the queue, which will cost the landlord, if nothing else, probably quite a bit of money. So we have made sure there are tenant protections in place as we move through this crisis.

Charlotte Nichols (Warrington North) (Lab): As of yesterday, Warrington North is subject to local lockdown. The Government have announced that bailiffs will not evict in areas under local lockdown, but the eviction ban has been lifted and the guidance for bailiffs remains unpublished. Given that local lockdown guidance does not clearly rule out bailiff actions, what assurances can the Minister give constituents of mine in the private rented sector, anxious about losing their homes as we stand on the precipice of a second wave of this pandemic?

Christopher Pincher: As I said in a previous answer, the Lord Chancellor has written to the bailiffs' association to make absolutely clear what its responsibilities are. Further guidance will be published in due course, but we are absolutely clear that, where there is a lockdown where movement restrictions are in place, evictions should

[Christopher Pincher]

not take place. The Lord Chancellor has made it clear in his letter and I have made it clear from the Dispatch Box.

Jonathan Gullis (Stoke-on-Trent North) (Con): In Stoke-on-Trent North, Kidsgrove and Talke, I have a constituent who lives with her disabled son in private rented accommodation. She has recently been served a section 21 notice and has until 9 November to find alternative specialist accommodation in a competitive marketplace. Can my right hon. Friend advise me on how we can best assist those who need such specialist accommodation?

Christopher Pincher: I have made clear in my previous answers the work that we are doing through the next steps accommodation programme to the tune of £263 million. I am not aware of the exact circumstances of my hon. Friend's constituents, so it is probably better if he writes to me with more detail; I will be sure to follow it up.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Ministers will know from my interventions and interests in this place that I am not an enemy of the landlord, but it seems to me that the balance here is totally wrong. Landlords and homeowners have been able to have mortgage deferrals, and their homes cannot be repossessed without the court looking at circumstances and the mortgage company discussing payment options. Why on earth does the Minister think it is acceptable for courts to have no discretion on section 8 notices on the grounds of rent arrears, and when will he fulfil his manifesto pledge to get rid of section 21 and introduce the renters' reform Bill?

Christopher Pincher: Given what the hon. Gentleman sometimes says in this place and on social media, one might be forgiven for thinking that he is the enemy of everybody some of the time. We will reform section 21 of the Housing Act 1988 when we bring forward the renters' reform Bill, which we will do in due course.

Selaine Saxby (North Devon) (Con): It is crucial that we ensure that the most vulnerable in society are supported, especially throughout this pandemic. Is it not also the case that we should recognise that not every tenant is unable to pay their rent? Where necessary, should we not be supporting the landlords who rely on the income from their rental properties to live on or who have mortgages of their own to pay?

Christopher Pincher: My hon. Friend is absolutely right. Tenants should continue to pay their rent where they can. Where they can but will not, we have changed the Coronavirus Act 2020 to make it easier for landlords to act. We think we have struck a fair balance between the rights of tenants and the rights of landlords, and I ask the House to support it.

Siobhain McDonagh (Mitcham and Morden) (Lab): The end of the moratorium on eviction strikes fear in my heart, and it should strike fear in most Members' hearts, because we know what is coming for so many families with children in our constituencies who have done nothing wrong, but are at the end of section 21 evictions. My local authority, the London Borough of

Merton, has had 24 two-bedroom properties available since 1 April; that is less than one a week. It has had six three-bedroom properties available; that is one a month. The families who are going to be evicted over the next few months face years in temporary accommodation. What support is the Minister giving local councils to ensure that the temporary accommodation that these families find, which will be long term in anybody's imagination, is fit for them and allows them to remain in their jobs, in their schools and close to their support networks?

Christopher Pincher: We have invested a great deal of money in local authorities throughout this crisis, as the hon. Lady knows. I have described to her the accommodation programme, which invests £263 million in 3,000 units to house the long-term homeless. We have just announced an affordable homes programme, which will result in the building of some 180,000 affordable homes being built over the next cycle, about half of which will be for a discounted rent. I encourage her to take up her concerns with the Mayor of London to ensure that he is building out the right number of homes, which he has pledged—and has thus far failed—to do.

Andy Carter (Warrington South) (Con): As the Minister will know, a number of new restrictions were introduced in my constituency earlier this week to try to bring down the spread of covid. I have received a number of emails from constituents concerned that they may be at risk of eviction. Can my right hon. Friend give assurances that no evictions will take place in areas such as Warrington where local restrictions are in force?

Christopher Pincher: I commend my hon. Friend for campaigning on behalf of his constituents in Warrington, and I can give him that assurance. Where there is a local lockdown—where movement restrictions are in place—no evictions will take place.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Government are reintroducing evictions at the same time as scrapping employment support for millions of people, making it highly likely that we will see a very bleak rise in homelessness. Is the Minister aware that, due to covid regulations, many hostels and shelters cannot open to support homeless people this winter? Is it his intention to resource alternative provision or revise those regulations?

Christopher Pincher: We have provided a great deal of resources for local authorities and charities to support people through this emergency. We will continue to keep those policies and programmes under review. If the hon. Gentleman has specific ideas that he wishes to suggest, I am happy to hear them.

Kevin Hollinrake (Thirsk and Malton) (Con): I draw the House's attention to my entry in the Register of Members' Financial Interests.

It is absolutely right that we should be fair to tenants affected by the covid crisis, and the hon. Member for Westmorland and Lonsdale (Tim Farron), who secured the urgent question, is right to say that we might consider giving the courts discretion over the nature of arrears.

But it also has to be right that we should be fair to the neighbours of those guilty of antisocial behaviour, fair to those affected by domestic abuse and fair to landlords who were affected by arrears pre-covid, and that should be the immediate focus of the courts' attentions.

Christopher Pincher: My hon. Friend, as ever, makes his point eloquently, and I am sure that Her Majesty's Courts and Tribunals Service will have listened to him carefully.

Vicky Foxcroft (Lewisham, Deptford) (Lab) [V]: My constituent Nichola is a key worker. In May, her landlord served her with a section 21 no-fault eviction notice, giving her three months to move out. Housing benefit will cover only a one-bed flat for Nichola and her two teenage daughters. Letting agents demand an above-average income and the details of someone who earns more than £50,000 to guarantee the rent. What does the Minister suggest that people in Nichola's position should do to provide a suitable home for their families during the pandemic?

Christopher Pincher: I have outlined to the House the range of measures that the Government have undertaken to support renters during this crisis. I do not know the specific circumstances that Nichola finds herself in, although the hon. Lady outlined some of them. If she cares to write to me with further information, I will give her a full and considered response.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]: Many renters in my constituency work in the leisure, hospitality and creative sectors. With the new restrictions coming in, they will continue to see a big shock to their income. The Prime Minister announced that the new restrictions might be in place for another six months, but they have not been matched by any support for renters. Will the Minister reintroduce the evictions memorandum while those restrictions are still in place, and scrap the benefit cap, which is impacting on tenants and those who are falling into rent arrears?

Christopher Pincher: Even with the benefit cap, from which there are right and proper exemptions, I think that in London there is an equivalent income of £28,000 for a person in receipt of benefits. We keep our policies under constant review—the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester, is here listening to the points that the House is making—and of course if we do choose to make future changes, we will bring those to the House.

Craig Whittaker (Calder Valley) (Con): I have information on dozens and dozens of small-scale landlords—not property tycoons—who are now owed several thousand pounds in rent arrears, some due to genuine hardship, some as a result of tenants' taking advantage of the current situation. This situation is now causing some landlords, particularly those with mortgages, severe hardship. I know that my right hon. Friend has said that the best option is to give the tenant as many options as possible to pay their rent, so will he look at the development of interest-free Government-guaranteed hardship loans for tenants to pay off their covid arrears?

Christopher Pincher: As I said, we will keep our policies under review, to ensure that they take account of the state of the emergency at any given time. The steps that we have already taken, including mortgage holidays and the right to extend those mortgage holidays, also apply to landlords. I am happy to stay in touch with my hon. Friend as we continue to keep our policies under review, to make sure that he is apprised of the steps that we are taking to support landlords and tenants alike.

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 am suspending the House for three minutes.

1.35 pm

Sitting suspended.

EU Exit: End of Transition Period

1.38 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): With permission, I would like to make a statement on preparations for the end of the transition period.

There are now just 100 days to go until the United Kingdom leaves the single market and the customs union, and that will be a moment of great opportunity, but also of significant change and challenge. It is vital that we all take the steps required to grasp those opportunities, and to meet and master those challenges. The Government are of course committed to negotiating a new free trade agreement with the EU before the end of the transition period, and those talks are progressing; but whatever the outcome of those negotiations, things will change for businesses and individuals as they trade with and travel to the EU. It is important that we, as parliamentarians, all understand that, and that we all take action to prepare.

Whether we secure a good FTA before January or not, whether we get a Canada-style deal or exit on Australian terms, we will have left the single market and the customs union, and that fact means adjustments for businesses trading with the EU; changes for citizens travelling to the EU; and, of course, new responsibilities for Government in both scenarios.

The superb civil servants at Her Majesty's Revenue and Customs and their colleagues across Government are working with business to ensure that exporters and importers are ready for new rules. Every business trading with Europe will need to familiarise itself thoroughly with new customs procedures, and, whether they develop their capacity in-house or work with a customs intermediary, enhanced preparation is vital. The Government have invested in increasing customs agent capacity and supported growth in the sector, and of course we stand ready to do more. HMRC is also able to support businesses to secure authorised economic operator, consigner and consignee status, which will ease the flow of goods.

Businesses that are fully ready for life outside the customs union will also be better prepared for the growing number of export opportunities outside Europe, as the UK establishes new trade relationships with partners across the globe following the highly successful conclusion of our new trade deal with Japan. Because preparing for customs procedures will be required with or without a free trade agreement, these adjustments cannot be left until the last minute. More and more businesses are becoming fully prepared, but there are still many that have not quite taken the steps they need to take. Our survey evidence indicates that while 78% of businesses have taken steps, just 24% believe that they are fully ready. Indeed, 43% of businesses believe that the transition period will be extended, even though the deadline for any extension is now long past and the date on which we leave the single market and the customs union is fixed in law and supported across the House.

The Government are taking action to prepare for that date, with the XO Committee—the EU Exit Operations Committee, the Cabinet Committee charged with preparations for the end of the transition period—now meeting almost daily and taking decisions on trader and haulier readiness, border infrastructure and fisheries

protection. The Committee has met 136 times since it was established, and it will continue to meet to ensure that we have taken all the steps required to prepare, but we also need businesses to prepare. The consequences of a lack of business preparedness will be not just missed economic opportunities for those companies that do not prepare, but potentially much wider disruption.

That is why today we are publishing our reasonable worst-case scenario planning assumptions, indicating what could happen if we do not all secure improved preparedness. I should stress that this is not a prediction or a forecast; it is just a prudent exercise in setting out what could, in the worst circumstances, occur if we do not improve preparedness and, of course, if our neighbours decline to be pragmatic. The scenario builds on an estimate that only 50% to 70% of large businesses and just 20% to 40% of small and medium-sized enterprises will be ready for the strict application of new EU requirements. In those circumstances, that could mean that only between 30% and 60% of laden heavy goods vehicles would arrive at the border with the necessary formalities completed for the goods on board. They would therefore be turned back by the French border authorities, clogging the Dover to Calais crossing. In that scenario, flows across the critical short-strait crossings could be reduced by up to 60% to 80%, compared with the normal rate, and such circumstances could lead to queues of up to 7,000 HGVs in Kent. Those queues and the associated disruption and delay would of course subside, as unready businesses that had had their goods turned back at the French border would not want to repeat the experience, but it is clearly far better for everyone to be aware now of what is needed to prepare, rather than face additional disruption next year. This is why we are publishing our reasonable worst-case scenario today: not just because any prudent Government will always prepare contingency plans for the worst, but to illustrate the costs of a lack of preparedness while there is still plenty of time to prepare.

The Government are committed to doing whatever it takes to help business, and we have brought in a comprehensive series of measures to help businesses and individuals to adapt to the changes ahead. We are helping businesses that import by introducing new border controls on imports in stages, and full controls will be imposed only from July of next year. We have produced a comprehensive border operating model, which provides a simplified guide, complemented by the work of gov.uk for business, and we will be publishing an updated version with more granular detail in the coming weeks. We have invested £705 million in new technology, infrastructure and jobs at the border, and we are ensuring extra personnel: Border Force has recruited more than 1,000 additional staff, with hundreds more being recruited now. We have also made available over £80 million in grants for organisations to recruit and train new customs agents to support an expanded customs intermediary sector.

A new network of information and advice sites will help to ensure that hauliers are up to speed with their new requirements and the correct paperwork. They will be able to check that their documentation is export-ready using the new Smart Freight web portal. We have complemented all this activity with a public information campaign to help businesses to prepare. The campaign communicates the actions that all businesses need to

take before the end of the transition period, and there is a user-friendly checker tool on the gov.uk/transition page, which details exactly what businesses need to do.

The Government are taking all these steps to help businesses to prepare, because change requires preparation. But change is what the British people voted for because, outside the single market and the customs union, the UK can exercise all the freedoms and flexibilities of a truly sovereign state. Outside the common agricultural policy, we can support our farmers better and enhance our natural environment. Outside the common fisheries policy, we can revive our coastal communities and improve our marine environment.

We can strike new trade deals, which help developing nations to grow faster and lower prices for consumers. We can develop tailored policies to better support new technologies and level up our economy. We can invest the money that we currently send to Brussels in the NHS, in our science base and in improving productivity in all the nations of the United Kingdom. We can develop freeports, which bring investment to overlooked communities. We can regulate more smartly, legislate more accountably and strengthen our democracy.

These are great prizes, and the British people voted in the 2016 referendum and the 2019 general election to make sure they were delivered. This Government are committed to honouring those democratic choices, and I commend this statement to the House.

1.45 pm

Rachel Reeves (Leeds West) (Lab): I thank the right hon. Gentleman for advance sight of his statement.

The news today that there could soon be tailbacks of 7,000 lorries in Kent is quite extraordinary. I know that the Government have said that they are committed to building new infrastructure, but I did not realise it meant concreting over the garden of England. Today's warnings are based on a reasonable worst-case scenario, but given that we have a reasonable worst-case Government, we have to assume that these scenarios could play out quite soon.

In their letter to the road haulage industry, the Government say that business should get ready, but what about the Government? There is a long list of promises for the future in the letter: the UK Government will be contacting haulage companies; they will be running targeted advertising; they will be publishing an updated haulier handbook; and they will launch advice stands at UK service stations. Why are these essential prerequisites for a smooth transition not already here? It is all well and good to tell businesses to act now, but without the systems in place, frankly, it is like telling me to bake a cake but forgetting to turn the oven on.

Sectors from farming to haulage and car manufacturing are crying out for the Government to get this right. These sectors are the backbone of British industry, and they are vital to our everyday economy. If we do not listen to these experts, we will lose exports. I met the Road Haulage Association last week. It is tearing its hair out. It has since met Ministers and described that meeting as "a washout". Frankly, this is not good enough.

In the summer, I visited the proposed lorry park in Ashford, Kent, where construction had just begun. It was with some dismay that I later read that workmen had encountered a Saxon brick wall in their excavations.

I hope this is not a metaphor, but can the Minister assure the House that progress there is on track? Another site apparently earmarked is in Ebbsfleet. It is currently a covid testing centre. With the test, trace and isolate system on its knees, this would be farcical if it were not so serious. Is it really too much to ask for a little bit of joined-up government from Ministers?

On 4 September, the Government granted themselves the power to build additional lorry parks in 29 local authority areas without consulting residents. Can the Minister tell us exactly where those facilities will be? That is the least that local people deserve. Will he also tell the House how many customs agents and intermediaries are trained and in place? This is so important for the system to work.

In the summer, the Government admitted that there would be £7 billion-worth of additional bureaucracy for UK businesses. It is the last thing they need right now, so is that still the most accurate assessment of the costs for businesses?

It has been estimated that 10 new IT systems will be needed to make our new trading relationship with the European Union work. Can the Minister list those IT systems and guarantee that they will be in place and fully operational on 1 January? Given that we were promised a contact tracing app, first in May, then in June and then in July, and it is now September, what assurance can he give that this time the Government will deliver that vital technology and that it will be working and delivered on time? Frankly, the Government's track record does not inspire confidence.

We have just 100 days until the end of the transition period. Labour's message to both sides in this negotiation is clear: stop the posturing, and start negotiating. It is in our national interest—it is in all our interests—that the Government get a deal, and get it soon, so that businesses have time to prepare. The Conservatives have had three Prime Ministers and four years since the referendum in 2016. We have seen serial incompetence and countless U-turns. I say to Ministers: get a grip on preparations, and get a grip now. The transition period comes to an end on 31 December. Will the Minister guarantee, not just to this House but to the whole country, that we will be ready?

Michael Gove: I am grateful to the hon. Lady for her questions. She makes the point that there have been three Prime Ministers and four years since the referendum and alleges that there have been some U-turns. This Government have been consistent in our determination to honour that referendum result. If we are thinking of U-turns, I think of the Labour party, which at different times has been in favour of a referendum or of extending the transition period, against our exit from the EU, and it now seems to be resolutely in favour of that exit. I am grateful that the Labour party has now taken the decision to recognise the democratic verdict of 2016, but when reflecting on U-turns, flip-flops and changes of position, we should all exercise appropriate humility.

The hon. Lady asks what is required in order to prepare. We will, of course, be stepping up our intensive co-operation with business, but when the chief executive of the port of Dover appeared in front of the Committee on the Future Relationship with the European Union in June this year, he made it clear that at that point it was possible for any business to know exactly what was

[Michael Gove]

required, from the acquisition of an economic operators registration and identification number to securing a customs intermediary or having in-house capacity. Everyone knew at that stage what would be required on our departure from the customs union and the single market. That information is there, and we want to ensure that more and more businesses, including those who think the transition period will be extended, realise that, as the hon. Lady rightly pointed out, there is no turning back from that date, and we all need to be ready by 1 January.

The hon. Lady asks about our determination to secure a deal. We are determined to do everything we can to secure a deal, but one purpose of this statement is to underline that, whether or not we secure a deal, because we are leaving the single market and the customs union, there are some activities that all businesses must engage in. I hope that Members across the House, whatever their views of the merits of our departure from the European Union, will work with the Government to ensure that businesses are directed towards the information they need and given the support they deserve.

The hon. Lady mentions her visit to Ashford. I am grateful to her and to others for drawing attention to the need for additional infrastructure at or near the border, as well as Government investment to ensure that we are ready. The Ashford motorway site will provide transit facilities for those who are exporting, and from July 2021, it will also provide facilities for those who are importing. I am grateful to everyone who has played a part in ensuring that that site will be ready on time.

The hon. Lady refers to the Ebbsfleet site, which was acquired by HMRC some time ago, in preparation for a potential no-deal exit before the withdrawal agreement was secured. It was temporarily allowed to become a testing site, but testing facilities have now moved to another location in Kent. Ebbsfleet, along with North Weald, is available as a transit site. It is important that this Government, like all Governments, ensure that we provide not only for the public health of our people, but also for the free flow of commerce.

The hon. Lady refers to customs agents and intermediaries. The £80 million provided has not yet been fully drawn down, and I hope that our exchanges today will encourage businesses and others to ensure they have access to that money. She asks about IT systems, and systems such as the import of products, animals, food and feed system have been in place for some time now. That new IT system will replace the EU trade control and expert system—TRACES—to which we will, of course, no longer have access. Other systems such as the smart freight system or the goods vehicle movement service are in operation and being tested with business now.

As I said earlier, it is vital to recognise that business needs our support to navigate, meet and master these challenges and to take advantage of these opportunities. The Government stand ready to work with everyone across the House to ensure that business is ready, and at what is undoubtedly a difficult time for the economic life of our country, we will do what we can to help.

Damian Green (Ashford) (Con): I can assure my right hon. Friend that the so-called Saxon wall on the Ashford site is in fact a myth: it is not Saxon and it is not holding up work.

The prospect of 7,000 trucks queuing to cross the channel will send a chill through my constituents, because we know the disastrous effect that will have on all the roads in Kent. I very much support my right hon. Friend in his work to prepare the road haulage industry for the end of the transition period, but may I ask about the Government's own preparations and specifically the smart freight system that he mentioned, which is essential for the smooth running of traffic across the channel? Can he give a guarantee that that system will be fully up and running and operational from January?

Michael Gove: My right hon. Friend makes a number of very important points, and I am grateful to him for clearing up the point about archaeology, which I failed to address in my response to the hon. Member for Leeds West (Rachel Reeves), but his expertise in this area is greater.

My right hon. Friend is absolutely right that we want to avoid the level of congestion that this reasonable worst-case scenario sets out, and he is also absolutely right that that requires people to work together. It requires not just the haulage industry but, in particular, those goods exporters who commit goods to haulage to be ready in time. Part of that is the smart freight system, which has been developed and is being shared with business. We want to make sure that people use a relatively simple process to get what will become known as a Kent access permit, which means that they can then proceed smoothly through Kent because they have the material required. If they do not have the material required, through policing, ANPR cameras and other means, we will do our very best to ensure that his constituents are not inconvenienced.

Pete Wishart (Perth and North Perthshire) (SNP) [V]: Today is the day when all the Brexit chickens come home to roost, only of course they will not, because they will be sitting in a 7,000-strong lorry queue on a Kent motorway for two days, waiting to be dispatched. I remember the days of the easiest deal in history, of having our cake and eating it while observing the sunny uplands, when even the Duchess himself told us that we hold all the cards. Well, it seems that the only card we are holding is the joker with his "Spitting Image" mush all over the front of it. What I do not understand is why he continues with the charade of seeking a deal when we know that it is the no deal that they all want and all covet.

I can tell the right hon. Gentleman that the Scottish people are also scenario planning. We are planning our best-case scenario, when we get out of rogue state UK before the worst of this Brexit madness consumes our beautiful nation. His European counterparts must be looking forward to the next round of talks with all the relish of a vegan being served a platter of chlorinated chicken.

We are told that the talks are at a delicate stage; they are so delicate that the EU is close to telling the UK to go and get stuffed, and I can see its point. It is having to deal with a UK that is prepared to tear up the withdrawal agreement that was oven-ready and the greatest deal

ever just a few months ago and, in the process, break international law, but there is one good thing that has come out of all this: it has focused Scottish minds on the type of future that we want. Do we want a future in rogue state UK, with all the horror of its low-deal, no-deal Brexit, or a future as a normal European nation making our own decisions free of this clown-shoed Government? As a famous son of Aberdeen, the right hon. Gentleman must know which direction the Scottish people are travelling in.

Michael Gove: I do not know where to begin: chickens or cake. Those questions were a mixer-maxter of mixed metaphors the likes of which even the most impressive makar would be proud. It was a remarkable performance—they usually are. I thank the hon. Gentleman for referring to the fact that “Spitting Image” has fashioned a rubber puppet in my likeness. It is one of the greatest honours that has ever been paid to me, and I hope that other Members will enjoy that recognition in due course.

The hon. Gentleman asked about chickens. One of the things we will do is ensure that we prioritise day-old chicks, and fish and shellfish from Scottish harbours to make sure that they reach the fish market in Boulogne without let or impediment. As we take back control of our waters, and access to our marine resources enables Scotland to get thousands of new jobs and millions in new investment, we want to be able to take full advantage of that. Sadly, one of the Scottish Government’s decisions is that they wish to re-enter the European Union, give up access to that bounty and sell Scotland’s coastal communities short. I gently suggest that that is probably a mistake.

The hon. Gentleman makes the point that the best-case scenario for Scotland is independence. That has long been his position. Of course, while we set out to answer questions in this House, there are many questions about independence that have not been answered. What currency would an independent Scotland use? How would UK pensions be guaranteed in an independent Scotland? What would be the replacement for the furlough scheme in an independent Scotland when HM Treasury was no longer capable of providing that money? As Andrew Wilson’s growth commission has pointed out, an independent Scotland would have to pay a premium for borrowing on international markets. No pounds, no pension and poorer, an independent Scotland—unless the hon. Gentleman can come up with better answers—is the worst case of all.

David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con): May I ask a question that actually matters in relation to jobs and the economy in Scotland? With only 100 days to go until the end of the transition period, will my right hon. Friend confirm that the UK Government have given up on the EU’s resolving the Airbus-Boeing dispute, which has led to damaging tariffs on Scotch malt whisky in the US? Will the UK Government pursue a bilateral resolution of that dispute to see those tariffs lifted and enable the Secretary of State for International Trade to negotiate a free trade agreement that banishes such tariffs forever?

Michael Gove: My right hon. Friend is absolutely right to raise that issue. It is because of the EU’s mishandling of the Airbus project that the US imposed tariffs on malt whisky that did not exist beforehand,

hitting one of Scotland’s most important exports. My right hon. Friend the International Trade Secretary has been negotiating on Scotland’s behalf directly with the US to see those tariffs lifted. She has already secured progress on gin, and I hope that she will secure progress on whisky. The excellent Karen Betts, chief executive of the Scotch Whisky Association, has been appointed explicitly as an adviser to the Secretary of State to help ensure that the UK Government, with their negotiating weight, can do for the Scotch whisky industry what the EU was not capable of doing.

Hilary Benn (Leeds Central) (Lab): I am grateful to the Chancellor of the Duchy of Lancaster for his statement, although a queue of 7,000 lorries would not be much of a great prize for the country. As he knows, for months, those who move goods for a living across the short straits have been warning Ministers that systems and training will not be ready in time. Now the industry says that it is being “fitted up” to take the blame for the Government’s failure to grasp, in the words of one logistics expert involved in the talks, “real-world complexities”. The Chancellor of the Duchy just told the House that the Goods Vehicle Movement Service and the smart freight IT systems are in operation. When did that happen?

Michael Gove: They have been developed. They are in operation now. We are refining with business exactly how they should operate for businesses’ benefit.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I congratulate my right hon. Friend on his “Spitting Image” puppet, and on the literary prowess visited on him in recently published diaries.

I remind my right hon. Friend of his considerable generosity in coming to the west midlands to attend a roundtable with manufacturers some 12 months ago. He did that with our outstanding West Midlands Mayor, Andy Street. As my right hon. Friend discharges his most important duties as set out in his statement, will he remember two of the points that were raised with him at that roundtable? The first is concern about just-in-time supply chains, and the second is the importance of removing tariffs on finished goods and components in those supply chains.

Michael Gove: I am grateful to my right hon. Friend. I was not aware that there were any diaries being published this week.

Kevin Brennan (Cardiff West) (Lab): You should read the *Daily Mail*.

Michael Gove: I will look out anxiously when I next pass Waterstones in Camberley.

On the substantive point that my right hon. Friend makes, he is absolutely right. There is no better champion of the automotive sector than the West Midlands Combined Authority Mayor, Andy Street. The roundtable that I had with him, as well as the opportunity I have had with him to visit Jaguar Land Rover to talk to Ralf Speth and others, have impressed upon me the importance of doing everything we can to support that sector, on which so many jobs depend. That is why we are so anxious to secure a deal.

Ben Lake (Ceredigion) (PC): The Minister will be aware of the considerable concern that Welsh ports such as Fishguard and Holyhead will be severely impacted by any delays to the introduction of the goods vehicle movement and smart freight systems. Could he tell the House what proportion of vehicles crossing the Irish sea from Wales to Ireland he expects to face disruption in the Government's reasonable worst-case scenario?

Michael Gove: Goods coming from Ireland to Wales should not face impediment because we are staging our processes in the way that I described. For goods going the other way, much depends on the determination made by EU member states about the processes they will apply, but we are working with the Welsh Assembly Government and the Senedd to invest in a facility near Holyhead in Anglesey, to ensure that transit and other procedures can facilitate the flow of traffic and trade.

Sara Britcliffe (Hyndburn) (Con): The people of Hyndburn and Haslingden voted overwhelmingly to leave the EU and for someone who would respect their decision, yet they are still urging me to press the Government not to extend the transition period. Can my right hon. Friend confirm that the EU has accepted that we will not accept or seek an extension to the transition period and that, at the end of this year, we will deliver on our promise to the British people and regain our economic and political independence?

Michael Gove: My hon. Friend makes absolutely the right point. The certainty of knowing that we will leave on that date and the publication of the information today will, I hope, help businesses to prepare with certainty for the end of the transition period. Every Conservative Member of Parliament was elected on a manifesto which made it clear that we would end the transition period on 31 December. One of the difficulties we have in this House is that, while those on the Opposition Front Bench quite rightly support that position, Labour politicians in power, such as the First Minister of Wales and the Mayor of London, take a different position. The leader of the Labour party was talking yesterday about patriotism. I think it would be patriotic if he were to make it clear that Labour is united in backing the British people.

Feryal Clark (Enfield North) (Lab) [V]: The Government have promised a shared prosperity fund to replace EU structural funding for regeneration and growth since 2017. Despite their originally promising a consultation, we have not seen one. There have not even been any engagement events since the Prime Minister took office. When will the Minister publish the framework through which the shared prosperity fund will work, to keep it accountable and prevent pork barrel politics and bungs to target seats?

Michael Gove: The hon. Lady makes an important point. The Secretary of State for Housing, Communities and Local Government will outline how the shared prosperity fund will be distributed. She is right: as a result of our departure from the European Union, we will have more money to spend on our priorities, and we will, of course, spend that money on what the Prime Minister has called the levelling-up agenda. There are parts of our country—overlooked communities and

undervalued families—that have been neglected by Labour local authorities for far too long and now have Conservative MPs in this place, and it is vital that their advocacy on behalf of their constituents to improve their productivity is supported. That is why everything from new freeports to increased investment will go to those areas that have been neglected by Labour for far too long.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): The figures that my right hon. Friend has given today on business preparedness for 31 December are concerning. Is not the important advice that he has given that those businesses should either do the paperwork themselves or get an intermediary to do it on their behalf?

Michael Gove: My hon. Friend is right. We want to help and support business. That is why we have provided the funding that we have. One reason for publishing the reasonable worst-case scenario today is to draw attention to the fact that, if we do not all work together, there will be disruption, but if we do work together, there are huge opportunities to be seized.

Kevin Brennan: Seven thousand HGV lorries parked end to end would stretch from this building to Dover—that is the scale of the problem that the Minister has set out. Where will the 29 extra lorry parks be? We need to know that. This is about Government preparedness. His statement seemed to be all about passing the blame on to business for the chaos being caused by his Government.

Michael Gove: No. The hon. Gentleman, by emphasising that figure, is helping, because what we want is to avert that scenario. As I pointed out, it is not a prediction, but it is a warning. He is right that there is a responsibility on Government, which is why we have invested in the sites in Ebbsfleet and North Weald, Ashford, Warrington and the west midlands. Should we need to deal with specific areas of traffic management in Kent, steps have been taken with the Kent resilience forum to do just that. The reason for publishing the scenario today is to avert that. I hope he will work with businesses in his constituency to make sure they let Government know what more they need to be ready.

Alun Cairns (Vale of Glamorgan) (Con): The most senior Labour politician in office in the UK is the Welsh First Minister, and he has called for the transition period to be extended beyond the end of the year. Some people see that as a way of avoiding or delaying Brexit. I can advise my right hon. Friend that the Welsh people voted in greater numbers than the average across the UK to leave the European Union. Can he reassure me that the end of the year will be the end of the transition period?

Michael Gove: My right hon. Friend makes an important point. The result across the United Kingdom—we voted as one United Kingdom—was clear, but it is true that support for leaving the European Union was very strong across Wales. I have great respect for the First Minister of Wales and we have worked well together in dealing with the covid pandemic, but I do think that my right hon. Friend is absolutely right. It would be sensible now for all politicians, rather than saying that the transition period should end later and creating that illusory prospect, to work together to prepare for 31 December.

Christine Jardine (Edinburgh West) (LD): The road haulage industry has been talked about a lot, and its workers have kept food on supermarket shelves and medicines in our pharmacies through the recent crisis. The statement says the Government have put aside £80 million for customs agents. How many agents do we have at the moment? How many will we need on 1 January? How many will this training provide on 1 January to ensure that the haulage industry can keep operating?

Michael Gove: The hon. Lady is right. The haulage industry has been doing a fantastic job. I make no criticism of the industry or of individual hauliers—quite the opposite. Most of the work required will be required by the companies that are exporting rather than by the haulage industry, and it is they who will either hire customs intermediaries to do the work for them or, as my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown) pointed out, do that work in house. So some of the work is being done in house, some by major players and some by companies such as Kuehne+Nagel, which is expert in the area. The market is moving; the response we have had from some is that, particularly in the past couple of weeks, there has been significantly greater call for their services, and they are recruiting, but the £80 million we have has not been entirely drawn down yet, and we keep the amount we are providing under review to ensure that if more is needed, more can be provided.

Ben Everitt (Milton Keynes North) (Con): I am sure we are all aware that when we finally leave the transition period, at the end of the year, we will also be leaving behind the common agricultural policy, which has done such damage not only to agricultural economics but to our environment. Will my right hon. Friend detail how the replacement system we are preparing will be better for farmers, fairer, and better for our agricultural economy and our environment, and how it will support our target of net zero?

Michael Gove: My hon. Friend makes an important point. As the Secretary of State for Environment, Food and Rural Affairs has pointed out, as we move away from the common agricultural policy, we move to a system where farmers can be supported with public money to provide public goods—for example, increasing the organic content of their soil or contributing to better and cleaner management of our waters—and, as the recent trade deal secured by my right hon. Friend the Secretary of State for International Trade shows, we have improved access for our superb produce to new markets.

Jim Shannon (Strangford) (DUP): I thank the Chancellor of the Duchy of Lancaster for his statement. Last Friday, I had the opportunity to meet Gordons pharmacy in Newtownards. As a type 2 diabetic, I declare an interest. Many are saying that insulin and other medications will not be able to be sourced post-Brexit. Will the right hon. Gentleman tell me what progress has been made to ensure that the supply of medicines from the EU to the UK, and then from the GB mainland to Northern Ireland, will continue after the transition period ends?

Michael Gove: The hon. Gentleman raises a very important consideration, because of the operation of the Northern Ireland protocol. I was discussing yesterday

with a Minister of State at the Department of Health and Social Care, and officials in the Northern Ireland Office and other Departments, how we can make sure that the supply of medical goods continues uninterrupted to Northern Ireland. He is quite right that one of the single most important is insulin, because of the particular requirements faced by diabetics like him, and, indeed my father.

Mary Robinson (Cheadle) (Con): I am grateful for the statement setting out the current position. During these uncertain times, it is vital that businesses have as much clarity as possible, especially the many businesses in Cheadle that rely on trade with the EU. In addition to the preparations my right hon. Friend outlined, we can give those businesses the certainty they deserve by agreeing a free trade deal with the EU this year. Can my right hon. Friend therefore reassure my constituents that the Government continue to work towards that prime objective?

Michael Gove: Yes, absolutely. The Government are absolutely committed to securing a Canada-style free trade agreement. One of the difficulties we have had in the talks is that, as our negotiator David Frost pointed out, the European Union still has not come to grips with the fact that we will be a sovereign equal, not in the size of our economy but in our democratic mandate. There are, therefore, still one or two sticking points, because it is seeking to tie us to its rules rather than recognising that we will follow our own path. However, I am confident we can overcome those difficulties and secure a free trade agreement, which would be in everyone's interests. Of course, many preparations that businesses are required to undertake are the same whether or not we have an FTA.

Stephen Farry (North Down) (Alliance): Businesses in Northern Ireland and elsewhere urgently need to see the detail of the border model between Great Britain and Northern Ireland. Previously, the Chancellor of the Duchy of Lancaster promised that it would be published by the end of July. It is desirable that we see the outcome of Joint Committee and future relationship negotiations, but they are not essential for that. Will he therefore give a revised commitment on when we will see that detail?

Michael Gove: Yes. The hon. Gentleman makes a very good point. The Joint Committee should, God willing, meet next Monday in Brussels. I will be seeing Maroš Šefčovič then, as we seek to make progress on those matters. The hon. Gentleman will know that we made more than £200 million available through the trader support service and support for IT to help businesses in Northern Ireland. Even though it has been a subject of contention in this House, the provisions in the United Kingdom Internal Market Bill are there to make sure that Northern Ireland's businesses do have a guarantee that, whatever happens, they will not be required to have export declarations when goods move from Northern Ireland to Great Britain, because the principle of unfettered access is so important.

Julie Marson (Hertford and Stortford) (Con): I welcome my right hon. Friend's statement, in particular the extra £705 million for infrastructure at our border. Will he be able to update us a bit more on how the technological solutions are developing, such as the smart freight service, to facilitate movement across the borders?

Michael Gove: I am very grateful to my hon. Friend for making that point. Yes, there are a number of systems. For example, I mentioned earlier IPAFFS, which is critical for those in the agrifood sector and has been developed for some time now. The smart freight system and the GVMS are being operated within Government at the moment, in consultation with business, and we hope they will go live so they are there for all to see in their ideal form in the next few weeks.

Daniel Zeichner (Cambridge) (Lab): In just 100 days, all food exports to the EU will require an export health certificate and an authorised vet to sign it off. Do we have enough vets to do that? I understand that £80 million has been made available for the 50,000 custom agents required. Can we be told how much of the money has been drawn down and put in place? As a former IT person, may I ask the right hon. Gentleman if he is really confident that the IT systems will be in place and working?

Michael Gove: Those are three very good points. On the question of vets yes, but there is a requirement for every part of the United Kingdom to play its part. For example, we have been talking to the Northern Ireland Executive about making sure that the specific need for vets and the new border control posts in Northern Ireland is satisfied. It is the case that there are vets and others who can carry out that job across the UK, but for example I hope, fingers crossed, that the Scottish Government have provided enough money for Aberdeenshire Council to make sure that those who provide export health certificates in the harbours of Fraserburgh and Peterhead are in place. I do not think that voters in either Fraserburgh or Peterhead would forgive the Scottish Government if they had not made that investment and had used the money elsewhere. I am sure they will not have done so.

On the point about IT, we are working hard, internally and with authoritative expertise, to make sure that those IT systems will work. I do not think any of us can make a confident prediction that everything will always be perfect, but some of the very best people in Government and in the private sector are committed to making them work.

Jo Gideon (Stoke-on-Trent Central) (Con): Does my right hon. Friend agree that, as we reach the end of the transition period, as well as seeking a positive future relationship with the European Union as a sovereign independent nation, we are well positioned to take advantage of new global opportunities? Will he join me in congratulating advanced ceramics research company Lucideon in my constituency, which is set to receive a £1 million boost as a result of the new Japan trade deal that the UK and Japan have agreed in principle? Lucideon's joint venture with a Japanese partner will bring new jobs to Stoke-on-Trent Central and plans for an advanced ceramics campus in north Staffordshire a step closer.

Michael Gove: I agree with my hon. Friend that that is unmitigated good news. The ceramics sector is well placed to take advantage of new international trade deals, and it could not have a more effective champion than my hon. Friend.

Sir Mark Hendrick (Preston) (Lab/Co-op) [V]: With the end of the transition period fast approaching and our borders with the EU woefully ill prepared for the trading arrangements a no-deal Brexit will bring, may I ask the Minister how the £700 million he has announced will, over the three months he has available, enable us to recruit and retrain the hundreds of new customs officers required to carry out border checks? With so little time left to fully test, install and commission the smart infrastructure technology required to implement those checks, is this not just another example of what the whole of Brexit has been about—wishful thinking and self-deception, rather than accepting the reality on the ground?

Michael Gove: The first part of the hon. Gentleman's question was, I think, very apposite. The £705 million is being made available of course to ports. It will also help pay for inland infrastructure, but I should stress that much of that infrastructure will be required only when we ourselves are imposing checks, which will not come until next July. Any individual Member of this House who will be seeing infrastructure built in their constituency will be contacted, if they have not already been, by my colleagues Lord Agnew and the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Hornchurch and Upminster (Julia Lopez).

Aaron Bell (Newcastle-under-Lyme) (Con): The people of Newcastle-under-Lyme voted very clearly to leave the European Union, but contrary to the wild claims from the SNP spokesman earlier, they are not seeking a no deal. They want a good, fair, constructive deal negotiated in good faith with the EU, but they do want this over and done with. Would the Minister join me and them in rejecting the calls from senior members of the Labour party, such as the Welsh First Minister and the Mayor of London, to extend the transition period? We cannot have that happen, because if it does happen, it will only lead to more uncertainty for business. We need to move on.

Michael Gove: My hon. Friend makes an absolutely important point. We have set out a timetable, and sticking to that timetable will enable people, I hope, to take all the steps required. He makes the point that we on this side of the House do not seek a no deal: quite the opposite—we are keen to seek a deal. But one question that has never been answered. If there were ever a vote for independence in Scotland—I am sure there will not be ever, but if there were ever—the SNP has never made it clear whether it would rely on there being a negotiated settlement or would go for a no-deal Scexit. That is one of the many questions that the SNP declines to answer.

Andrew Gwynne (Denton and Reddish) (Lab) [V]: I was listening very carefully to what the Chancellor of the Duchy of Lancaster said about business preparedness, not least because it is only three months until the end of the transition period. Businesses in the food and drink industry in my constituency would love to be able to be ready for Brexit, but there is no guidance yet about what labels businesses need to use to sell their goods legally in the EU and in Northern Ireland next year. When will the Government announce these measures, so that food and drink manufacturers are not held back from making the preparations that they need to make?

Michael Gove: The hon. Gentleman makes an important point. Some of that detail has already been published, but there is more that depends on the negotiations. If he asks the companies in his constituency with particular concerns to get in touch with me directly, I will work with him to provide them with the information we have.

Sir Desmond Swayne (New Forest West) (Con): The markets Bill does not break any law, does it?

Michael Gove: This Government believe entirely in the rule of law.

Patricia Gibson (North Ayrshire and Arran) (SNP): The UK Government fought an election and won a majority in this House on the basis that they had an oven-ready Brexit. In March last year, the right hon. Gentleman said:

“We did not vote to leave without a deal”;

now, we are staring down the barrel of a no-deal Brexit, the consequences of which will be magnified by the economic fallout from Brexit. What does the right hon. Gentleman say to those who voted for his Government on the basis that they had an oven-ready Brexit, and now feel utterly betrayed?

Michael Gove: I have not met anyone in that position. The truth is, of course, that we left on 31 January. Increasingly, I find lots of people in Scotland who, the more they look at the position of the Scottish National party and the Scottish Government, are becoming yes-to-no voters—that is the growing trend.

Stephen Hammond (Wimbledon) (Con): I welcome my right hon. Friend’s statement. He will know that there are two important industries in the UK that begin with the letter F: one contributes £1.4 billion to the UK economy, while the other contributes £132 billion and employs more than a million people. In his July statement, my right hon. Friend committed the UK to upholding international norms so that there is a free flow of capital and efficient markets. Is he convinced that he can still deliver those international norms so that there is delegation? Is he convinced that there will be equivalence for UK financial services in July 2021?

Michael Gove: I am confident of that. One thing about equivalence is that it is what is called an autonomous process in the EU. To be very fair to the EU, since the Prime Minister drew attention to the slow progress of some of those autonomous processes, it has meant an acceleration, so I am confident, yes.

Justin Madders (Ellesmere Port and Neston) (Lab): I do not think we have had clarity in response to earlier questions as to how many customs agents are in place now. Will the Secretary State provide that figure? Will he also guarantee that when the time comes, any business that needs the services of a customs agent will be able to access one?

Michael Gove: Customs agents are provided by the market. It is the case that a number of customs intermediaries’ businesses are growing, and a number of other businesses will employ people in that role. Just as I cannot precisely state at any given time in a dynamic market how many people are doing exactly what job, I can state that the £80 million that we have made available

has not yet been fully drawn down. Any company that operates in customs will know that come 1 January there will be increased demand for its work, so this is an opportunity to expand and the Government stand ready to help.

Brendan Clarke-Smith (Bassetlaw) (Con): As we reach the end of the transition period and take back control, I welcome the Government’s United Kingdom Internal Market Bill. One issue that has been raised many times during the debates is the EU’s refusal to give us third country listing. Does my right hon. Friend agree that third country listing is vital to agreeing a deal with the European Union? Will he assure me that he will continue to push to make the EU take reasonable steps to make sure that it happens?

Michael Gove: My hon. Friend is absolutely right. The reluctance to grant, or slow pace in granting, third country status for food exports to the UK has been concerning, but thanks to the Prime Minister’s having drawn attention to the issue, progress has been made.

Gareth Thomas (Harrow West) (Lab/Co-op): Further to the question asked by the hon. Member for Wimbledon (Stephen Hammond), the Chancellor of the Duchy of Lancaster will know that financial services firms in the UK generate a huge number of jobs, a not insignificant number of which are held by my constituents. Will he tell the House exactly what progress has been made on the vital issue of achieving equivalence, and what remains to be sorted out?

Michael Gove: The hon. Gentleman makes an important point. Equivalence is decided by the EU. It is an autonomous process separate from but occurring in parallel with the negotiations. As I mentioned earlier, with the Prime Minister having drawn attention to the slow pace in these processes, we have seen an acknowledgement of that on the EU side. The EU is obviously a sovereign equal and will make its own decisions, but I should say that it helps EU businesses to have access to the broad and deep capital markets that we have in this country. Were the EU to cut itself off from our capital markets and financial services, the cost of EU businesses’ transactions would increase and their shareholders would lose out.

Mr Richard Holden (North West Durham) (Con): This Government were elected with an overwhelming mandate to get Brexit done. In fact, substantially in order to ensure that the 2016 vote was respected, constituencies such as mine and others across the blue wall returned Conservative MPs for the first time ever. Will my right hon. Friend confirm that, in order that to give businesses clarity and to respect the will of the people of North West Durham, there will be no extension of the transition period?

Michael Gove: Yes. My hon. Friend is a brilliant advocate for the people of Consett and the whole of his constituency. There will not be an extension.

Chris Stephens (Glasgow South West) (SNP): In the worst-case scenario that the Secretary of State outlined, on the basis of no employment Bill, which the Government had committed to, and the European Union looking to strengthen workers’ rights for zero-hours contract workers, agency workers and those workers susceptible to short-term

[Chris Stephens]

shift changes, are the Government still committed to at least matching the employment protections of the European Union?

Michael Gove: It is a good question from the hon. Gentleman. He has a distinguished background in the trade union movement and elsewhere of defending workers' rights, and I pay tribute to him for his work in that area. Yes, we want to ensure that we protect workers' rights. We will always look at what the EU and other jurisdictions are doing to see where we can match and, where possible, exceed the protections offered.

Jacob Young (Redcar) (Con): I, and many of my constituents, want to see supertrawlers banned from destroying our marine wildlife and damaging our fishing towns, which is something that we cannot do while part of the EU. My right hon. Friend has long been committed to support our fisheries as we leave the EU, so will he confirm that after 31 December we will have the ability to stop foreign supertrawlers operating in our seas? At a time when our negotiations are at their fiercest, will he stand firm on our commitment to take back control of our waters?

Michael Gove: My hon. Friend is absolutely right that one of the benefits of departing from the EU is that we can safeguard our marine environment from predators, and we will take all steps necessary to do so.

Carla Lockhart (Upper Bann) (DUP): Seven thousand-truck-long queues in Kent and two-day delays to trade would be disastrous for UK businesses, but so too would any delays and queues resulting from checks imposed within the UK as a consequence of the repugnant Northern Ireland protocol. What assurances will the right hon. Gentleman give me and businesses in Northern Ireland that no such delays will feature at Larne? Will he give an assurance to meet me and the major agrifood sector businesses in the not too distant future?

Michael Gove: I am grateful to the hon. Lady for raising that, and for the opportunity I had to visit Ulster Carpets in her constituency over the summer. The Government are committed to ensuring that the Northern Ireland protocol operates in such a way as not in any way to disadvantage Northern Ireland's agrifood businesses. I would be delighted to meet them with her.

Sir Edward Leigh (Gainsborough) (Con): Despite all the scare stories, surely there is no bar to a deal. We will surely not undercut the EU on state aid—we will not return to picking winners and all that rubbish—and with the regulation of business, we will not create a bargain-basement economy or produce rust buckets like the Morris Minor I drove to university with a hole in the floor in 1968. Breaking news just now, however, is that if the deal is conducted late, there might be not indeed an extension of the transition period, but a two-year implementation period. I want now an absolute commitment from the Secretary of State: no extension of transition and no implementation period. We want a clean break, as we promised the electorate, at the end of this year.

Michael Gove: Everything my right hon. Friend said I completely agreed with, apart from one thing—I cannot believe that he went to university in 1968. He looks much younger than that.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): This morning I met the North East England chamber of commerce and local businesses. We discussed the massive investment in technology and digital skills required by the pandemic to move processes, services and products online. Now we have another transition to face, so will the Minister list each IT system with which a business will have to interface, and when it will be available to be tested by them so that they can begin the process of preparedness?

Michael Gove: The border operating model, which we published earlier, outlines the IT systems—

Chi Onwurah: How soon?

Michael Gove: It was published in July. It outlines the IT systems with which business will interact, but of course we are augmenting and updating it, so it will be published later this month.

Damian Collins (Folkestone and Hythe) (Con) [V]: Does the Chancellor of the Duchy of Lancaster accept that although the worst-case scenario situation of 7,000 queuing lorries would be intolerable for people in Kent and my constituency, even only half that number would require the closure of the coast-bound M20? Will he assure us that he will do all he can to ensure that that is not the reality that people are confronted with next year?

Michael Gove: My hon. Friend makes a very good point. It is precisely because we want to avoid that scenario that we are sharing it today so that the Government can be held to account for doing everything possible to avoid it, and so that we can work with business in order to avoid it. We have to be ready for the worst, which is why we have made appropriate contingency plans. In order to avert that scenario, we want to work with him and those in his constituency, and businesses everywhere, to ensure that we can be ready. Eurotunnel, in his constituency, has been brilliant in the support that it has been giving to the business sector as well.

Bill Wiggin (North Herefordshire) (Con): How much does my right hon. Friend think the EU will lose in the event of no deal? Is not this figure not helped by senior Labour politicians suggesting that we might extend the transition period?

Michael Gove: My hon. Friend is absolutely correct that no deal is in nobody's interests. The fact that the First Minister of Wales or the Mayor of London is holding out the prospect of an extension of the transition period does not contribute to the concentration of minds and—to be fair to the hon. Member for Leeds West (Rachel Reeves)—the productive work required in order to secure a deal.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The London School of Economics estimates that a no-deal Brexit could lead to a 63% decrease in exports to the European Union. For the salmon farmers, the crofters producing lamb and the shellfishermen in my

constituency, that could be absolutely ruinous. What comfort can the Chancellor of the Duchy of Lancaster give to the people in my constituency whose livelihoods depend on that export market?

Michael Gove: The right hon. Gentleman makes an important point. One of the things that the Government have always stressed is that in the event of a no-deal exit, the sectors that would be most adversely affected by tariffs would be in agriculture, with red meat producers particularly hard hit. That is why we are anxious to avoid that outcome and to secure a deal. Come what may, there will be new processes, but also new markets, for producers in Orkney and Shetland. I will work with him to make sure that, in whatever eventuality, we support the high-quality producers in his constituency.

Dehenna Davison (Bishop Auckland) (Con): My right hon. Friend will know that I share his vivacious optimism about Britain's future as an independent sovereign trading nation, but the farmers of Teesdale and Weardale are understandably concerned about what happens if we get to the end of the year without an agreement. Will he reassure the House and my constituents that all is being done by our negotiators to reach that deal? Does he agree, in terms of the future of Britain's trading policy, that our independence as a trading nation will provide great opportunities for our agricultural sector?

Michael Gove: I am grateful to my hon. Friend for attributing to me vivacity as well as optimism. I am certainly optimistic, but it is Conservative Members who were elected in the 2019 general election who provide the vivacity, including herself. She is absolutely right to raise the concerns of farmers in Teesdale and Weardale, and indeed across the north-east. As I mentioned in response to the previous question, it is red meat producers who, in the event of no deal, will most need our support, but it is also red meat producers, particularly lamb exporters and sheep farmers, who have a great deal to gain. One of the biggest consumers of lamb and sheep meat in the world is the US. At the moment, our access to the US market is restricted. It is one of many markets, including markets in the far east and the middle east, to which we could have access. My hon. Friend's advocacy on behalf of the farming sector and on behalf of free trade shows the way to future prosperity for the constituents she serves so well.

Point of Order

2.38 pm

Wendy Chamberlain (North East Fife) (LD): On a point of order, Madam Deputy Speaker. We were informed yesterday that the Paymaster General's calls were set to resume. Members will remember that those calls were used earlier this year, while the House was not sitting because of the coronavirus pandemic. Many Members were very concerned by the lack of opportunity for scrutiny during that period, and that concern is ongoing. I am still struggling, as I know other hon. Members are, to get a response from Ministers from many Departments, including the Treasury, and I am concerned about what the resumption of these calls implies. I am sure that Members from across the House will agree that any resumption of the calls must be in addition to existing scrutiny, rather than a substitute that allows Ministers to be required to come before the House less frequently.

Madam Deputy Speaker, I should be grateful if you would offer guidance on how best to seek assurances from the Government that they are committed to parliamentary scrutiny, and that the resumption of these calls does not herald new limitations on the mechanisms available to Members of the House to hold Governments to account.

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): Further to that point of order, Madam Deputy Speaker. I am grateful to the hon. Lady for raising it. The Paymaster General, who of course is a Cabinet Office Minister and does an excellent job in keeping Members from all parties updated, and has done throughout the difficult time of the coronavirus pandemic, is resuming the calls to augment the scrutiny that, quite rightly, Ministers will be exposed to at this Dispatch Box, as we all seek to ensure that we do the right thing by all our constituents at this inevitably testing time.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Lady for her point of order. I am very glad that the Chancellor of the Duchy of Lancaster was present to respond, and I hope that that will give her some reassurance.

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

2.40 pm

Sitting suspended.

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

2.43 pm

BILL PRESENTED

SOCIAL SECURITY (UP-RATING OF BENEFITS)

Presentation and First Reading (Standing Order No. 57)

Secretary Thérèse Coffey, supported by The Prime Minister, The Chancellor of the Exchequer, Amanda Milling, Steve Barclay and Guy Opperman, presented a Bill to make provision relating to the up-rating of certain social security benefits.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 186) with explanatory notes (Bill 186—EN).

Pets (Microchips)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.43 pm

James Daly (Bury North) (Con): I beg to move,

That leave be given to bring in a Bill to make provision regarding pets with microchips; and for connected purposes.

This Bill should more commonly be known as Tuk's law and Gizmo's law. Every responsible pet owner wants to ensure that their pet is safe. It has been a legal requirement for all dog owners to microchip their dogs since compulsory microchipping came into force in 2016. British Veterinary Association best practice guidelines recommend that vets should scan microchips on the first presentation in veterinary surgeries and at other regular intervals, including prior to any decision being made on euthanasia. These guidance notes also include advice on what a vet should do if details of the person presenting the dog are different from what is in the database, and on what to do when stray or lost dogs are brought into the veterinary surgery, including the need to check the microchip databases in order to reunite the animal with its owner or back-up rescuers. Although the guidance is helpful, the Tuk's law campaign has found that many vets are not following these recommendations, and a large number of healthy dogs are being euthanised without vets' checking microchips to ascertain the owners or back-up rescuers.

To date, over 121,000 people have signed a parliamentary petition set up by the Tuk's law campaign, calling for a change in the law to make it mandatory for vets to scan microchips for owner and rescue back-up details before euthanising a healthy dog. Tuk's law campaign began as a result of the premature and unnecessary euthanasia of a young, 16-month-old rescue dog called Tuk, who was a beautiful Mioritic dog who had full rescue back-up and whose rescue contact details were registered on his microchip as a secondary contact. His euthanasia was requested and acted on by someone who was not registered on his microchip—a vet who did not scan him prior to ending his life. Had the vet scanned him, he would have seen the rescue back-up contact details, registered the microchip and contacted the rescuer, who would have collected him and Tuk's life would have been saved.

Although Tuk's death prompted the parliamentary petition, during the past 18 months the reported amount of unnecessary euthanasia of healthy and treatable animals—in particular, rescue animals—has grown alarmingly. My Bill will ensure that all vets are legally required to scan for owner and rescue back-up contact details on microchips when any healthy or treatable dog is brought into a veterinary surgery to be euthanised. On Government-endorsed microchip databases, a prefix will be added to microchips to identify dual registration of rescue animals. If an unsubstantiated reason for euthanasia is made, the vet will be expected to seek corroborating evidence. Vets will also be expected to seek alternatives to euthanasia in situations where there are no life-threatening or emergency situations causing the dog suffering.

By our implementing this change in legislation, the lives of hundreds of dogs will be saved every year across Britain. Unless we act to make it mandatory for vets to check microchips, I am deeply concerned—taking into

account the coronavirus pandemic—that we could see a steep increase in healthy dogs being put to sleep across Britain in the next 12 months. We must offer these dogs a lifeline. We must make the scanning of microchips mandatory without further delay.

My constituent Helena Abrahams began the campaign for Gizmo's law in 2016 following the death of her much-loved pet in tragic circumstances. Gizmo was 15 years old and involved in a road traffic accident. Sadly, she was disposed of before anyone scanned her chip. As I mentioned earlier, dogs must be microchipped under UK law, and drivers who hit dogs on the road must report the accident under UK law. An animal rescuer or vet would be informed, and the animal would be scanned and identified in order for them to inform the owner. But the same is not true for cats, despite their being the second most popular pet in the UK. Instead, they are often picked up from the roadside and disposed of in landfills without being reported, scanned or identified, and certainly without their owner's knowledge. A parliamentary petition set up by the Gizmo's law campaign and signed by over 107,000 people, entitled "New law that cats killed/injured by a vehicle are checked for a chip", led to a Westminster Hall debate on 17 June 2019, where it received broad cross-party support. The Government response to the parliamentary petition stated:

"We encourage microchipping of cats and it is established good practice for local authorities and the Highways Agency to scan domestic pets found on our streets so that the owner can be informed",

but went no further.

As part of the Bill that I am introducing today, there would be a legal requirement for local authorities to scan the microchip of a deceased cat and then make all reasonable efforts to contact the owner to confirm what had happened to their animal and from where they could collect it if they so chose. Cats could be collected from the local authority or a local vet, and there would be a further legal requirement that owners should be given seven days to recover their much-loved animals.

Guidance will be issued by Government on good practice, and local authority employees will be required to record the chip number, the location where the cat was found, its sex, its colour, the colour of its collar and any owners' details on the bag in which the body will be preserved and protected. However, we must not limit our ambition to returning microchipped cats to their owners. This Bill will further require local authority employees to supply information in line with the aforementioned guidance, together with photographs, to organisations such as Deceased Cats UK and Ireland that exist to do everything possible to return deceased cats to their owners. A register of such organisations would be provided to local authorities by the Government.

Deceased Cats UK and Ireland was established by Helena, Wendy and all at the Gizmo's law campaign. They worked tirelessly through their Facebook page and with an army of volunteers all over the country to reunite much-loved pets with their owners. Thanks to their efforts, working with local vets and concerned members of the public, they are able to ensure that well over 1,000 much-loved pets are returned home each year.

Finally, I address the issue of cost. Many local authorities do not have scanners, but we have a commitment from Encore, an international pet food manufacturer, to provide

a scanner to any council that does not have that facility, and I thank it for its generosity and commitment to animal welfare.

We should not allow deceased cats simply to be treated as rubbish and their bodies disposed of without a thought for their owners. That is not acceptable. Through this Bill, Gizmo's law ensures that remains are treated with respect, and reflects the fact that cats are much-loved pets and companions for millions of people throughout the country.

Question put and agreed to.

Ordered,

That James Daly, Anthony Mangnall, Andrew Griffith, Antony Higginbotham, James Sunderland, Joy Morrissey, Sara Britcliffe, Mark Logan, Mark Eastwood, Sir Graham Brady, Chris Loder, Andy Carter and Jim Shannon present the Bill.

James Daly accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 29 January, and to be printed (Bill 187).

Business without Debate

Motion made, and Question put forthwith (Standing Order No. 118(6)),

PUBLIC HEALTH

That the Health Protection (Coronavirus, Restrictions) (Leicester) (Amendment) (No.2) Regulations 2020 (S.I., 2020, No. 824), dated 31 July 2020, a copy of which was laid before this House on 3 August, be approved. (*David Duguid.*)

Question agreed to.

Overseas Operations (Service Personnel And Veterans) Bill

[Relevant documents: Seventeenth Report of the Defence Committee, Session 2017-19, Drawing a line: Protecting veterans by a Statute of Limitations, HC 1224, and the Government Response, Second Special Report of the Committee Session 2019-21, HC 325; Oral evidence taken before the Defence Committee on 22 April 2020 on introductory Session with the Defence Secretary, HC 295, and on 7 July 2020 on work of the Chief of the Defence Staff, HC 594; Defence Committee correspondence with the Defence Secretary in relation to the Overseas Operations (Service Personnel and Veterans) Bill, dated 6 May and 14 July 2020, and the Department's reply dated 18 September 2020.]

Second Reading

2.53 pm

Madam Deputy Speaker (Dame Rosie Winterton): No amendment has been selected, so I call the Minister to move the Second Reading.

The Secretary of State for Defence (Mr Ben Wallace): I beg to move, That the Bill be now read a Second time.

The men and women of our armed forces are some of the most professional and capable people this country has. They risk their lives to keep us safe, uphold our values and support society whenever the call comes. I know the exceptional and often dangerous tasks that we ask them to do, and the war memorials sadly record the price of that sacrifice that they sometimes have to make. Our support for them should not be confined to the occasional act of remembrance, but should be real and should recognise the things that they do in our name.

In 2004, Phil Shiner, a lawyer, went fishing. He fished for stories, he fished for victims and he fished for terrorists. Phil Shiner and his company, Public Interest Lawyers, fished for people from whom he could make money and to accuse British troops of wrongdoing. By the time Phil Shiner and his like had finished, he had dragged before the courts 1,400 judicial reviews and 234 compensation claims against hundreds of troops. Alongside him on some of those occasions was another law firm that will be, I am afraid, all too familiar to some on the Opposition Benches—Leigh Day. From 2008, firms of that type hauled industrial levels of claims before the courts—never mind the fear and worry, and the triggering of endless investigations into the men and women of our armed forces. What mattered to the ambulance chasers was the money—the legal aid income, the commissions on compensation claims.

Mr Kevan Jones (North Durham) (Lab): I agree with the Secretary of State's comments about Phil Shiner, but I have asked his Department for the numbers of cases—as, I understand, have representatives from the Scottish National party—but it has not produced them. The explanatory notes say that there were 900 civil claims. When is he going to produce the figures?

Mr Wallace: They are in the Library. They were published last week and this is in the impact assessment, but I am very happy to write to the right hon. Member with the clear numbers. I can tell him now that overall, 1,130 compensation claims were brought between 2003 and 2009. One hundred and eighty-eight of

[Mr Wallace]

the 244 claims put forward by Public Interest Lawyers were struck out by the High Court, and a further 32 lapsed due to inactivity, so we could say that they were found out and justice was eventually done, yet in the meantime, our troops had to endure repeated investigations, interviews and, in some cases, prosecutions.

The system as it stands provides an all-too-easy route for lawyers to spark repeat investigations and multiple claims, too many chances to earn fees and too many chances to drag yet another soldier through a witness box or an interview. If that all fails to produce a result, and most of them do not, there is always the opportunity to use the media to drum up more business, damaging our reputation across the globe with unsubstantiated allegations.

In theory, a veteran who served in Iraq and Afghanistan could have been involved in up to 13 investigations. The list is exhaustive: a coroner's inquest; a commanding officer's investigation; a service police investigation; the Iraq Historic Allegations Team, a judicial review, a service inquiry—the list goes on. Remember that in the middle of this are the men and women who risk their lives to ensure that we sleep safely in our beds.

Jim Shannon (Strangford) (DUP): I welcome the fact that the Bill has been brought to the House. The introduction of measures and safeguards is very important, and one reason why is the mental health and wellbeing of those who are potentially prosecuted because of things that perhaps did not happen. It is very important that the welfare of soldiers, sailors and airmen is protected, is it not?

Mr Wallace: The hon. Member makes a really important point. Under the Bill, steps must be taken to ensure that prosecutors pay due regard to the impact on soldiers and sailors of that type of further action.

We have been told that this Bill is controversial. Some have gone as far as to say that it decriminalises torture or prevents veterans from receiving compensation. Both allegations are untrue. I have to question whether those making such points have actually read the Bill in full. As the former Attorney General for Northern Ireland, John Larkin QC, has recently written:

“It is clearly wrong to say that the Bill would forbid prosecution of serious allegations of torture supported by evidence.”

Gavin Robinson (Belfast East) (DUP): The Secretary of State invokes an Attorney General for Northern Ireland, so I will invoke Northern Ireland at this point. He knows that of the 300,000 veterans who served in Northern Ireland, none can find comfort in this Bill, as it is about overseas operations. However, he also knows that on 18 March when the Bill was presented, an equal and comparable commitment was given that those who served in Northern Ireland would get equal protection. That Bill is yet to be introduced, but can he convince us this afternoon that that commitment still stands?

Mr Wallace: The hon. Member points to the statement made in the House, and the Government still stand by that. We will ensure that legislation comes forward as part of the overall package to address legacy issues in Northern Ireland.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): Notwithstanding the Secretary of State's comments, he knows that some people who are very close to the military consider the Bill to be extremely controversial. Indeed, the *Financial Times* today leads with a quote that it is an “international embarrassment”. Does he agree with General Nick Parker, a former commander of UK land forces, who was quoted in the *Financial Times* today as saying:

“We shouldn't be treating our people as if they have special protection from prosecution...What we need to do is to investigate properly so that the ones who deserve to be prosecuted, are”?

Mr Wallace: First, that is what we are doing. Secondly, I do not agree with the point about torture. I absolutely agree with the point by the former Attorney General for Northern Ireland on that subject.

Several hon. Members rose—

Mr Wallace: I am going to make some progress. I know that there are lots of people down to speak in this debate and, although I am willing to give way as much as possible, I would like to make sure that other Members across the House get a chance to speak and make their points.

Let me set out what the Bill does and what it does not do. First, it ensures that, in accordance with article 6 of the European convention on human rights, every member of the armed forces and Crown servant is

“entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

Those are not my words, not the Government's words, but the actual words in the ECHR itself. Note the phrase “reasonable time”. That condition runs right through this Bill.

Clauses 1 to 7 introduce new conditions on prosecution for certain offences. In particular, clause 1 sets out when the presumption against prosecution measures will apply, including the condition that the measures will apply only to alleged events that took place on overseas operations more than five years ago. Clauses 2 to 5 create new thresholds that a prosecutor is required to consider when bringing a case. That will give service personnel and veterans greater certainty that the unique pressure placed on them during overseas operations will be taken into account when decisions are made on whether to prosecute for alleged historical offences. The first threshold is that, once five years have elapsed from the date of an incident, it is to be exceptional for a prosecutor to determine that a serviceperson or veteran should be prosecuted for alleged offences on operations outside the UK.

Stephen Timms (East Ham) (Lab): When the Secretary of State's Department consulted on the Bill in July last year, it suggested that there were two categories of offence that might be excluded from the Bill. One was sexual offences, and the other was torture. Sexual offences have been excluded; why has torture not been?

Mr Wallace: First, I decided that, if we look back at many examples of case law or challenges, it is clear that the debate around torture and murder has often been about the excessive use of an action in doing something that is what a soldier may or may not think is legitimate. For example, it is an act of war to go and attack a target. It is, unfortunately, an act that a soldier may

have to perform, which is to use lethal force in defence. It is often a side effect or a consequence of an action that you detain people. Often, the legal debate around that has focused on whether the soldier has been excessive in that use of force. If a soldier uses an excessive amount of force in self-defence on duty, that is viewed as murder. That is where we have often seen challenges in courts around both investigations and decisions to charge.

Secondly, what is not part of war in any way at all is sexual offences. It is not a debatable point. This is not a place where it is possible to turn on a coin and argue that there is a right and a wrong. That is why I took the view that we should exclude sexual offences from schedule 1 but in the main part of the Bill cover all other offences. It is not the case that, even after five years, someone cannot be prosecuted for torture, murder or anything else. It is absolutely clear that it is still possible to prosecute, and it is our intention, should new or compelling evidence be brought forward, to prosecute for those offences. The Bill is not decriminalising torture and it is not decriminalising murder in any way at all. I mentioned earlier the view of the former Attorney General of Northern Ireland, who is himself well practised in that type of law and an expert.

John Redwood (Wokingham) (Con): I think that this is an excellent set of proposals, which the Secretary of State has thought through with great enthusiasm and common sense. It is of course right that people should be investigated fully, and prosecuted if necessary, close to the event, but we want to avoid double, treble or quadruple jeopardy by money makers who should know better than undermining the reputation of our armed forces. I thank the Secretary of State very much for getting the balance right.

Mr Wallace: I thank my right hon. Friend.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I do think we are nearly there on this point, but my right hon. Friend knows that it is important, because it has been raised by some very senior members of the armed forces. I have talked to his excellent junior Minister, the Minister for Defence People and Veterans, and we all want the lawfare that my right hon. Friend described, which is so outrageous, to be stopped. Mrs Thatcher brought in the Criminal Justice Act 1988, which made it clear that torture of anyone, anywhere, is a criminal offence. It would be very helpful if my right hon. Friend now made it clear, in addition to his response to the right hon. Member for East Ham (Stephen Timms), that it is never acceptable, in any circumstance, for any act of torture to take place.

Mr Wallace: I fully agree with my right hon. Friend: torture is not an acceptable part of what any soldier or any citizen of this country should take part in. Where former Governments, of all colours, have been found not to have upheld those standards, they have either been prosecuted or faced the consequences. No one is excluding that and no one is decriminalising it.

Dr Julian Lewis (New Forest East) (Ind): Does the Secretary of State accept that the primary problem is not repeated prosecution, but repeated reinvestigation? The Bill does little to rule that out. With the sorts of case that he has outlined, the problem has been the

innumerable investigations. They are what were so traumatic for the troops, not the tiny number of prosecutions. As the former Attorney General for Northern Ireland says:

“Nothing in the Bill limits the investigation of offences—even outside the period of five years...The Bill impliedly contemplates the possibility of multiple investigations.”

That, I am afraid, is where the Bill falls down.

Mr Wallace: First, the Bill deals with two parts of why people are often investigated. One is under civil proceedings, where they are investigated or interviewed, or involved in the inquest. Many of those personnel find themselves repeatedly interviewed, either as a suspect or, indeed, through constant summonses as a witness in an inquest. As we know from a number of cases, that has happened on multiple occasions. That is why the second part of the Bill deals with the civil route and the first part deals with the criminal bit.

On the criminal bit, one change is the requirement after five years for a number of thresholds to be gone through before a decision to prosecute is progressed. We think those thresholds are enough to make sure that investigators, or the prosecutor, before perhaps embarking on a repeat investigation—for example, if there has already been one—must have regard to the fact that this is important new evidence. In my experience, investigators do not just investigate for investigation’s sake; they investigate to reach a point of prosecution. If they feel that a prosecution is unlikely, they will not pursue it. I feel that will therefore reduce the number of investigations.

My right hon. Friend also makes the point, in regard to the critics, that the Bill does not prevent prosecution in certain circumstances of egregious crimes committed either against humanity or our treaty obligations at all. That is really important. We will never prevent new evidence from producing a prosecution if a crime has been committed.

Several hon. Members *rose*—

Mr Wallace: I am now going to make progress.

The second element of the first part of the Bill ensures that, when making a decision, the prosecutor must give particular weight to certain matters, such as the adverse impact of operations on our personnel and the public interest in finality where there has been a previous investigation and there is no compelling new evidence. If it is deemed that the case should proceed to trial, the third threshold requires consent before a prosecution can proceed. In England and Wales, for example, that will be from the Attorney General. In those cases, the Attorney General will be acting independently of Government, as guardian of the public interest.

Some groups such as Liberty have suggested that this is political interference. It is nothing of the sort. Given that the Attorney General already has decisions over prosecutions in statute ranging from the Auctions (Bidding Agreements) Act 1927 to the Theatres Act 1968, it is neither uncommon nor controversial.

Stewart Malcolm McDonald (Glasgow South) (SNP) *rose*—

Mr Wallace: If the hon. Gentleman is going to tell us about the Advocate General for Scotland—*[Interruption]*—or rather, the Lord Advocate in Scotland, who also sits in the Scottish Cabinet—and his role in directing prosecutions, I will be interested to hear.

Stewart Malcolm McDonald: Of course, the Advocate General for Scotland resigned just last week. I believe it is the case that the Department consulted the Lord Advocate in the Scottish Government. It is normally the case that the Government would not publish the advice of its own lawyers, but the Lord Advocate in Scotland is not a UK Government official; he is a Scottish Government official. Will the Secretary of State publish the opinion that the Ministry of Defence received from Scotland's Lord Advocate?

Mr Wallace: We are not going to publish his opinion or anybody else's. We do not publish the opinion of our Attorney General. It is a long-held policy of most Governments not to publish the legal advice they receive, except in exceptional circumstances.

Part 2 of the Bill makes changes to the time limits for bringing claims in tort for personal injury or death and claims for Human Rights Act 1998 violations that occur in the context of overseas military operations. Clauses 8 to 10 introduce schedules 2, 3 and 4. Taken together, these provisions introduce new factors that the courts in England, Wales, Scotland and Northern Ireland must consider when deciding whether a claim for personal injury or death can be allowed beyond the normal limit of three years. The provisions also introduce an absolute maximum time limit of six years for such claims. These new factors ensure that operational context is properly taken into account, and they weigh up the likely impact of giving evidence on the mental health of the service personnel or veterans involved.

Clause 11 amends the Human Rights Act. This provision largely mirrors the changes that are being made for tort-based claims. It will change the rules governing the court's discretion to extend the one-year time limit for bringing claims under the 1998 Act and will introduce an absolute maximum time limit of six years for human rights claims in relation to overseas operations. Again, critics of the Bill are trying to mislead veterans with tales that this somehow discriminates against our armed forces.

Let us put this six-year backstop into perspective. Currently, for claims in tort, where personnel may sue for personal injury in England, there is already a time limit. Mostly, that limit is three years from the date of the incident or knowledge of it. In other words, if a former soldier is diagnosed with PTSD 20 years after his service, the time limit starts then, not when the operation took place. The existence of time limits is commonplace and was upheld by the European Court of Human Rights in the case of *Stubbings v. the UK*. The UK Human Rights Act itself has a 12-month time limit for claims from the event happening but does allow for further judicial discretion, and the armed forces compensation scheme has a seven-year time limit.

Finally, clause 12 will further amend the Human Rights Act to impose a duty to consider derogating from—that is, suspending our obligations under—the European convention on human rights in relation to significant military overseas operations. This measure

does not require derogation to take place, but it does require future Governments to make a conscious decision on whether derogation should be sought in the light of the circumstances at the time. We want in future the ability, if necessary, to allow soldiers to focus on the danger and job in hand when on operations, not on whether they will have a lawsuit slapped on them when they get home.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank the Secretary of State for giving way. He knows that my views on these matters are sincere. I abhor vexatious claims against former service personnel. I have witnessed the training of armed forces on the laws of war at first hand and seen how seriously they and their commanders take it. He will be aware that derogation from that section of the ECHR is used in very rare circumstances, and it would be helpful to have more clarification on that. Many people have spoken out on the Bill, including a former Chief of the Defence Staff, a former Commander Land Forces, former Conservative Defence Secretaries and Attorneys General, and learned and gallant Members on both sides of the House. Does he accept that they are expressing those concerns sincerely? I urge him to listen to them as the Bill goes into Committee.

Mr Wallace: I certainly recognise that people have concerns. Some of those people were doing the job that I am doing when these things were going on, so I would venture to ask them why they did not do anything about it at the time. It is a fact that there has been abuse of this system; we all know that on both sides of the House. It is a fact that we need to do more, rather than just talking about it, for our veterans. It is really important to include measures to recognise the unique experiences of and pressures put on the men and women of our armed forces when they go on operations hundreds of miles away.

Tom Tugendhat (Tonbridge and Malling) (Con): I want to pick up the point made by the hon. Member for Cardiff South and Penarth (Stephen Doughty)—I am glad to see him wearing his Royal College of Defence Studies tie; there are quite a lot of military ties in the Chamber today—about the application of the ECHR. The derogation that we are asking for and that the Bill recommends is not new; it was included in the initial treaty when it was signed in the '50s, and other countries have already used it. We are talking about recognising the provisions of a treaty that we signed in order to allow the military to act in a military way, because this treaty was written by people who had fought in the second world war and knew exactly what they were talking about.

Mr Wallace: My hon. Friend makes a substantive point, and one reason we find ourselves facing these challenges is the fact that there is a clear conflict between international humanitarian law in some areas, and international human rights. The encroachment and growing reach of the ECHR into areas of combat has created a clash, in some sense, between things such as the Geneva convention and individual human rights. That is why when the authors wrote the ECHR, they included some of those carve-outs as a way of accommodating the international laws under which they had been operating

in the mass conflict of the second world war. Indeed, when the Defence Committee was chaired by my right hon. Friend the Member for New Forest East (Dr Lewis), it picked up on that very real clash, which is hard to resolve. In my view, one of the problems with lawfare is that people are exploiting that clash for financial gain. It is easy to hide behind a humanitarian law on one day and a human rights law on another, and we have a duty to try to make a difference.

We are not going as far as many countries under the jurisdiction of the ECHR. Other countries in Europe have a statute of limitations on criminal offences. Germany and France both have a number of criminal statutes that are statutes of limitations. Other countries also do that, or have amnesties, but we are not going that far. We are trying to resolve that clash and see how we can ensure a proper threshold, so that there are no vexatious investigations and our men and women do not constantly find themselves the subject of them.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Surely, the debate of the past five or 10 minutes has exposed the truth of this matter, which is that it is easy to build consensus in the House on provisions relating to civil actions—there is very little exception to that. However, may I take the Secretary of State back to the answer he gave the right hon. Member for Sutton Coldfield (Mr Mitchell)? He is right in what he says about torture, but the logic of his argument is that torture should be listed in the first schedule to the Bill. He is right to put sexual offences in that schedule because, as the Government says, there are no circumstances in which sexual offences can be tolerated in war, but the logic of not including torture suggests that there are some circumstances in which torture is accepted. That is the logic. Will the Secretary of State tell the House what those circumstances are?

Mr Wallace: The right hon. Gentleman is a learned gentleman and a former colleague of mine—

Mr Carmichael: Not learned; I am a former solicitor.

Mr Wallace: Well, he should be. Only a solicitor would argue the toss between a barrister and a solicitor; to us mere soldiers, they are learned gentlemen or women in this context. I am afraid that he is absolutely wrong in his assertion. Nowhere does the Bill prevent a prosecution for torture either under five years or over five years. If he can show me where in the Bill there is a decriminalisation or tolerance of torture, I would be delighted to hear which clause or subsection decriminalises torture. Will he show me the statute?

Mr Carmichael: The exclusion of torture from schedule 1 raises the inference for any court that—and this is a matter of logic, not of law—there are circumstances in which torture is acceptable. All the Secretary of State needs to do is include torture in schedule 1, and the Bill would have no difficulty.

Mr Wallace: Does the right hon. Gentleman therefore venture that beyond torture there is murder? Should we include murder in that schedule as well?

Mr Carmichael: Obviously not, because murder is dealt with by the common law of this country. The Secretary of State is perfectly aware that such a case

could still be brought under the exceptional circumstances provisions. The problem he has is that there is no such thing as unexceptional torture.

Tom Tugendhat: Will my right hon. Friend give way on that point?

Mr Wallace: I will crack on. The House has heard the point from the Liberal Democrat spokesman. I venture that I will side with the former Attorney General for Northern Ireland on his views regarding whether this provision does or does not prevent torture. I think his judgment of the law is pretty succinct, although I have not always agreed with his views. *[Interruption.]* I shall carry on.

In conclusion, the Bill is about doing the right thing by our troops. Our soldiers and values must uphold the highest international standards. The Bill is not an amnesty, a statute of limitation, or the decriminalisation of erroneous acts. We will continue to protect the independence of our prosecutors and our service police, and we will investigate and, if necessary, prosecute service personnel who break the law. But what we will not accept is the vexatious hounding of veterans and our armed forces by ambulance-chasing lawyers motivated not by the search for justice, but by their own crude financial enrichment.

This House should reflect on how lawfare has ranged way out of control. All too often, the victims have been the very people who risked life and limb to keep us safe. The Bill is a measured step, making provision for the unique circumstances in which our troops find themselves on operations overseas. I commend the Bill to the House.

Madam Deputy Speaker (Dame Rosie Winterton): I remind colleagues that many right hon. and hon. Members wish to contribute to the debate, so Back-Bench contributions will be limited to five minutes to start with. We will have to review the limit as we go to allow as many people as possible to participate.

3.20 pm

John Healey (Wentworth and Dearne) (Lab): I start by also paying tribute to the role, dedication and work of our armed forces. They face exceptional risks, give exceptional service and require exceptional skills. As we face a second covid crisis, they are likely to be called on again, more heavily, including overseas.

I am pleased that we have come to the Commons debate on this legislation. I thank the Secretary of State for the way he introduced the Bill. The first duty of any Government is to protect the nation and its citizens, and the first duty of any Defence Secretary is to protect the men and women who dedicate themselves to the service of their country. We have our own British way of doing this. Since the days of Churchill and Attlee, when Britain led the global efforts to establish the rules-based international order after the second world war, we have been the champions of democracy, freedom and universal human rights. Our British forces uphold, unequivocally, international law and conventions. By adhering to the highest standards of legal military conduct ourselves, we can hold other countries to account when their forces fall short. The Bill calls into question Britain's proud commitment to the Geneva convention, our duty as a "permanent five" member of the United Nations to uphold international law, and

[John Healey]

our moral authority to require the conduct of other nations to meet the standards set by those international conventions.

Since the end of the 2000s, all parties in this House have upheld a strong commitment to the armed forces covenant, which declares that those from the armed forces and their families

“should face no disadvantage compared to other citizens in the provision of public and commercial services.”

The Bill breaches that covenant by denying troops who serve overseas the same employer liability rights as are held by the UK civilians they defend. Our aim with this Bill is, first, to protect British troops and their right to justice from the MOD, and secondly, to protect Britain’s reputation as a force for good in the world, upholding human rights and the rules-based international order. We will work to help forge a constructive consensus through the Commons and the Lords for the changes necessary to achieve that aim.

Tom Tugendhat: The right hon. Gentleman must recognise—I am sure he knows this well, having spoken to his opposite numbers in socialist or left-wing parties around Europe—that many other countries follow this system of derogation and have national caveats. France itself has a reserve of emergency powers it can use to defend its troops against vexatious or inappropriate litigation. Is he seriously suggesting that France is not a law-based state, or that it is in some way immoral and has no right to sit as one of the P5? Surely he is not suggesting that.

John Healey: No, I am very clear that we want to and must protect our British troops against vexatious claims and repeat investigations. Important parts of the Bill are wrong; we can get them right, and that is what I want to do. There has been a problem—I get that—arising especially from the conflicts in Iraq and Afghanistan, as the Secretary of State said. The al-Sweady inquiry chairman, when he finally cleared the troops in 2014, spoke forcefully of the “most serious allegations”—of murder and mutilation—that

“have been hanging over these soldiers for the past 10 years”.

The family of an Iraqi boy, Ahmed Jabbar Kareem Ali, who drowned in a canal in 2003 with British soldiers directly implicated, had to wait until the Newman inquiry reported in 2016 before they got the truth and the MOD issued a full apology.

Long-running litigation, repeat investigations and judicial reviews are indeed the signs of a flawed system—a system that has failed British troops and failed victims under successive Governments. I get this problem, and it must be fixed, but it is important to see it in perspective, not least so that we can see clearly the problem that we are legislating in the Bill to fix.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My right hon. Friend was touching on an important point that Members on the Government Benches have touched on as well. The problem is, as it stands, the long investigations and the repeated investigations that allow double jeopardy not via the courts, but by intimidation of investigation. The Bill does nothing whatever to deal with some of those issues. Is that not a reason for the

Government to go away and rewrite parts of the Bill or even issue proper investigatory guidelines to stop that kind of thing happening?

John Healey: I sincerely trust that the Government will rethink and will be prepared to rewrite parts of the Bill. If they do so, I think they will find broad consensus for some of the changes that could be made to the Bill to help protect our troops and protect Britain’s reputation worldwide at the same time.

Stuart Anderson (Wolverhampton South West) (Con): On that point, I have seen successive Governments overlook the armed forces, having been one of those people thrown on the pile to fend for myself. This Bill is a massive step forward for any veteran who has served on the frontlines. We are playing politics with this issue, and I plead for all Members to put that aside and focus on the massive step this Bill is for our armed forces.

John Healey: I will come on to that matter in a moment, because the Bill does nothing for those troops who have served, as the hon. Gentleman describes, on the frontline overseas. It does nothing to deal with the past cases and the past problems.

Jim Shannon: Will the right hon. Gentleman give way?

John Healey: I will give way one more time, but then I will make some progress.

Jim Shannon: On that point, the right hon. Gentleman is right about the armed forces covenant and the ability of members of the armed forces community to bring a claim for injury or death after six years. There is some concern about the unique deviation from the Limitation Act 1980 in the Bill that will place members of the armed forces community at a disadvantage compared with civilians. After six years, civilians can register a civil claim, whereas soldiers and Army, Navy and RAF personnel cannot.

John Healey: In his typical way, the hon. Member puts his finger on an important point. He understates his argument, as there is more than just some concern; there are, for instance, according to the Royal British Legion, very clear grounds for concern that the provision breaches the armed forces covenant, and I will come on to that point.

Let me deal with getting this problem, which does exist and must be fixed, in a proper perspective. My right hon. Friend the Member for North Durham (Mr Jones) was absolutely right about how hard it is to get hard, clear information out of the Government. Over recent months, I have had to prise figures out of the MOD. There is a deep resistance to releasing full, open information. The first important figures to give a broad perspective are these: over the past 15 years, there have been 25 cases brought by injured British troops against the MOD for every one case brought by alleged victims against our troops. You can see why, Madam Deputy Speaker, some of the veterans I have talked to about this Bill reckon it is more about protecting the MOD than it is about protecting troops. Britain deployed 140,000 troops to Iraq over six years. The Government cite—the Secretary of State did so today—1,000 civil claims, all against the MOD, not individual service

personnel, as evidence for the Bill to end vexatious legal claims. One third of those cases—330—have had the MOD pay compensation. Clearly they were not vexatious, as the MOD rightly insists on only settling cases in which it accepts liability. *[Interruption.]* The Secretary of State says, “No, we don’t,” but if he looks at the annual report on the cases that the Department publishes and takes, he will see exactly that commitment and clarification. It does not have the power to settle claims where it judges that it would not be found liable in a court. However, one fifth of the cases—217—have been withdrawn or struck out. They may well have been vexatious cases—they were certainly baseless. They may have taken too long, but the system, even as it stands, has dealt with them.

Two fifths of the cases—414—are ongoing, according to the MOD, although that definition could mean that those cases are settled and the MOD has agreed to pay compensation, but there may still be outstanding arguments over legal costs. Those cases may again be long-running, but they are hardly vexatious if they have not been struck out by now.

On the criminal side, the Government cite 3,400 allegations. The Secretary of State referred to the Iraq Historic Allegations Team that looked into them. Despite deep flaws in that investigation, 70% were ruled out as there was no case to answer or no proportionate grounds for a criminal investigation. In other words, those allegations did not warrant a full investigation so got nowhere near the point of decision about prosecution. They would have been wholly unaffected by the Bill if the measure had been in place because, as the right hon. Member for New Forest East (Dr Lewis) said, it does not deal with investigations—as it should—but only with prosecutorial decisions and process. By the way, just seven prosecutions have been brought against British soldiers from the remaining allegations and investigations, and all but one have now been dropped.

On Afghanistan and criminal cases, the Operation Northmoor investigation in 2014 examined 675 criminal allegations from 159 people. The investigation closed and no charges have followed. Indeed, the investigation concluded a year before the MOD confirmed in public in June that it had closed.

On judicial review, the Government have cited 1,400 JRs of civil and criminal Iraq and Afghanistan cases as justification for the Bill. I can only find evidence that two judicial reviews are continuing. The court gave the MOD permission to strike many of the others out three years ago. Yet in April, the Minister for Defence, People and Veterans told me in answer to a written parliamentary question, the MOD had still only notified fewer than half the complainants—630—of the court’s decision not to take the investigations further.

To put the matter in perspective, certainly some vexatious claims have been lodged and the current system has taken too long to weed them out, but the bigger, more serious, more consistent problems lie in the system of investigations, which lacks speed, soundness, openness and a duty of care to alleged victims and to the forces personnel who may be in the frame. Those are the problems, which occur well before the point of decision about prosecution—the point at which the Bill starts to operate. They are what the Bill should and can deal with. Our aim during its passage through Parliament is to help to ensure that it does.

To pick up on the point made by the hon. Member for Wolverhampton South West (Stuart Anderson), I must confess that when I first looked at the Bill, I thought that it was designed to draw a line under the cases still caught up in the problem of so-called lawfare. The first paragraph of the explanatory notes gives the same misleading impression. It says:

“This Bill aims to provide greater certainty for Service personnel and veterans in relation to vexatious claims and prosecution of historical events, that occurred in the uniquely complex environment of armed conflict overseas.”

But this legislation will have no impact on any past or any continuing cases, and clause 15 on commencement makes that clear, so it offers no hope and no help of faster resolution either for the troops or for the alleged victims, who may still be involved in long-running litigation or in repeat investigations. I want to make sure that no one in this House and, much more importantly, in the armed forces and the veterans community is misled by what they may have heard or may have understood before now.

Similarly, nothing in this Bill applies to Northern Ireland, despite the same commitment in the Conservative manifesto, similar concerns on the Government side about drawing a line for British troops who served in Northern Ireland, and the Secretary of State’s letter to all MPs last week in which he confirmed his eagerness “to ensure also the equivalent protections of our veterans who served in Northern Ireland.”

The Secretary of State’s speech looked back, but we now legislate for the future. The Bill is not a framework fit for the future point when Britain must again commit its forces to armed conflict overseas. The Government have got important parts of the Bill badly wrong, and I want to see Ministers work with all parties in both Houses and with groups beyond Parliament who have expertise to offer on this—from the British Legion to Liberty—to get this legislation right.

There are problems. The Bill is silent on the command responsibility and the role of commanders in some of these cases. There is a problem, I think, with the Attorney General’s consent, as it risks political factors coming into prosecutorial decisions. There is nothing on the disclosure rights, responsibilities and duties of the MOD.

Jonathan Edwards: I agree with many of the points the shadow Secretary of State has made during his very valid contribution. Does he agree that one of the fundamental weaknesses with the Bill was put forward by the UK’s most senior military judge, who has argued that the consequence of the legislation is that UK military personnel are more likely to find themselves in front of the International Criminal Court?

John Healey: I am grateful to the hon. Gentleman for conceding that I am making some valid points. His point is certainly valid, and it will be a point of central argument, probably in the debate today, but certainly as the Bill passes through both Houses.

Let me summarise our biggest concerns about the Bill. Part 1, as the Secretary of State said, introduces what the Government have called their triple lock to make prosecutions for the most serious crimes harder. The presumption against prosecution for all crimes except sexual violence clearly creates the risk that the very gravest crimes, including torture and other war

[John Healey]

crimes, will go unpunished if an incident does not come to light for five years or if the investigations are drawn out beyond that deadline.

Stephen Doughty: My right hon. Friend is making an extremely constructive and compelling speech, and I hope that all Members on both sides will listen to what he is saying. On that specific point about torture, may I commend to him the article by our hon. and gallant Friend the Member for Barnsley Central (Dan Jarvis), who has very clearly set out today the objection he has, as I do, to vexatious claims and vexatious investigations? He is also very clear that the prohibition on torture is absolute: there are no exceptions. We as a country are a signatory to a whole series of international conventions on that very issue, and the derogations we talked about under the European convention make it very clear that we have to comply with those international obligations.

John Healey: I am grateful to my hon. Friend for a very succinct and spot-on point, and I look forward to the contribution that I hope my hon. Friend the Member for Barnsley Central (Dan Jarvis) will be able to make in the debate.

John Redwood: Will the changes the shadow Secretary of State wants to make overall give more protection to our veterans, or will they actually reduce the protections in this legislation?

John Healey: The changes will give protections that are fit for the future. They will give protections that are required, and they will avoid parts of the Bill that at the moment put at a disadvantage in a unique fashion those British troops who serve overseas, which is why we argue that it breaches the armed forces covenant.

To come back to the presumption against prosecution, in the explanatory notes the Government maintain:

“Nothing in this Bill will stop those guilty of committing serious criminal acts from being prosecuted.”

That is a point the Secretary of State made, but many legal experts disagree and say that the Bill, as it intends, will be a significant barrier to justice. The Law Society’s briefing on this debate says:

“The Bill creates...a limitation period for a select group of persons in specific circumstances, i.e. armed forces personnel alleged to have committed offences overseas.”

Alongside the extra factors for prosecutors to take into account and the requirement for the Attorney General to give the go-ahead for such prosecutions, that clearly risks breaching the Geneva convention, the convention against torture, the Rome statute, the European convention on human rights and other long-standing international legal obligations. Where the UK is unable or unwilling to prosecute, the International Criminal Court may well act. So rather than providing relief for the troops accused, the Bill also risks British service personnel being dragged to The Hague, the court of Milošević and Gaddafi, instead of being dealt with in our own British justice system.

Let us just step back a moment from the technical detail. This is the Government of Great Britain bringing in a legal presumption against prosecution for torture, for war crimes and for crimes against humanity. This is

the Government of Great Britain saying sexual crimes are so serious they will be excluded from this presumption, but placing crimes outlawed by the Geneva convention on a less serious level and downgrading the unequivocal commitment to upholding international law that we in Britain ourselves, after the second world war, helped to establish.

Mr Wallace: What is appalling is the straw man being put up time and again by a Labour party half-funded by these ambulance-chasing lawyers. That is going to damage our reputation. No apology for the money they took from a number of them—no apology whatever. What we should recognise is that many of—[*Interruption.*]

Madam Deputy Speaker (Dame Eleanor Laing): Order. Do not shout in the Chamber.

Mr Wallace: Much of the mess we are having to come and clean up today is because of your illegal wars, your events in the past and the way you have run the safety of our forces. To put up straw men and make wild allegations that are wholly inaccurate, and disputed by people much more learned than the right hon. Gentleman, does a disservice to our troops and is all about making an excuse for not supporting the Bill. We will see tonight whether or not he supports the Bill.

John Healey: That is not worthy of the office of the Secretary of State for Defence. We are dealing with matters of torture, war crimes, MOD negligence, compensation for injured troops and compensation for the families who have lost their loved ones overseas. This is too important for party politics. It should be beneath the Secretary of State to reduce this to party politics. We on the Labour Benches will work with the Government to get the Bill right.

The Minister for Defence People and Veterans (Johnny Mercer): This is embarrassing.

Carol Monaghan (Glasgow North West) (SNP): You are embarrassing.

Madam Deputy Speaker: Order. When you speak, you speak standing up not sitting down. Now, we will just have a drop in temperature while we consider the facts of the Bill and let the emotions settle down somewhat.

John Healey: Thank you, Madam Deputy Speaker. The facts of the Bill are that it places torture and other war crimes on a different level to crimes of sexual violence. That is not embarrassing; that is unconscionable for a country with a proud record of upholding unequivocally the international conventions that we helped to draw up.

Bob Stewart (Beckenham) (Con): Will the right hon. Gentleman give way?

John Healey: No, I will not at this point.

Ministers must think again. No wonder the former Chief of the Defence Staff, Lord Guthrie, says that the Bill as it stands would be a stain on Britain’s standing in the world. Ministers must think again. They must remove torture and other war crimes from the Bill. There are better ways of protecting our troops and Britain’s good name.

Part 2 creates a higher hurdle for civil cases after three years, as the Secretary of State said, with extra factors that a prosecutor must take into account, and a hard block on any case after six years. For British troops serving overseas with claims to make against the MOD, that does breach the armed forces covenant—a point that I made to the Secretary of State early in the summer, reinforced today by the Royal British Legion in its briefing for this debate, which says that in removing “the ability of members of the armed forces community to bring a claim for injury or death after six years, the Government will create a unique deviation from the Limitation Act 1980.” Part 2 denies those who serve our country overseas the same employer liability rights as the rest of us enjoy at home. It creates circumstances that allow the MOD to avoid claims when it fails properly to equip our troops or makes serious errors that lead to the death or injury of British troops overseas.

It is plain wrong that those who put their lives on the line for Britain overseas should have less access to compensation than the UK civilians they defend, and, since 2007, there have been at least 195 cases of troops who would have been caught by the Bill. Ministers have tried to play that down by saying that the clock on that deadline starts only at the point of diagnosis, but that is misleading because diagnosis is not in the Bill and the point of knowledge is in the Bill. That is another important provision that we must put right.

We believe, and I believe strongly, despite what the Minister for Defence People and Veterans is chuntering under his breath, that the Government, Labour and the armed forces ultimately all want the same thing: we want to protect British troops and we want to protect British values, and that should not be merely a matter of party politics.

I say to the Secretary of State that during the Bill’s passage through Parliament, we want to help forge a constructive consensus on the changes needed to overhaul investigations, to set up safeguards against vexatious claims that are entirely consistent with our international obligations, and to guarantee troops the right to compensation claims when MOD failures lead to the death or injury of our forces overseas. It is not too late for Ministers to think again about the best way to protect service personnel from vexatious litigation while ensuring that those who do commit serious crimes during operations are properly prosecuted and punished. As the Bill begins its passage through Parliament, I urge the Secretary of State and his Minister to work with us to ensure that it does just that.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. The House will be aware that a great many people would like to speak this afternoon—far more than the number of people who are currently able to be in the Chamber. We have a waiting list. We therefore start with an immediate time limit of five minutes.

3.47 pm

Mr Tobias Ellwood (Bournemouth East) (Con): Thank you, Madam Deputy Speaker. I wish to make a declaration of interests: I am a current member of the armed forces, and I did serve in Northern Ireland.

I very much welcome and support the Bill, which is a step in the right direction. We do not seem to have many opportunities to praise the armed forces; there are not enough relevant debates in this place. I am pleased that so many Members are speaking here today.

I join Members on both Front Benches in paying tribute to our entire armed forces community. They help define what this nation believes in and stands for. The versatility of our armed forces is reflected not only in times of conflict, but also when there are needs and challenges closer to home. I am pleased to see the Prime Minister instigate Operation Temperer, inviting the armed forces to support our constabularies. We will not be seeing the 4th Battalion the Rifles Regiment enforcing last orders at the Dog and Duck just yet, but we look forward to their supporting us as we tackle the pandemic.

The UK’s armed forces are volunteer forces. The gene pool from which we recruit is society itself, and we want the best and brightest to step forward and join the ranks of all three services. For that to be successful, we must not only train, equip and house them well, but provide the best possible care for the injured, for the bereaved, and also when members of the armed forces finally retire and rejoin our civilian society.

I turn to the Bill itself, the billing of which has been quite something, promising to end the vexatious witch hunts that have plagued service personnel who have served in Iraq, Afghanistan and Northern Ireland. I began by saying that that was a step in the right direction, and that is absolutely the case.

This issue was first raised back in 2013 by the former Defence Committee Chair, my right hon. Friend the Member for New Forest East (Dr Lewis). We have had the Iraq Historic Allegations Team put together by the MOD to deal with this matter, and we have also had consultation by the Government to see how we should move forward. One thing our soldiers are good at is smelling a rat. You learn that pretty fast when you are in the military. Do not attempt to try to bluff them: they will see you out, whether you call it political spin or otherwise. Let us be upfront, no matter how brutal the truth is, on what is the way forward and what we achieve here today. I politely ask the Government to follow this practice and not to over-promise.

Let us be honest: this Bill, as it currently stands, will not help any veterans who are currently under investigation. It is not retrospective, and it will not help anybody who served in Northern Ireland, as my Defence Committee colleague, the hon. Member for Belfast East (Gavin Robinson), said. It focuses on supporting those currently in uniform. However, it provides greater certainty, we hope, for service personnel in relation to crimes that may be committed in future to ensure that they are properly prosecuted. We understand that those who serve our country are not above the law—far from it—but we do ask those who stand in harm’s way on our behalf to do something quite extraordinary in making the toughest of decisions about the utility of lethal force. We cannot have any commander hesitate in carrying out his or her legitimate orders, and we cannot have any soldier hesitate in the heat of battle.

How did we get here? There seems to be a clash between international humanitarian law traditionally governing armed conflicts and human rights law, which is increasingly now applied in armed conflict situations—

[*Mr Tobias Ellwood*]

exactly what Phil Shiner choose to exploit. I ask the Secretary of State to clarify when the Northern Ireland legislation will come through. In choosing the last resort of war, we must follow, and be seen to follow, the rules of international law. If any British armed forces personnel ever fail to uphold these standards, it is entirely appropriate that their actions—potential war crimes—are properly and fairly investigated.

We are immensely proud of our armed forces. They may leave active duty, but they never leave the armed forces community. We must watch their backs if we are to ensure that the next generation of warriors step on to the parade square and wear their uniform with pride. I am pleased that this Bill is, in that sense, a step in the right direction.

3.52 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): I, like others, pay tribute to the armed forces, not least for the work they have done during the coronavirus crisis, particularly in erecting the extraordinary construction of the NHS Louisa Jordan Hospital in my own home city of Glasgow. I know they have done much in Members' constituencies all across the UK, and I am sure we will expect more of them in the times to come.

I acknowledge at the outset of my remarks—this will probably be the only bit that pleases Ministers and Conservative Members—the sincerity with which Ministers have approached this, in that they recognise the problem and sincerely wish to fix it. Indeed, the Minister for Defence People and Veterans was a jolly advocate for getting this done way before he became a Minister, and I think I am right in saying that the Secretary of State himself was raising this when he was a Member of the Scottish Parliament in the first Parliament of 1999. I acknowledge their long-standing desire to fix these issues, but I am afraid I do not believe that this Bill does it.

Those who risk their lives for their country do so in some of the most unimaginable circumstances. There are gallant Members here who have gone through that. I certainly have not. Far from home, they are often surrounded by danger at the behest of this Parliament, and they have to make split-second decisions in circumstances that, as I say, I cannot imagine. Sometimes those decisions are wrong, and when they are wrong, there needs to be a means by which that can be righted and justice can be done. Sometimes many years later these incidents rear their heads in the form of legal claims that force claimants and former service personnel to relive some of those dark days in a search for answers, but no one, least of all service personnel and veterans of the armed forces, deserves to be accused of a crime that they did not commit, and far less to be harassed by investigation after investigation. As the Chairman of the Intelligence and Security Committee and former Chairman of the Defence Committee, the right hon. Member for New Forest East (Dr Lewis) has said, the Bill does not achieve that.

The Secretary of State has mentioned Phil Shiner, and other firms have also sought to cash in on this kind of behaviour. I do not deny that they have done so, and they are to be deprecated for it. Indeed, I believe that they are deprecated on all sides of the House. However,

this legislation is not the way to deal with this. It is using the proverbial sledgehammer to crack a nut. I accept that the nut is deeply problematic, but I have to say that this looks like a Bill designed more to protect the Government, and in particular the Ministry of Defence, than anyone who dons a uniform. Indeed, it was the Minister for Defence People and Veterans, who we will hear from at the end of the debate, who said that

“one of the biggest problems...was the military's inability to investigate itself properly and the standard of those investigations...If those investigations were done properly and self-regulation had occurred, we probably wouldn't be here today”.

The Bill makes no provision whatsoever for an independent investigative body or for reporting accountability mechanisms of the kind that would help to address the historical claims that I believe we all want to address. We are asked to hope by the Government, and to trust and believe that a real solution will come later, after we vote to undermine international law and the rules that keep us safe. That is a promise that seems to be being made with increasing regularity from the Government Benches. That is why I believe that this Bill is bad, not just for our rules and laws but for the armed forces as well.

If we can agree with the Minister for Veterans, as I do, that the investigations process in the Ministry of Defence is flawed and needs fixing, let us bring forward a Bill to do that. If that does not require legislation, let us bring forward those proposals. Let us have that discussion first. Passing the Bill in this form or a form close to it would be to put the cart before the horse. If the Government truly want to protect the UK armed forces from legacy allegations of war crimes, they must create mechanisms for allegations, both contemporaneous and historical, to be properly addressed by independent investigators. I am horrified, as I am sure other legal minds in this place, the other place and outside Parliament will be, at the extraordinary powers that the Bill invests in the Attorney General, who is not an independent Law Officer of the Government, but a political appointment and part of the Government.

We believe that the ways I have just outlined are the ways to ensure that we can deal with this properly, but instead, the Government have offered a Bill today that does not help the victims of these cases—by which I mean service personnel, veterans and their families—who feel that the courts are their only recourse to justice. I would argue, as do other Members, that this exposes UK forces more to the International Criminal Court. And I can tell the House what will happen then: Tory Back Bencher after Tory Back Bencher will be on their feet complaining about foreign judges intervening in UK justice. How long would it then be before someone made it mainstream within the Conservative party that the United Kingdom should withdraw from the ICC? I can see the start of a very slippery slope indeed.

Mr Carmichael: Is not part of the problem that, where suspicion exists, there requires to be an investigation, and that if that investigation produces evidence, there should be a prosecution? By putting barriers in the way of prosecution, we do no favours to those who are accused of criminal acts in the first place, because no line is ever drawn underneath it for them.

Stewart Malcolm McDonald: The right hon. Gentleman is correct, so I do not need to expand on that. I am conscious of your points about time, Madam Deputy Speaker, but he is correct in what he says.

I want to go through some of the senior military, legal and political opinion that has come out against the Bill. I can accept that Conservative Members, probably those on the Front Bench, think that the Opposition—if not the entirety of it, my party—are just *Guardian*-reading, lentil-munching sandal wearers, but that can hardly be laid at the feet of Nicholas Mercer, can it? Nicholas Mercer, the former command legal adviser during the Iraq war, has pointed out that this Bill

“undermines international humanitarian law while shielding the government”.

The Bill serves one body, and that body is the Ministry of Defence.

I can also point to some other opinion against the Bill—indeed, one of the Secretary of State’s predecessors, Sir Malcolm Rifkind. The Secretary of State has managed to unite Sir Malcolm Rifkind with the Scottish National party, and he was a leading nat-basher-in-chief back in his day. He has said that the Bill risks

“undermining the UK’s position as a champion of the rule of law”.

That might be fashionable on the Government Benches these days, but it is something that we in the Scottish National party will not stand for.

You could also quote the former Attorney General, Dominic Grieve. I hear the Government Front Bench often praying in aid the Attorney General for Northern Ireland. For a Bill that does not concern itself with Northern Ireland, you seem awfully keen on the Northern Irish Attorney General. As the shadow Secretary of State mentioned, we were told by the Secretary of State in a letter that he sent to all Members of the House that the Bill will be equivalent to what is brought forward in Northern Ireland. Well, good luck with that one!

We can also quote Field Marshal Lord Guthrie, although I understand he has taken some of what he said back. Again, he is hardly a lentil-munching leftie. He said:

“There can be no exceptions to our laws, and no attempts to bend them. Those who break them should be judged in court.”

He also stated:

“These proposals appear to have been dreamt up by those who have seen too little of the world to understand why the rules of war matter. If we start down the slippery slope of arguing that rules apply to others, but not to ourselves, it is we who will suffer in the end.”

Tom Tugendhat: To make a small point of clarification, Field Marshal the Lord Guthrie has rethought his words, having spoken to the Chief of the General Staff.

Stewart Malcolm McDonald: I do not believe that anything I read out is what he has withdrawn. However, if I am wrong on that, I am happy to be corrected. I thought I was going to be told that he was indeed a lentil-munching *Guardian* reader, but clearly not.

Let me come to how the Government are approaching this. I have listened to many of the sedentary chunterings that have come from the Treasury Bench this afternoon, and I had a call with the Minister for Defence, People and Veterans yesterday—he told me that he was not the

“king of good ideas”; I did not need to be told that—but all I have seen is arrogance. Any objection, whether adumbrated by people outside or inside the House—including people on his own side, by the way—is met with, “Didn’t read the Bill”, “Doesn’t understand it”, “This is embarrassing”, or “It’s this way or no way.” I am afraid that unless we can amend the Bill within an inch of its life, beyond any recognition of what appears before Members this afternoon, there is no way that my party can support the Bill in this form.

I will say this, however: if the Minister wants to get the issue solved—which I believe we both do, as I said at the start—

Johnny Mercer: Will the hon. Gentleman give way?

Stewart Malcolm McDonald: I will once I have completed my peroration. Scrap the Bill and let us have a discussion about the way in which the Ministry of Defence investigates these things internally. I am more than happy to engage in that discussion with the Minister and with the Secretary of State, but to be asked to vote for a Bill so roundly condemned by senior legal, military and political opinion is something that we will not contemplate.

Mr Wallace: As ever, the hon. Gentleman makes reasoned points and a good speech. First, he has not mentioned it yet, but he will be aware that there was something called the Lyons review, which was the service justice review that has reviewed and continues to review. We are in the middle of implementing some of its recommendations on improving on exactly the points he makes about service justice.

Secondly, before the hon. Gentleman finishes his speech, I ask him within what parameters we should work when trying to come to a consensus with the Scottish National party. For example, does he except that in cases of civil law there is a need for tort limitations? Does he accept the statute of limitations on civil pursuit—that many of those cases should have a time limit? Does he also accept the line in the relevant article of the European convention on human rights that says people are entitled to

“a fair and public hearing within a reasonable time”?

If he accepts both those parameters, perhaps we can talk.

Stewart Malcolm McDonald: I have not disputed any of those things. I am willing to have that conversation, but the Secretary of State has introduced a Bill that is so egregious that he makes it impossible for me to support it. Look, he has his majority so he will get it through in whatever form he wants, but if he wants to have, as we often do in defence discussions in this Parliament, a degree of consensus that most people outside this place probably do not think exists, it cannot come on the back of a Bill like this one. I understand that the review he mentioned at the start of his intervention is taking place; why not pause the Bill and let that review report first? Let Parliament debate it and then see what we can fix.

Johnny Mercer: I have a lot of time for the hon. Gentleman, and recognise his allegations of how I have ridiculed some of the approaches. The reality is that we on the Government Benches have to deal with what is actually in the Bill and the reality of operations. We have a duty to these people. We have engaged both the hon. Gentleman and the shadow Secretary of State in trying

[Johnny Mercer]

to improve the Bill, and not once have you come forward with something with which I can improve the Bill. The Bill is moderate, fair and down the middle. If you are on the wrong side in the Lobbies tonight, you are clearly on the wrong side of history.

Madam Deputy Speaker (Dame Eleanor Laing): Order. I am not entering into the debate, but I shall merely say that all day today Members on both sides of the House have been using the word “you”. They have been calling the Prime Minister you and they are calling Members on each side of the House you. In this Chamber, you means the occupant of the Chair. It is really important, in order to keep the right sort of distance in an argument of this kind, that we use the phrase “the hon. Gentleman” or “the hon. Lady”, or something along those lines. Mr McDonald, you have not committed this sin.

Stewart Malcolm McDonald: That is because I know what I am doing, Madam Deputy Speaker, as you well know.

Let me say this to the Minister for Defence People and Veterans. We always try to find the maximum consensus, but I rather suspect that we just cannot agree on this Bill. He is not willing to change it to the degree I would like to see it changed, which in essence would mean scrapping it and letting the review come forward. When we table amendments in Committee, it will be interesting to see what they say; I am sure the Minister will be interested to read them, and it will be interesting to see how the Government approach them. As I say, we all know what is going to happen: the Government have a huge majority and are not going to accept anything that they feel they do not have to. We do not agree with them that the Bill is moderate at all, which is why we will vote against its Second Reading tonight.

Joanna Cherry (Edinburgh South West) (SNP): The Minister for Defence People and Veterans is keen that we look at the Bill itself. Does my hon. Friend agree that the Bill creates a presumption against prosecution for a class of defendants, placing one group above the other in the eyes of the law? Does he agree that that is unprecedented in our domestic legal systems, whether we speak of England and Wales or the separate and independent jurisdiction in Scotland? That is unprecedented and that is what is objectionable about the Bill: it does away with the idea of equality before the criminal law, and that is wrong.

Stewart Malcolm McDonald: My hon. and learned Friend is absolutely correct in saying that. I would go further and say that actually, in terms of the whole scope of the Bill and how it protects the Ministry of Defence from claims coming from members of the armed forces themselves, as brilliantly illustrated by the shadow Secretary of State in his speech earlier, it is not welcomed by those people who need protection. We all agree that they need protection, but we cannot agree with the Government that this Bill is the way to do it.

The context is this: this Parliament has no power to prevent the Government from entering a discretionary conflict. There is no war powers Act. When Tony Blair took the country to war—a war that, in an interesting contribution earlier, the Defence Secretary said he now accepts was illegal, but which his party supported at the

time—he at least came to this Parliament and held a vote. When the airstrikes in Syria took place in Easter 2018 under the former Prime Minister, the right hon. Member for Maidenhead (Mrs May), that was done away with; that discretion was used without any parliamentary consent.

On the issue of special forces oversight or lack thereof, we stand out as unusual, even by comparison with a country such as the United States with zero oversight of special forces operations. As my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) has said earlier, this Bill creates two levels of playing field for people in this country. This is all unwelcome and highly unusual. There is a reason that no other country has a version of this Bill on its statute book or before its national legislature. Members of the armed forces are rightly expected to perform to a high standard and members of the armed forces are right to expect a high standard of us in this House, but for the reasons I have outlined we will vote against this legislation tonight. Members of the armed forces are entitled to a better standard than this.

4.11 pm

Tom Tugendhat (Tonbridge and Malling) (Con): It is a pleasure to see you in the Chair this afternoon, Madam Deputy Speaker, and to follow my friend, the hon. Member for Glasgow South (Stewart Malcolm McDonald), who made some interesting points, some of which—forgive me—I am going to disagree with. He will not be surprised to hear that, because we have entered into many civilised, and sometimes lubricated, conversations on these very subjects. These issues affect the whole House and have been discussed by many Members in here and in other places, because they really matter.

I declare an interest; I got into politics on leaving the Army, after writing a paper for Policy Exchange in 2013 called “The Fog of Law”, which covered these very subjects and highlighted many of the issues raised in this debate. I appreciate that there are difficult decisions and that it is hard to balance what the right hon. Member for Wentworth and Dearne (John Healey) quite correctly said was the difference between the liability that a civilian employee could expect with their employer and that which a soldier on overseas operations could expect. I accept that that is different.

I accepted that it was different when I swore allegiance to Her Majesty and put on the uniform for the first time. I accepted that it was different because the job I had accepted to do was different; it was fundamentally different—different in every sense from any civilian job at all. Why? Because I promised, as the men and women of our armed forces still promise, to give everything even unto death. That is not something that any other employer asks of their team or their staff. Nobody who is not wearing the Queen’s uniform pledges to defend our people, our islands, our values, our country, our allies and our interests even up to their own life. That is different.

In recognising that that is what we need from our armed forces, we must also recognise that the law defending our troops and the law that applies to their terms of employment must also be different. It simply cannot be the case that civilian employment contracts are applicable to the invasion of Iraq or hard detention operations in

Afghanistan, or even to training missions in other places that go wrong and become combat in ways that the people involved do not expect. Of course they must be different.

John Healey: Will the hon. Gentleman accept that this is a distinction not just between the armed forces serving overseas and civilians, but between armed forces serving overseas and armed forces serving and based in this country? To that extent, this legislation uniquely disadvantages the latter and reduces their rights.

Tom Tugendhat: I will accept that this is an overseas operations Bill and that being on patrol in Helmand is different from being on guard at Buckingham Palace, and therefore the rights that troops should accept in different places under different terms should of course be different.

I have served, as have many of my colleagues in all parts of the House. Indeed, my friend and former comrade in arms the hon. and gallant Member for Barnsley Central (Dan Jarvis) and I served in camps in places where the electricity could best be described as ropey and would fail any civilian investigation. We served in places where to walk outside the camp was to risk everything, from loss of life or limb to very real mental damage. We served in those places because the national security and the interests of our country—decided on by people here, by the way, not soldiers—were judged to be that important.

Mr Wallace: I listen with interest to what my hon. Friend says and to his example of unique circumstances. The hon. and learned Member for Edinburgh South West (Joanna Cherry) made the point that this Bill makes some people less or more equal before the law—that it was an unfair application—but it does not prevent anyone from being prosecuted for a crime that they have committed, nor does it introduce special defences for people, so that some of these offences allow them to have an excuse. All it does is ask a prosecutor to have exceptional regard for the circumstances that those concerned may find themselves in and also, where an investigation has already happened, to think about the level of new evidence that should be applicable.

Tom Tugendhat: I agree with my right hon. Friend, and the important point about the Bill is that it recognises the difference between a crime and an error. We all know that crimes should be prosecuted, and we all know that the difference between a crime and an error is a difference of understanding and, on some occasions, circumstance. It is not necessarily a crime for a missile, sadly, to go astray and kill civilians. It can be an error; it may be a terrible, regrettable error; it may be an error that we should learn from a thousand times. But it cannot always be a crime, otherwise the invasion of Normandy could never have happened, because if it was always a crime for civilians to die in combat, the troops could not have prepared that battlefield to land on those beaches.

If that was a crime, it would always be a crime to use force in situations where we cannot be absolutely certain of the outcome of that force. Of course, that is never possible, because the reality is that if we put such blocks on any use of force, what we are saying is that force can never be used.

Joanna Cherry: I am failing to follow this argument. Is the hon. and gallant Gentleman suggesting that torture is a crime that can be committed by error?

Tom Tugendhat: No.

Joanna Cherry: That seems to be what he is suggesting. But let us focus on what we are talking about here. We are talking about torture—[*Interruption.*]

Madam Deputy Speaker (Dame Eleanor Laing): Order. We do not have time.

Tom Tugendhat: That is simply not what I am saying, and it is quite clear that it is not what I am saying. What I am saying very clearly is that there is a fundamental difference between an error and a crime, and there is a fundamental need in military law to allow soldiers to take the risks that we need them to take if they are going to keep our country safe. If we do not allow them to take those risks, what we are saying, fundamentally, is that the weak must defend themselves and the strong can look after themselves; because the point about military service, soldiering and our armed forces, fundamentally, is that they allow the strong to defend the weak. They put the use of force under the rule of law, and they allow this country to be strong and safe, and partnered with others around the world.

4.19 pm

Dan Jarvis (Barnsley Central) (Lab): It is a great pleasure to follow my friend the hon. and gallant Member for Tonbridge and Malling (Tom Tugendhat). It is a great strength of the veterans community, both inside and outside this place, that we can debate these important matters and take a different view but do so with decency and humility.

I should declare an interest as a veteran. I know very well, and we have heard in the House today, the strength of feeling and the very high regard that Members from across the House have for those who serve in our armed forces. No one, whether they have served in the military or otherwise, deserves to be repeatedly investigated without good cause. If we allow that abuse to continue, we fail collectively in our lifelong commitment to support those who have sacrificed themselves for our country.

This Bill seeks to address such abuses, but however well-intentioned it is, it does require significant improvement, otherwise it will be potentially damaging both to Britain's standing in the world and to the reputation of our armed forces.

First, I wish to address the definition of “relevant offences” as laid out in clause 6. Subsection (3) states that an offence is not relevant

“if it is an excluded offence by virtue of Part 1 of Schedule 1.”

The offences excluded are largely sexual offences. Although that is, of course, welcome, it is worrying to see the omission of other crimes against humanity and war crimes. I heard what the Secretary of State said earlier, but let us take torture as the obvious example. The prohibition of torture is absolute. There are no exceptions. Its use is illegal under numerous international treaties to which the UK is a signatory, including the Geneva convention.

Bob Stewart: Speaking as a commanding officer who has gone into the field, may I point out to the House that it is not just this Bill that we have to operate under? Let us take, for example, torture. Article 17 of the Geneva convention specifically prohibits torture, and we can be charged for that. I certainly used to place great emphasis on that point in training troops to go into the field.

Dan Jarvis: My friend the hon. and gallant Gentleman raises a very important point. The reality is that, despite what we have heard from some Members today, if this Bill is passed in its current form, a decision to allow a prosecution to proceed following an allegation of torture after five years had elapsed would be made virtually impossible due to the threshold imposed by the triple lock. This is not the way to rebuild our reputation on the international stage. It would mean the UK reneging on our international legal obligations and could well put us at odds with the ICC. At a time when we are witnessing an erosion of human rights and leaders turning their backs on international institutions, it is more important than ever before that we uphold our values and standards and not undermine them.

Through this Bill, the Government are seeking to right a wrong, but not by addressing the root cause of the issue. In an interview last year—we have heard the quote already, but it is worth hearing again—the Minister for Defence People and Veterans said that one of the biggest problems with this was

“the military’s inability to investigate itself properly and the standard of those investigations. If those investigations were done properly and self-regulation had occurred, we probably wouldn’t be here today.”

The Minister is absolutely right, and the underlying problem is how we have ended up at this point, but nowhere does the Bill mention the need to review how military investigations are conducted. If we had a credible investigatory system that dealt with allegations in an effective, impartial and timely manner—one that allowed us to refer back with confidence—we would not be in the position that we are in now.

There is, though, plenty of support across this House for measures that will protect members of our armed forces. We all know, and I am sure we all agree, that historical prosecutions of our veterans are an emotionally charged subject and one that urgently demands a solution, because nobody—surely nobody—wants to see a repeat of the decades of legal wrangling, the delay and the misery that are still ongoing following investigations of the troubles.

I conclude by saying that the overwhelming majority of members of our armed forces serve with distinction and honour, and they follow the rules, but no one—not one of us—is above the law, and that principle remains true whether or not somebody wears a uniform. One of the best ways to protect our troops is to ensure that we apply the rule of law in every instance. There is much work to be done to improve this Bill, and I hope very much that Ministers will listen to the concerns that have been expressed today and work constructively to improve it in Committee and beyond. I hope we all agree that we owe the brave men and women of our armed forces—the people who serve our nation—a massive debt. Diminishing their hard-won reputation by reneging on our legal and moral obligations is not the manner in which to repay it.

4.24 pm

Dr Julian Lewis (New Forest East) (Ind): I greatly admire and respect the hon. and gallant Member for Barnsley Central (Dan Jarvis), but I fear that it would require rather more than just an improvement to the way in which service authorities investigate allegations to solve this problem, because the problem derives in large part from the application of the Human Rights Act abroad.

The purpose of this Bill should not be to stop sound cases being prosecuted, and it does not do so. Its purpose should be to stop unsound cases being repeatedly investigated, and that, I fear, it fails to do. The hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) seized on this point in his earlier intervention, in which he referred to intimidation by reinvestigation, and he is right; that is the nub of the problem. The Secretary of State conceded that only a small proportion of these many cases—most of them spurious—end up in a prosecution. He suggested that, if it were known that there would be less likelihood of a prosecution, there might be fewer rounds of investigation and reinvestigation, but I am afraid I do not find that wholly or, indeed, at all convincing. Something must be done to stop the repeated reinvestigations, which, in large part, happen because of the application of the Human Rights Act abroad.

I first became aware of the scale of this problem several years ago when I heard speeches from my hon. and gallant Friends the Members for Beckenham (Bob Stewart) and for Filton and Bradley Stoke (Jack Lopresti). The effect of that was to interest me in trying to take the matter further during the two periods for which I chaired the Defence Committee. In those two periods, we produced three reports. The first inquiry was carried out by the sub-Committee under the chairmanship of my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), now the Minister for Defence People and Veterans. That inquiry dealt with Iraq and reported in February 2017. The second one dealt with Northern Ireland and reported in April 2017.

The third one, dealing with the whole panorama of all these scenarios, reported in July 2019. That report warned that the European Court of Human Rights

“has gone far beyond the original understanding of the European Convention on Human Rights, and... its rulings have stretched the temporal and territorial scope of the Human Rights Act beyond Parliament’s original intentions”.

The report examined proposals by Professor Richard Ekins, now professor of law and constitutional government at Oxford University, in which he proposed to restore the former scope of the HRA and the application of the ECHR. As long as that legislation, which was never intended to be applied abroad when it was enacted by this House in 1998, persists in its extended application, we will not solve this problem.

Tom Tugendhat: Is my right hon. Friend aware that it is not only the United Kingdom facing an issue with the extraterritoriality of the ECHR? The French Conseil d’État—in which I must declare an interest, as my wife is a member—has also been investigating this, as has the German court, because this extraterritoriality was never envisioned by the signatories in the ’50s, nor was it envisioned by the then Prime Minister in the ’90s.

Dr Lewis: I absolutely accept that this is not a problem confined to us. It is something that has crept into the international scene. Law-observing democracies are finding themselves hamstrung because of the misapplication of what is essentially civil law to the battlefield. That is wrong. It was never intended to be the case, and until it is put right, we will not solve this problem.

It is true that the Government, in this Bill, are considering derogating from the ECHR; clause 12 encourages, but does not require, such derogations. That would help, but according to Professor Ekins, whose work with Policy Exchange I acknowledge, that would be no substitute for amending the Human Rights Act and providing that it should not apply outside the UK, or at least that it should apply only in strictly limited circumstances. Parliament should go back to what it intended in 1998. It would also be much better for Parliament to require the Government to derogate in relation to overseas operations and to amend the Human Rights Act so that it does not apply abroad.

With good will on both sides, the Bill can be improved, and I urge those on both Front Benches to work together in pursuit of an improved outcome.

4.31 pm

Mr Kevan Jones (North Durham) (Lab): I have been in the House for nearly 20 years, and I have always prided myself on being a strong advocate for defence and the support of our servicemen and women, both from the Back Benches and as a Minister. I am also no friend of unscrupulous lawyers. Older Members of the House will remember my campaign of the early 2000s against unscrupulous lawyers who defrauded my constituents who were claiming miners' compensation. That led to the instigation of the Solicitors Regulation Authority, which took the disciplining of lawyers away from the Law Society. I am also, though, a strong supporter of the legal system and of the military justice system. I have served on the last three armed forces Bills as either a Minister or a Back Bencher, and I think I understand the system well and respect it.

Unfortunately, though, this Bill does not pass the Ronseal test: it does not do what it says on the tin. It excludes completely the arguments, with which I have a lot of sympathy, about prosecutions of those in Northern Ireland. The other issue is the need for the Bill. Its promoters give the impression that there is an army of vexatious lawyers out there who are pursuing veterans. I asked, in a parliamentary question, for numbers. I was told that they were not kept by the Department centrally. The explanatory notes say that there were 900 cases for Afghanistan and Iraq between 2003 and 2009; the impact assessment says the number is 1,000, but what they do not explain is the nature of those cases. How many were brought by vexatious lawyers? How many were compensation cases rightly brought by members of the armed forces or their families?

I accept the issues around the case of Phil Shiner. That individual was disgraceful, but I have to say that the Solicitors Regulation Authority, which was put in place by the last Labour Government, sorted that problem out. On the other main thing that has been raised today, I was a Minister in the Department at the time, and the problem was the way in which cases were investigated. The Bill will not address that.

The other point that I would like to address is my fear that the presumption, as outlined in the Bill at the moment, that prosecutions will not go forward outside a certain timescale will lead to members of our armed forces going before the International Criminal Court. That cannot be acceptable. If we had that presumption against prosecution, the court would perhaps conclude that the UK was either unwilling or unable to initiate a prosecution. I do not want to see that, and I do not think the Minister does either, but it is an unintended consequence of the Bill and it has to be changed.

I also have problems with clause 3, which says that prosecutors should take into account "exceptional demands and stresses" in cases after five years. If it is good enough after five years, why not before? There is no need for the clause, because that is already taken into account. The Judge Advocate General, in his letter to the Defence Secretary, outlined the case of Marine A, where evidence of unique circumstances taken at the first court martial and then at the appeal meant that the sentence was reduced to manslaughter.

Stewart Malcolm McDonald: Does the right hon. Member not agree that it diminishes the Government's standing when they come to the House and cast to one side all these concerns from experts such as those he mentions, when there probably is a reasonable Bill that the House could gather around?

Mr Jones: I think there is, but I also say that people should talk to those in the service justice system, because they do this every day of the week. They are an independent judiciary—that is recognised internationally. They do a job in ensuring that people get justice and I think that this Bill will complicate that. One of my fears is that this will undermine the military justice system, of which I am a passionate supporter. I know that some people want to do away with it, but I certainly do not. I also agree with the points that have been raised by the Royal British Legion and my right hon. Friend the Member for Wentworth and Dearne (John Healey) concerning conditions around the ability of veterans to make compensation claims later.

I will not vote against the Bill tonight, because I think it can be improved. However, I will also not fall into the political trap that has been set, where it will be said that if someone is against the Bill or criticises it in any way, they favour ambulance-chasing lawyers over our armed forces. I am sorry but I take great exception to that, and I am in good company, along with a lot of other people, such as Field Marshal Lord Guthrie, Nick Parker, for whom I have huge respect—I worked with him in the Ministry of Defence—and the Judge Advocate General.

Stuart Anderson: I respect the right hon. Member and sit with him on the Defence Committee. We have mentioned a lot of names today, but none of them is below General. I have served on operations with some of those people. None of the riflemen, junior non-commissioned officers and young officers has been mentioned, and their fear of ambulance-chasing lawyers and this lawfare should be brought in as well.

Mr Jones: I do not disagree with the hon. Gentleman, but I am saying that these are people of higher rank, and others, who understand the command of that justice system. You cannot get a higher person than the Judge

[Mr Kevan Jones]

Advocate General. He was not even consulted on the Bill, which I find remarkable. The most senior lawyer in that system was not actually consulted.

Mr Wallace: Will the right hon. Member give way?

Mr Jones: Not really, no, because I am about to conclude.

The Bill is not perfect. It can be improved, but the Minister who is taking it through the House has to change his attitude. He has to be open-minded to change. He has to not play politics on the basis that anyone who criticises the Bill is somehow against the armed forces, because we are certainly not, and I include myself in that.

I will finish on this point: in the letter that the Judge Advocate General sent to the Defence Secretary, he said:

“The bill as drafted is not the answer.”

I agree with him on that.

4.37 pm

Bob Stewart (Beckenham) (Con): I have the greatest respect for the right hon. Member for North Durham (Mr Jones) and I accept what he said, but I emphasise the point that my hon. Friend the Member for Wolverhampton South West (Stuart Anderson) just made. He made the first reference to the people who are really affected by what we are talking about—that is, the young men and women who are normally charged. Let us remember, colleagues, how bloody awful it is to undergo some of these investigations time and again. Let us remember how dreadful it was when we saw those ambulance-chasing lawyers going after units and individuals in Iraq, and later in Afghanistan.

Jim Shannon: In my constituency, there are many people with mental health issues—indeed, one of my constituents, unfortunately, died just within the last month. Does the hon. Gentleman believe that the Bill can enshrine in law the support for those being maliciously and wrongly dragged through the courts, which definitely affects the mental health of those people in their service to Queen and country?

Bob Stewart: I hope so, but I am not sure that it can retrospectively. We all know that a lot of money was made—3,400 allegations were made about our servicemen and servicewomen, and 65% of those were made by Mr Shiner’s company, Public Interest Lawyers, which made a heck of a lot of money. With every accusation, the Ministry of Defence had to back it up with legal aid. The lawyers got four hours of legal aid; probably about £1,000 was given to these lawyers. Actually, the people who were under investigation did not have much support when they were going through it.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I have no particular love for lawyers—particularly of the grasping variety—with the right honourable exception of my colleague, my right hon. Friend the Member for Orkney and Shetland (Mr Carmichael).

Does the hon. and gallant Gentleman agree that what he is talking about is ultimately counterproductive to recruitment to our armed forces?

Bob Stewart: Actually, I do not. What is counterproductive is if people joining the armed forces feel that they will be under this sort of pressure and they will be investigated unfairly. If they believe that they will be investigated fairly, that will encourage recruitment.

I am appalled by the idea that the Ministry of Defence had to pay out £40 million for fallacious claims and another £10 million on Operation Northmoor, which was about Afghanistan. I am pretty appalled that the Iraq Historic Allegations Team within the Ministry of Defence did what it did. It did not help our armed forces, and that is held against the Ministry of Defence. It should have sorted that out a long time ago. Obviously, most claims were fallacious. Shiner was struck off in 2017, but not before he, with 65% of the allegations, had done huge psychological and mental damage to our servicemen and servicewomen.

I am pleased that these two organisations have been closed down. It cannot happen again. That is the purpose of the Bill. It may not be 100% perfect, but as my hon. Friend the Member for Wolverhampton South West said, it is what our armed forces want to happen. There are about 2 million veterans in this country and they want this to happen, and it will encourage, not discourage, people to join the military.

I did seven tours in Northern Ireland and I totally understand that Northern Ireland has to be dealt with. The Government have promised to deal with it this year, and will somehow get it sorted out. The Bill is not about Northern Ireland; it is about what happened overseas.

I personally am delighted that the Bill has been introduced. I congratulate my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), although if he wants to continue as a Minister in the Ministry of Defence he should get a haircut. I think I have said enough. I will sit down.

4.43 pm

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure, as always, to follow the hon. and gallant Member for Beckenham (Bob Stewart), whose hair is looking glorious this afternoon as well. I declare an interest because, as most Members will know, my husband is a veteran. [Interruption.] He is also an Ulsterman: I thank the hon. Member for Strangford (Jim Shannon) for pointing that out.

I must pick up the hon. and gallant Member for Beckenham on one thing. It is not true to say that all members of the armed forces want this Bill, as that is not the case. None of us wants a repeat of the shameful Phil Shiner episode, and no person in this House would disagree that we need protections in place for our personnel and veterans. Unfortunately, however, the Bill is not the vehicle to do that. Our armed forces are the gold standard for militaries around the world, and that must include the structures we have in place to deal with behaviour that falls short of our expectations.

Like the right hon. Member for North Durham (Mr Jones), I have submitted a series of written questions to try to get a feel for the scale of this problem. I was hoping for a bit of information, but I am yet to have any

answers to these questions. The Minister has not been in touch. Despite what the Secretary of State said—it is a pity he has gone now—about the Library impact assessment having all those numbers in it, it does not. It has numbers relating to part 2 of the Bill, not part 1. It is worrying that we are bringing forward legislation to tackle the industrial scale of vexatious claims, but we cannot get a handle on how many there actually are.

As we know, many conflicts involving our personnel are in parts of the world that are now experiencing a fragile peace. To put in place a statute of limitations on prosecutions assumes that normality and the structures of a democratic society will be promptly established post conflict. This, of course, is not the case. If we are to rely on investigations that have taken place, we must have confidence in those original investigations.

Tom Tugendhat: I appreciate the hon. Lady's point about the confusion of post-conflict societies and therefore about the statute of limitations, but would she not accept that this goes both ways? There is also the difficulty people can have in defending themselves when evidence has been lost, burned or destroyed in exactly those post-conflict societies, and therefore time works both ways on this question. This is essential for the defence in justice, because justice must be not only for the prosecution, but for the defence.

Carol Monaghan: There are two things: that is not unique to conflict—that happens in many things—and that is also why the original investigation must be carried out properly. If we want to minimise the opportunities for these vexatious claims, such investigations should be independent. They should be collecting accurate evidence, and without this we really do leave the door open.

If the conduct of our personnel is as we expect, why should anyone fear such transparency? This legislation undermines our international standard the more so because it includes, as Members have already mentioned, unlawful killing and torture. Judge Blackett, the Judge Advocate General of the armed forces, has warned:

“This increases the likelihood of UK service personnel appearing before the ICC in the future.”

Is this what any of us want?

Part 2 of the Bill has not had much mention this afternoon, and it should. It is ironic, when we have the Tory chest-thumping going on about protecting our brave soldiers, that part 2 is actually an attack on these very personnel. It removes many of the rights of those who have been injured through the negligence of the MOD to claim against it. Here is the nub of this Bill: it is about protecting the MOD, not personnel.

Responding to the urgent question on 16 July, the Minister for Defence People and Veterans said:

“I will be honest that I cannot, off the top of my head, think why individuals would be diagnosed and choose not to do anything about it... I have not come across that in all my experience in the field, but I am happy to learn. If that is the case, I am happy to change the Bill”.—[*Official Report*, 16 July 2020; Vol. 678, c. 1675.]

Well, that is great, because it needs changing. There are many reasons why claims are not brought forward promptly, such as a culture in the military meaning that personnel may be told they cannot pursue a claim while serving or told by their chain of command they do not have a valid claim. If part 2 becomes law, those injured

through negligence will no longer have the full discretion of the court to allow a claim to proceed after the limitation period has expired.

Sir John Hayes (South Holland and The Deepings) (Con): Will the hon. Lady give way?

Carol Monaghan: No, I am short of time.

Instead, those who have served overseas, potentially risking their lives, will have an absolute six-year time limit. Given that people can live with conditions such as deafness, asbestos poisoning and the impact of radiation exposure, with the severity increasing over years, how many personnel would pursue a claim within that time limit? The Government say this Bill will be beneficial to personnel and veterans, so perhaps the Minister can give us some real examples of how.

Personal injury claims are important not only in securing justice, but in holding the MOD to account. The unsuitability of Snatch Land Rovers would never have come to light if it had not been for bereaved families pursuing claims against the MOD. The Bill is contrary to the armed forces covenant, which is a promise by the nation to ensure that those who have served in the armed forces, and their families, are treated fairly. The removal of human rights protection is not treating armed forces personnel fairly.

4.50 pm

James Sunderland (Bracknell) (Con): It is a great privilege to be called so early in this debate, Madam Deputy Speaker. I might be new to this place, but I spent three decades in uniform. I have worked with many veterans charities across the UK, not least in my previous role as commander of the Army engagement group at Sandhurst and in my Bracknell constituency where our armed forces champions are working wonders.

The Bill needs to be considered for what it is, not for what it is not. Given that it is groundbreaking, it needs to start somewhere and is therefore bound to attract negative interest. For those who have not noticed, the architect of the Bill is a veteran. I cannot think of a single Minister who has invested so much of himself against such a tough backdrop and I commend the Minister for Defence People and Veterans, for everything he has done this far. He has fulfilled his promise, to date, to our veterans and it is incumbent on us in this place to be objective, because we will not be forgiven if we fail. I do not believe that anybody can be a supporter of our armed forces and vote against the Bill.

Stewart Malcolm McDonald: I will not have that. The armed forces look to this place to get this right—the hon. Gentleman is correct on that—but they expect and deserve a better standard than the comment he has just made. I know he is new, but I like him and I just ask him to withdraw it. Please withdraw it.

James Sunderland: I am a great fan of the Bill and the Bill is right. We need to put it through.

At its simplest level, the imposition of a presumption in law against prosecution after five years will provide greater certainty for our service personnel. Since 2002, the MOD has faced 1,400 judicial review claims and over 2,000 civil claims relating to operations in Iraq and

[James Sunderland]

Afghanistan alone. Many are valid, but about 3,400 allegations of unlawful killings have also been received by the Iraq Historic Allegations Team, of which at least 70% have been filtered out as being spurious. Members will also be aware of the al-Sweady inquiry, which cost the taxpayer £31 million and was proven to be based on

“deliberate lies, reckless speculation and ingrained hostility”.

That was just the tip of the iceberg, and it is right that public interest lawyers, such as Phil Shiner, should have been struck off. But that is nothing compared to the anguish of our veterans, many of whom are innocent.

Mark Eastwood (Dewsbury) (Con): Does my hon. Friend agree that the measures in the Bill will reduce the uncertainty and anguish of both current armed forces personnel and veterans?

James Sunderland: I agree very much. The bottom line is that veterans I have spoken to over the years are worried about the next knock at the door. I believe that the Bill will give certainty to the current generation and to those who come afterwards.

To tackle the conjecture, if I may, the Bill does not absolve any member of Her Majesty's forces from the obligation to operate within the law. It does not impact on criminal investigations and it does not create, or come close to creating, any de facto immunity for service personnel, as the few bad apples will always be brought to justice. As for the downright fabrication, the Bill does not place our troops on a collision course with the Geneva convention or The Hague, and it does not break international law.

Mr Kevan Jones: It does! Read the Bill.

James Sunderland: I have read the Bill. In fact, I cannot think of a more robust institution than the MOD for upholding the law, and the UK has a proud record of overseas military service which is to be applauded, not undermined.

As for part 2, I am comfortable that the six-year long stop of civil claims for personal injury and death is about right, given that 94% of all claims since 2007 have been settled within five years. However, we have the Committee stage to unpick that further if we need to. I also understand that the long stop applies to the point at which legacy issues, such as hearing loss, PTSD and physical illness first come to light, therefore providing a safety net.

Most important for me, the Bill requires that, when making legal judgments, the courts must consider the unique circumstances of overseas operations and any adverse effect on our personnel. Those who have served will know that warfighting is dangerous and terrifying, with confusion all around, friends falling beside you, sweat dripping into your eyes, the ground exploding, people moving in every direction, images of family flashing before your eyes and abject terror everywhere. What would you do? Fortunately, the training is good, the loyalty and camaraderie in HM forces are unparalleled, and our soldiers do operate within the law of armed conflict. I salute all those who got closer to danger than I did.

Despite what others would have us think, the Bill does not provide blanket immunity for soldiers to commit war crimes. Indeed, the suggestion in some of what I have read that the best trained and best led armed forces in the world are somehow predisposed to inflicting torture or sex crimes on operations is ridiculous. It is deeply offensive to those who serve, and the people who peddle this nonsense just need to stop. [AN HON. MEMBER: “Nobody has said it.”] I have seen it.

To those who seek to judge our veterans after many years of service from the sanctity of their courtroom or the comfort of their armchair, I say, “Ladies and gentlemen of the jury, whatever notion you have of idealism, it may be that you just don't get it.” That is why the Government need to provide the protection in law.

To conclude, I pass on three messages on behalf of many of our 2.2 million veterans who have contacted me to offer support. First, I say to the esteemed figures who have chosen to unpick the Bill by writing divisive articles for the national media, “I regret, you do not speak for me.” Secondly, I say to those dishonourable lawyers who have pursued the victims of a witch hunt into their later years, “You need to be struck off.” To my esteemed colleagues on the Opposition Benches, I say, “Please pay heed today, to stay on the right side of this. Unlike the thousands of soldiers I was proud to serve with, your constituents might not be quite so forgiving.” Let us do the right thing for those who have endured so much for so long, and put the Bill through.

4.57 pm

Martin Docherty-Hughes (West Dunbartonshire) (SNP): My constituents clearly live in a very different country from the hon. Member for Bracknell (James Sunderland). I declare an interest, as it seems that everyone else is doing, in that my brother is a member of the armed forces, as is my nephew. Unlike the hon. Member for Wolverhampton South West (Stuart Anderson), a fellow member of the Defence Committee, they are not generals, members of senior command or part of the officer corps. [HON. MEMBERS: “Not yet!”] Yes, hopefully in an independent Scotland.

Let us start with what we do agree on. Those of us with close family members who have put themselves in harm's way overseas, such as in the illegal war in Iraq that the Secretary of State mentioned earlier, know the feeling of dread when that loved one leaves and the utter relief when they come back. The very idea that that dread should be extended long after they have left the battlefield simply on the whim of vicious lawyers is unconscionable. I think we all agree about that. Vexatious claims are rightly illegal, not only because of the psychological duress they inflict on the veterans they target, but because they seek to paint the actions of those who serve and the overall conduct of our armed forces in a negative light purely for profit.

Let us also be clear that while those instances of serving UK personnel breaking international human rights law are well documented, as they should be, they are exceedingly rare. The improvements that the Army in particular has made in the past few decades in ensuring adherence to international human rights law and the rules of engagement should give a sense of genuine achievement and be a matter of pride. Hard fought for, through conventional and non-conventional conflicts, those advances should be jealously guarded by the Government.

However, the fundamental divergence between me and Conservative Members is about how we deal with an intractable issue. Her Majesty's Government believe that issue is best solved by putting members of Her Majesty's armed forces beyond the law. Perhaps it is the working-class boy in me—or the fact that I am from a socialist tradition—who thinks that it would be better spent examining the rare lapses of leadership, failures in the chain of command and imbalances in the power structures that led to the crimes being committed in the first place.

I can think back to when I presented a ten-minute rule Bill on the formation of an armed forces representative body. I see the former Chair of the Defence Committee, the right hon. Member for New Forest East (Dr Lewis), in his place, and he will know a lot about that. For many veterans I have spoken to since and for many civilians, the principle that serving members of the armed forces deserve the same rights as civilians is self-evident. Just as NHS workers and the police on the frontline protecting our security have certain obligations that cannot be abrogated, so do the armed forces.

When I introduced that Bill, what surprised me was the lack of understanding among Government Members of the idea that there might be a better way to fulfil the solemn contract that a state has to those who place themselves in harm's way to defend that state. I think that Ministers would agree that this state has not always done that in the best way possible. At the same time as the number of those with experience of military service is at a historic low—as, therefore, is the number of people like me with direct family experience—this Government have consistently taken the path of creating a discrete military caste remote from the communities they have sworn to protect.

I, and those I have spoken to in my party, wish to see a country where veterans and serving personnel are given top-class medical care because top-class medical care is available to all. We want to live in a country where veterans and serving personnel can access affordable and liveable housing for their families because that is available to all. That also means a country where veterans and serving personnel are accountable for their actions in the line of duty, because we are all accountable for our actions in the line of duty.

5.2 pm

Sarah Atherton (Wrexham) (Con): I stand here as a veteran. Under current legislation, hypothetically, I could be investigated for spurious claims made against me for my service in the Army back in the '80s. I therefore have a personal interest in the Bill. I have also spoken to many veterans at surgeries, breakfast clubs and legions, and I am acutely aware of the pressures our veterans are placed under and the injustices they feel right now. Many of the veterans I have spoken to were junior ranks, and I concur with the statement of my hon. Friend the Member for Wolverhampton South West (Stuart Anderson).

The Bill represents a huge milestone for military personnel. To be incorrectly accused of wrongdoing is an unacceptable burden. For our present veterans and our veterans of the future, the Bill represents an opportunity to combat that cycle of reinvestigation and vexatious claims and to support our service personnel, who have risked their lives to defend our country and our freedoms overseas. I thank the Secretary of State and the Minister for Defence People and Veterans for bringing the Bill to the House today.

I would like to address the first part of the Bill. For me, the triple lock is the most crucial part of this legislation. The presumption against prosecution for alleged offences committed more than five years ago will both curb the often baseless claims made against veterans and stop lawfare by those who seek to abuse the legal system. Critics of the Bill claim that that provision will protect service personnel from the consequences of wrongdoing. The Bill does nothing of the sort. There is no debate in this House, nor should there ever be, about the fact that if service personnel commit a crime, they must be called to account. The Bill does not give service personnel *de facto* immunity from prosecution. There are still provisions to allow for prosecutions of historical cases where there is compelling evidence.

I have had conversations with veterans living life on the edge, with constant anxiety, thoughts and fears that engulf their post-service lives and the lives of their families. We have lost too many veterans to incapacity and suicide. I am committed to veterans' health and wellbeing, and I know the veterans Minister is, too.

Sir John Hayes: I hesitate to interrupt my hon. Friend's compelling and persuasive speech, except to say that she is absolutely right: the Bill is a huge leap forward and the Minister and the Government deserve great credit. As she may know, I am the champion of and have led the parliamentary campaign on behalf of the British nuclear test veterans. Will she ask the Minister to give an absolute assurance that those who fought a long time ago, if evidence emerges that they were damaged through that service, will not be disadvantaged by the provisions of part 2?

Sarah Atherton: I thank my right hon. Friend for that intervention. I think the Minister heard it loud and clear.

I am passionate about veterans' health and wellbeing, and the Bill goes a long way to offering security and peace of mind. The requirement for prosecutors to consider the circumstances of warfare is a welcome element. War is not black and white; it is grey, and involves instant judgments and assessments under life-threatening pressure. It is right that the law reflects that reality.

Although I am extremely supportive of the Bill, I accept that there are certain limitations. I would welcome further reassurance from Ministers on how we ensure that rogue lawyers do not bypass the legislation in favour of the international criminal courts to have claims heard. How will the Bill affect service personnel and veterans who are already subject to claims? The six-year long stop in part 2 has drawn criticism. Will the Minister assure me that that will not disadvantage the armed forces community compared with civilians?

We in this House are responsible for sending young men and women into harm's way, and we rightly expect them to uphold the highest standards of the British armed forces. Despite limited reservations, the Bill will protect our service personnel in the future. It is wrong that servicemen and women we send into conflict should be hounded for years after their active service is over. I understand this legislation will not apply to Northern Ireland, but I am grateful for the Government's commitment to pursue that separately in Northern Irish legislation. For the current and future service personnel and veterans of my Wrexham constituency, I will support the Bill today. To vote against it would be to deny our service personnel the support of their politicians and this country.

5.7 pm

Gavin Robinson (Belfast East) (DUP): It is a pleasure to follow the hon. Member for Wrexham (Sarah Atherton), not only because she made an eloquent speech but because it has been a pleasure to serve with her on the Defence Committee for the past few months. She is a welcome addition to our group. She followed the hon. Member for West Dunbartonshire (Martin Docherty-Hughes). Although our opinions on the Bill may differ throughout our proceedings, it is right to acknowledge that on the Defence Committee, there is a great sense of collegiality and a great degree of cohesiveness. We work well and sincerely in the interests of our armed forces and all those who serve our country.

I see the right hon. Member for New Forest East (Dr Lewis) in his place smiling at me. A former Chair of our Committee, he expertly navigated the way through two of the three reports published by it. I was a member of the Committee during the passage of the two substantive reports, and I commend them to Members, not just in relation to the Bill but in relation to future provisions that we hope to see apply to Northern Ireland, because they outline the complexity of the legal arguments that are engaged. Not once have we heard mentioned in the debate thus far the rationale for Northern Ireland not to be included in an overseas operations Bill. It is not because it is expedient, but because we operate in entirely different legislative frameworks. International treaties and the Geneva convention do not apply to domestic deployments.

I listened very earnestly to the hon. Member for Bracknell (James Sunderland) and thought that he made a good speech, but he wanted to focus on what is in the Bill rather than on what is not in it, and I am afraid I cannot do that. I cannot say to the 300,000 veterans who served in Northern Ireland during Operation Banner—the longest continual deployment in our country's history—that they do not count today. I recognise that those 300,000 do not all live in Northern Ireland. In fact, the majority live in constituencies in England, Scotland and Wales. Yet they are hearing us debate issues about protecting those who protected us without recognising fully that they are not included.

Tom Tugendhat: I am very pleased to hear the hon. Gentleman talking about this because it matters so much to many of us. But there is a difference, surely, between overseas operations and domestic operations that he has touched on. The very nature of what we are dealing with, with citizens of countries from around the world rather than citizens of the United Kingdom, means that the legal framework must be different. While I appreciate that he is absolutely right that the Bill should go further, or indeed the Northern Ireland Secretary should bring forward a Bill that covers similar issues, does he not recognise that it at least addresses part of the lacuna, even though not the whole?

Gavin Robinson: I have enormous respect for the hon. Gentleman, and he is right that there is a different legal framework. That is the point I was making, and I acknowledge it. However, I am not prepared to let this Second Reading debate go by without saying that there is a compelling and equal argument that needs to be made for those who served in Northern Ireland: his constituents and mine. When this Bill was introduced for its First Reading on 18 March, a written ministerial

statement was also tabled in this House giving equal provision and commitment to the people who served in Northern Ireland. If that was necessary on the day of its first introduction, the very least we could ask is that we would today have clarity and further sight of that, and potentially its introduction, so that there was some parallel progression of the commitment that was in the Conservative party's manifesto, and veterans are looking to see how it will be brought forward.

Jamie Stone: As I have mentioned in this place before, both my brothers-in-law served in the Ulster Defence Regiment. The risk to life was as great for them as, if not in some ways greater, than the risk in overseas operations. I can remember them both having to shine a torch under the car every morning. I just make that point for the record. It needs to be remembered.

Gavin Robinson: That is an absolutely compelling point, and I am glad that the hon. Gentleman has made it. There has been no progress on the commitment that was given for veterans who served in Northern Ireland, and I am concerned that that commitment is being watered down.

Johnny Mercer: We are very clear that we will not leave Northern Ireland veterans behind. The commitment of equal treatment in any Northern Ireland Bill that comes forward will be absolutely adhered to. This Government will not resile from their commitments to those individuals. We recognise, value and cherish the service and sacrifice of everyone who served in those operations.

Gavin Robinson: The Minister will probably make points like that when he concludes the debate. There has been no progression for Northern Ireland today. The right hon. Member for New Forest East—and, indeed, the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle); I rarely agree with him—were absolutely right that nothing in the Bill will frustrate investigations. That process is so burdensome and cumbersome for those who are subjected to it, with repeated inquiries and repeated investigations. Veterans in their 70s and 80s have had their doors knocked in dawn raids or, on one occasion that I can think of, have been taken from their home and flown to Northern Ireland to answer questions for investigatory purposes about an incident on which they have been through two or three investigations in the past. In considering what will come for Northern Ireland, and as fundamentally part of the Bill, we do not believe in the conferment of an amnesty, and I do not believe that what is contained in the Bill does that. I am pleased that that is the case.

When we consider the principles underlining statutory protection for veterans, we must understand that such protection should always be given in a case where there has been a satisfactory investigation previously and, in our domestic context, where the state has discharged its duty under article 2 of the European convention on human rights. I am therefore slightly concerned that clause 4(1)(c) envisages circumstances where an investigation may have commenced previously but not concluded. That should be reflected upon in Committee. It is unwise to offer levels of protection through a presumption of no prosecution, on the basis that an investigation may have commenced but resolved no outcome whatsoever.

I highlight that issue now because it is worthy of further exploration, but, in principle terms, having highlighted the need for more progress for Northern Ireland veterans, no amnesty and no equivalence with paramilitarism, which is another concern this evening, I will give my support to the Bill this evening.

5.15 pm

Richard Drax (South Dorset) (Con): It is a pleasure to follow my hon. Friend the Member for Belfast East (Gavin Robinson). I too am honoured to sit on the Defence Committee. We have a very cohesive Committee, which is doing some fascinating work on behalf of our armed services.

May I point out to my hon. and gallant Friend the Member for Beckenham (Bob Stewart) that once a commanding officer, always a commanding officer? Of course, I refer to the mention of the hairstyle of the Minister for Defence People and Veterans. I thank the Minister while he is sitting on the Front Bench, and the Secretary of State, for the huge amount of work that they have both done to get the Bill before the House. I would like to show my appreciation for all the armed service personnel in another country, and to those in South Dorset in camps such as Bovington and Lulworth, the headquarters of the armoured force nowadays. There are many thousands of troops and their families who serve with great distinction and honour, in Dorset and around the world, and we owe them a huge debt.

It is those of us in this House who send troops to war—no one else; we do. We sit here on these green Benches, or at home in our comfortable armchairs, armed with a gin and tonic perhaps, watching the men and women we sent fight for their lives in places like Iraq and Afghanistan. Can we possibly, with few exceptions—honourable exceptions—really understand what they have gone through and are going through? I do not think we possibly can.

The law had until recently covered warfare very well. Things like torture and sexual assaults and so on are already covered by international law, under which our troops serve. Unfortunately, other laws have crept into military law and are being exploited, as we have heard, in some cases by unscrupulous lawyers, and even scrupulous lawyers who genuinely feel that they have a legal duty to protect their clients' claims and investigate them.

The Bill, we have heard, gives immunity to those who commit crimes—or, some have said, gives amnesties. Hon. Members may remember the case of Marine A, Alexander Blackman; I sought his permission to mention his name today. I was honoured and privileged to form part of a small team that fought for him for three years to get his conviction for murder reduced to manslaughter. In that case, if hon. Members remember, he shot a member of the Taliban while serving in Afghanistan. He was convicted of murder and sent to jail for 10 years. Under a very able QC and his team, we took the case to the Appeal Court, where it was reduced to manslaughter with diminished responsibility.

What I find encouraging in the Bill is that—if I may read the notes that I was helpfully given by the Minister—it will require prosecutors, when deciding whether to prosecute, to take into account the unique circumstances of “overseas operations” and the “adverse effects” that those can have on personnel.

In the Appeal Court, five of the top judges in the land listened to the case that I have mentioned and decided that it was not murder. So, having served four years of his life, and having served 16 years with great distinction and honour for Queen and country and for us, Mr Blackman was released.

Stewart Malcolm McDonald *rose—*

Richard Drax: I will not give way, because 70 Members wish to speak, and the hon. Gentleman has had plenty of time to say his bit.

The point I am trying to make is that this man did not get away with it. He was convicted for four years of his life. He paid for a terrible mistake in the heat of battle after a long tour. When the circumstances were investigated by the lawyers at the Appeal Court and the experiences that he and others had been through came out, and the psychiatrists had their say, it was discovered that this man had been pushed to a point that none of us in this place can understand.

Next time—and there sadly will be another time—we send our men and women into harm's way, we must remember what we are sending them to. This Bill, which I totally support, is being introduced to protect them from new aspects of law that our forebears in world war two and other battles did not have to cope with. I shall be voting with the Government tonight. I thank the Minister and the Secretary of State for bringing this Bill to the House, and I look forward to the Northern Ireland Bill coming to the House before Christmas.

5.21 pm

Claudia Webbe (Leicester East) (Lab): This is the second piece of legislation that the Government have introduced this week that is predicated on breaking international law. It is alarming that this is the global Britain that was promised in such glowing words by the Prime Minister and his allies over the last few years—a Britain that alienates itself on the world stage and is driven by bluster, tub-thumping and a form of nationalism that endangers both our armed forces and civilians around the globe.

The Defence Secretary has boasted about going to war on lawfare, but preventing acts of torture is not some burdensome red tape. The UK military has opposed torture for decades, and that principle is enshrined in the Army field manual and the Ministry of Defence doctrine, yet the Government wish to provide a triple lock amnesty which would ensure that acts of torture could not be prosecuted if they took place more than five years ago. The Bill would also enshrine direct political interference from the Attorney General in such cases.

Many human rights groups, including Amnesty International, Freedom from Torture, Liberty, Reprieve and Rights Watch UK strongly oppose the Bill on the grounds that it contravenes international humanitarian and human rights law. The organisation Redress warns:

“The Bill risks creating impunity for serious offences including torture, and thus will result in the UK being in breach of its international treaty obligations... The Bill makes the mistake of assuming that all victims are fake, and that British soldiers are always in the right. That is not borne out by history.”

Indeed, it is believed that thousands of allegations of torture and mistreatment from Iraqis and Afghans have been lodged against British soldiers serving in the invasion of Iraq and Afghanistan. Earlier this year, the

[Claudia Webbe]

International Criminal Court prosecutor determined that there was a basis to allegations that the UK armed forces committed war crimes against detainees in Iraq. Rather than face up to any wrongdoing, the Government now wish to silence victims by introducing time limits for civil claims in connection with overseas operations.

The Bill would also place a duty on all future Governments to consider deviation from the European convention on human rights in relation to significant overseas military operations. That reveals what this legislation is truly about: slashing away crucial protections on human rights under the guise of macho patriotism. Even if we agree with the Government's argument that those involved in controversial overseas operations should not be left in uncertainty for years, the solution is not to issue a blanket amnesty for potential war crimes.

Sir John Hayes: Will the hon. Lady give way?

Claudia Webbe: We have 70 people speaking in this debate.

The solution is for the Government to reverse their severe budget cuts in relation to criminal investigations and to increase accountability and scrutiny of their military interventions.

The Government claim to be standing up for British troops, yet the erosion of global rules against torture would put UK personnel at risk by endangering British soldiers who are detained by foreign forces overseas. Not only that, but the Bill breaches the armed forces convention by preventing British armed forces personnel from holding the Ministry of Defence to account for negligence, personal injury or death. Therefore, despite all the Government's bluster, this legislation does much more to protect the Ministry of Defence than it does to protect service personnel.

Sir John Hayes: On a point of order, Madam Deputy Speaker. The hon. Lady may have inadvertently misled the House, and I would not want her to do that. She made the point just now that the Bill meant that serving personnel could not be prosecuted for war crimes. That is fundamentally untrue, as the Minister no doubt will confirm. If she withdrew that remark, we could all make some progress.

Madam Deputy Speaker (Dame Eleanor Laing): I appreciate what the right hon. Gentleman is saying, but he knows that it is not a point of order for the Chair but the very point that we are debating. The hon. Lady thinks one thing, the right hon. Gentleman thinks another.

Claudia Webbe: I guess I now do not have the time.

If the Government really cared about the wellbeing of veterans, they should pledge today to invest in mental health services and tackling the scourge of homelessness, which affects 3,500 veterans. According to the No Homeless Veterans campaign, this legislation also increases the likelihood of UK service personnel being tried at the International Criminal Court in The Hague, instead of being dealt with in our British justice system.

Madam Deputy Speaker (Dame Eleanor Laing): Order. The hon. Lady has exceeded her time.

5.27 pm

Mark Eastwood (Dewsbury) (Con): My constituency has a proud history of supporting our veterans. I would like to start by congratulating VetRun 180, a veterans charity based in Mirfield, on raising a significant amount of money for injured servicemen following its 13-day expedition from John O'Groats to Land's End. Mirfield is also home to what is reportedly the largest remembrance parade outside London, with Dewsbury not far behind and large services also held in Kirkburton and Denby Dale. I hope that Ministers will give assurances that remembrance services, albeit with smaller numbers, can go ahead this year, so that we can show respect for the war dead and our veterans.

I am pleased that the Bill has been introduced, as it delivers on our manifesto pledge to tackle vexatious claims against armed forces personnel. We owe it to our veterans to ensure that they are protected against these claims and that the circumstances of their judgments are taken into account.

I have seen at first hand the impact that serving in conflict zones can have on someone. When I was a teenager, a friend of mine joined the Army and went on to serve in Northern Ireland during the troubles. Having seen his colleague and friend killed in front of him, he came home and looked a shadow of his former self, clearly affected by that traumatic experience. As a result, he distanced himself from our friendship group and could only seek solace and comfort from his Army colleagues. I cannot begin to imagine what my friend went through during his time in the Army, with his life constantly under threat and having to make snap decisions under extreme circumstances.

Of course, the Bill does not deal with Northern Ireland, and I echo the sentiment expressed by the hon. Member for Belfast East (Gavin Robinson) in his speech earlier. However, I expect the Government to honour their manifesto commitments and introduce legislation relating to Northern Ireland veterans in the not too distant future.

That aside, those on overseas operations will have endured similar trauma to my friends. Such experiences can affect people's judgment, and I would be hesitant to criticise people who have made decisions in such gruelling circumstances when I have not been in such situations myself. It is absolutely right that the Bill will ensure that such conditions are taken into account when prosecutions are considered.

I am satisfied that five years is a sufficient period within which to bring a prosecution. The impact on veterans of the looming threat of court action can be horrific, and they do not deserve to be hounded for many years after they have left service. Many of the inquiries and organisations set up to investigate allegations found little basis in the vast majority of them. Operation Northmoor discounted 90% of investigations into the allegations it received, and none were referred for prosecution. The sort of vexatious claims that prompted many of the investigations could ruin the lives of veterans, placing an enormous burden on their mental health.

It is important to recognise that the Bill includes a presumption against prosecution, not a total exemption. Many of the scenarios presented by the Bill's critics—including gruelling torture, which has been discussed by many Members—would certainly still be dealt with,

and rightly so. We have a top-class military with dedicated personnel who put their lives on the line in circumstances of which many of us will have little understanding, and we owe it to them to provide the support and peace of mind that they need. That is why I fully support the Bill.

5.31 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): From the point at which I first became aware of its proper formulation, I have been a supporter of the military covenant. It has always seemed to me to be a statement of decent common sense. The covenant has been important for the past two decades because of the way in which it has shaped and, indeed, changed the debate in politics on matters relating to the military. It has given us something around which we can all unite and is a common starting point for us all. The debate in this House and in the community at large has been much the better for that.

It is for that reason that I have particular regret about the way in which the Bill has come to the House today and—I have to say—about the way in which we have debated it. There has been a degree of heat and asperity in this debate that does not serve this House, or those in our armed forces whom we seek to protect, well. I ask the House, and not just those on the Treasury Bench, to reflect on that. I am aware that I may even have been part of it myself, but on reflection I think those who serve in the armed forces deserve better than this.

As I said to the Secretary of State, there is an easy consensus to be built around taking action against vexatious civil claims. Unfortunately, what we have heard in support of the Bill does not really build that consensus; we have heard a conflation of civil and criminal procedure, with a view to justifying the otherwise unjustifiable changes to criminal procedure. I have very little problem with the part of the Bill that relates to the regulation of claims. What Phil Shiner did was absolutely unconscionable. If we want to stop that sort of thing, the first point ought to have been to call in the regulatory authorities in the legal profession. If we really want to address that problem, that would be the first place I would start to look.

I wish to put on record the concerns that my right hon. and hon. Friends and I have about the Bill. First, there is the question of a presumption against prosecution. The Secretary of State said earlier that I was a right hon. and learned Member; he was not quite right: I was but a humble solicitor. In fact, in the early stages of my legal career, I served as a prosecutor—as a procurator fiscal depute—and it was useful experience. I cannot think of any other example of this presumption in legislation, and I counsel the House that it is a dangerous one.

I want to focus on the use of torture, because this illustrates very well the lack of logic in not including torture in schedule 1 to the Bill. Where there is evidence of torture, no prosecutor sitting in his or her office should say, “Well, there is clearly evidence of torture, but it is presumed that we will not prosecute it.” What sort of signal does that send? But if we read the Bill, we see that its architecture is such that torture is clearly designed to belong in schedule 1, along with sexual offences. That makes perfect sense. As I have said, that is a matter of logic, not of law. The provisions in schedule 1 cover eventualities whose use is never in any circumstances acceptable, so surely that is where torture belongs. Not to

put it there suggests that the use of torture in warfare is in certain circumstances acceptable, and that is a proposition for which there should be no support in this House. In suggesting that, we risk doing ourselves serious damage, and, worse than that, we will serve those whom we seek to support and to help through the passing of this legislation. The people who will be most damaged by the application of that presumption against prosecution in relation to torture are those who serve and have served in our armed services. As I said in my intervention on the hon. Member for Glasgow South (Stewart Malcolm McDonald), the purpose of prosecution is to prove beyond reasonable doubt that something has or has not happened. This presumption will work against that, and at the end of the day, the people who will lose as a result are those against whom suspicion exists.

Madam Deputy Speaker (Dame Eleanor Laing): After the next hon. Member to speak, the time limit will be reduced to three minutes so that we can try to give an opportunity to as many people as possible to participate in this important debate, but now I call Stuart Anderson to speak for five minutes.

5.37 pm

Stuart Anderson (Wolverhampton South West) (Con): Thank you, Madam Deputy Speaker, for the extra few minutes. I declare an interest as a veteran who has served on multiple overseas operational tours and successfully taken the Ministry of Defence to court over injuries sustained in my time. In my maiden speech I spoke about what was best described as a hatred of this place and the decisions that were made here. After those decisions were made, I had to go and fight in those conflicts and saw them at first hand. But I think we need to move on from that and say, “There are new Members in; let us help to educate the House from our perspective.” We do not all have the same views, but we have been given that opportunity, so I want to show hon. Members a day in my life as a young soldier.

At the age of 22, I had been shot, rehabilitated, learned to walk again, returned to active duty, spent several years on different operational tours, gained promotion and got married. Then Kosovo erupted. We were chosen to go at the start of the conflict, so on returning from my honeymoon, I kissed my wife goodbye and said, “See you in six months.” As we entered Pristina, we did not know what awaited us. I was a proud junior NCO—that meant I could read a map—with the formidable R Company of the 2nd Battalion the Royal Green Jackets. I worked alongside professional, battle-hardened men, and we knew our job and did it well. There was no proper accommodation when we arrived, so we put our doss bags down in what could best be described as rat-infested, disease-ridden derelict buildings. We worked all hours round the clock, so sleep was a real bonus if we got it. Within a couple of weeks of the tour starting, it was clear that we were stretched thin, had unsuitable kit and lived in the worst conditions imaginable. We did not complain. We got on with it.

One evening, when I was a quick reaction force commander, our temporary base was burned down. It would have been a blessing to get rid of the place if my friends had not been so badly burned in it. As we were trying to put the fire out, the conflict raged all around us. We had to go and deal with that, regardless of the fact that all our stuff was getting burned as we did so.

[Stuart Anderson]

My brief over the radio on the way to the incident was, “Several armed men have entered a house. Civilians inside. Serious threat to life. Deal with it.”

There are all kinds of ways of dealing with such situations in training, and loads of support agencies that can be brought in. Not one was available then, so I and three of my colleagues arrived at the location. I briefed the team by saying, “Make ready.” For those who do not know, that means put a round in the chamber and prepare to engage the enemy. We entered the building and had a split second to decide whether these men were armed. Were they waiting for us? Were they even in there? What were they going to do? We were sleep deprived, under pressure and had just watched our mates burn. We knew the rules of engagement. We knew what we could and could not do. If we made the wrong decision, we went to prison or we died.

On that occasion, we were able to get the men to surrender and prevented any loss of life.

That incident is nothing unusual in the day of a soldier on operational tour. That is what they do—day in, day out. They never want to be held above the law. They do not want to be treated differently. They want to do their job without fear of being chased decades afterwards. If a crime is committed, they must be prosecuted, and they all get that, but this lawfare culture is a disgrace to this country. It will damage the military and it must be stopped.

This Bill is a major step forward for veterans and soldiers. It will bring back reassurance for our troops that they can move in operations without that fear of prosecution. I welcome everything that my hon. Friend the Minister for Defence People and Veterans has done to get this legislation here. It is a major step forward. I also welcome the Northern Ireland Bill that is coming forward. We must see that through.

Tom Tugendhat: I just wondered whether my hon. Friend would like also to praise the Minister’s hair.

Stuart Anderson: Like me with the long beard, the Minister has long hair; we are leading the game in this House.

I am new to this game. I have only been a politician since last year. As I said, I had never voted before 2015. I hated politics and the decisions made. I have watched some of the debates and have honestly found myself angry at some views, but I have to put that to one side because we have to debate this matter fairly. I have seen the impact of these issues on soldiers’ lives; some of my friends are not here now because they took their own lives. We have got to put that above everything else. I am asking the House to put egos and political parties aside, and to support this legislation tonight. We will be judged by our actions, not our words.

5.42 pm

Taiwo Owatemi (Coventry North West) (Lab): It is right that we protect our armed services personnel and veterans. These men and women have served us and our country, and it is only right that we serve their needs. It is our duty to prioritise their welfare and mental health, and to support them and their families in every conceivable way, not just when they are in service, but after they return home—for as long as they need it.

It is our intention to work supportively with the Government to improve this Bill for the better protection of our service personnel and veterans. Unamended, the Bill leaves Army personnel with less power to protect themselves once they have completed service. What are the Government more concerned about—protecting the Ministry of Defence as a Department or protecting our honourable service personnel on the ground, who risk their lives day in, day out to make sure that the people of the United Kingdom and citizens across the world are kept safe? As it stands, the Bill does more to protect the Ministry of Defence than it does for our troops and veterans.

The Labour party is determined that we will absolutely stand up for our troops’ rights to justice from the Ministry of Defence should it fall short in protecting our forces. Members of the armed forces have given years of their lives and sacrificed memories with their families to protect us and our great nation. It is utterly unfair to place a time limit on their right to hold the Ministry of Defence to account if they develop later in life mental and physical disabilities as a result of their time in service. It is well documented by numerous organisations and armed forces veterans themselves that, in many cases, duty-related ailments, injuries and mental health issues do not develop until years after they have left service. Many service personnel and veterans have spoken out about their horror at the Bill’s intention to introduce a six-year time limit on claims for personal injuries and/or death. Will the Minister accept that one reason for a delay in soldiers bringing cases can be the impact of trauma? As we know, tragically, there can be extremely high rates of PTSD in the military. The Bill penalises our wonderful service personnel and is a flagrant breach of the covenant.

There is no reason why we should be under-protecting our service personnel and veterans, who have sacrificed so much to protect us. Personal injury claims are incredibly important not only in securing justice for injured people or bereaved families, but in holding the Ministry of Defence to account.

As I mentioned, our intention is to work with the Government and to strengthen the Bill. The Government can do that by increasing protection for our own forces while, crucially, still adhering to international obligations and frameworks that determine best practice of behaviour and standards for all armed forces across the world. As an MP for many service personnel and veterans in Coventry North West, I am here to protect them, to speak up for them and to stand up for them. We should focus on looking after them on their overseas missions and when they return home, when many face an uphill battle to survive. We must protect and uphold their rights when they return home from service, and provide them with the dignity and respect that they deserve.

5.45 pm

Andrea Jenkyns (Morley and Outwood) (Con): I welcome the Bill, as it delivers on our election manifesto promise to deal with a long-standing injustice. It paves the way to a new framework that puts justice at its heart.

I have always been proud of our armed forces. My late father was in the Royal Scots Greys and the 2nd Royal Tank Regiment, and my husband, my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti),

is an Army veteran who served in Afghanistan. I am also very proud of how my constituency supports our veterans, especially the Royal British Legion in Morley, where Gail and her team of volunteers raise tens of thousands of pounds per year for our veterans. Veterans are part of all our communities and it is crucial that we value their contribution to this country. We must seek to protect them as they put their lives on the line to protect us and our country.

The Bill finally finds a solution to end the injustice of vexatious claims. For too long, veterans have been the victims of lawyers' profiteering ventures, in which profits were made from the constant threat of re-prosecution. A new five-year limit on the time in which our troops can be subject to legal claims, apart from in exceptional circumstances, will help to stop unfounded allegations.

We ask much of our armed forces, yet, as things stand, they face an unending trauma from persistent reinvestigation. In essence, the Bill acts to remove that injustice and creates a new legal framework that puts justice at its core. The Bill will achieve that with a triple lock to protect and secure the welfare of our armed forces personnel.

Sir John Hayes: My hon. Friend, as ever, makes a strong case. Will she confirm that, far from the irresponsible, scurrilous and unpatriotic claims of the hon. Member for Leicester East (Claudia Webbe), the Bill does not mean that soldiers can do as they please? It simply protects them from those very malicious and vexatious charges long after they have served, which they have been plagued by for too long.

Andrea Jenkyns: I thank my right hon. Friend for his comment. That trauma has been inflicted on veterans by disgraced lawyers should be a source of shame to us all. Many veterans' lives have been put into a state of unending misery.

The Bill will require that prosecutors take into account the adverse effect that overseas operations can have on service personnel. It recognises that, in the interests of justice, there should be reasonable and swift resolution of cases that have already been investigated and in which there is no compelling new evidence. There is justice in having certainty about the future for our armed forces—they deserve that. This is a legal framework that provides clarity in dealing with these allegations. I welcome the Bill not only for removing the injustice of repeated investigations, but for being a measured step—

Lloyd Russell-Moyle: Will the hon. Lady give way?

Andrea Jenkyns: No, I am running out of time.

The Bill will not put our armed forces in any legal privilege. The same laws, both domestic and international, will always apply. The Bill's statutory presumption against prosecution does not prevent justice from being served in cases where armed forces personnel have committed genuine crimes. This is a Conservative party manifesto promise and, as a party, we will always stand up to fight for our servicemen and women. Most importantly, however, the Bill ends the blight on the lives of our veterans with sensible and fair measures. My constituents will welcome its contribution to guaranteeing justice for those who have protected our freedom.

5.49 pm

Stephen Timms (East Ham) (Lab): I am pleased to follow the hon. Member for Morley and Outwood (Andrea Jenkyns), and I share her objective of ending vexatious claims. But it is to our shame that Governments of which I was a member, in circumstances that we still do not fully understand, participated in rendition leading to torture. That should not have happened and it must not be allowed to happen ever again. That is the aim of the all-party parliamentary group on extraordinary rendition, of which I was recently elected Chair. I am afraid that this Bill will not help with that shared objective. I am troubled, for example, that, in the Bill, the presumption against prosecution will extend not just to the battlefield, not just to the sort of circumstances that the hon. Member for Wolverhampton South West (Stuart Anderson) very powerfully explained to us a few minutes ago, but to peacekeeping operations and to a worryingly undefined category of operations dealing with terrorism. We could so easily slip back to repeating what went so badly wrong before.

The House's Intelligence and Security Committee has carried out two investigations of extraordinary rendition. There is still a great deal that we do not know, but the Committee has identified hundreds of cases linked to the UK. Many of the people involved still do not know that the UK was involved in what happened to them, and it would be quite wrong to cut them off now from any legal redress. There will one day need to be a judge-led inquiry into what happened with that extraordinary rendition, but, for now, the Government seem to have set their face against that. It may well fall to the Front Bench of this party to do the right thing, but let us not now choose to downgrade the seriousness with which we regard acts of torture. I asked the Secretary of State why, having floated the idea of excluding torture from the remit of this Bill along with sexual offences, the Department did not exclude torture. Sexual offences, I am pleased to say, have been excluded. The Secretary of State did not give an answer. He simply said that that was the decision that he had made. In the case of sexual offences, it is absolutely right: those are not acceptable in any circumstances. Surely the same is true for torture. That must surely be the view of this House and of the British Government as well.

5.52 pm

Ian Levy (Blyth Valley) (Con): I must declare an interest, as I am a member of the Royal British Legion. I will be brief, as I know that time is short. I pay tribute to the work of the Secretary of State for Defence and the Minister for Defence People and Veterans for their unwavering support for the veteran community both nationally and in my home constituency of Blyth Valley.

Blyth has a long history of supporting our armed forces. Members of my own family have served in both the regular and the youth branches of the Army. My father served in the RAF in the post-war years. The Blyth shipyards built many ships for the Royal Navy, including the first aircraft carrier, HMS Ark Royal. During both world wars, the port of Blyth served as a submarine base and today it plays host to the 203 Elswick Battery Royal Artillery and Army reservists and many of their families.

[Ian Levy]

I am a proud member of the Royal British Legion, which ensures that ex-service communities have a voice here and their concerns can be heard by the Government. With this Bill, the Government have shown that they have listened to our veterans and serving personnel and have taken their concerns seriously. Our armed forces perform exceptional feats in incredibly difficult circumstances to protect this country, and I am proud of the fact that they uphold the highest standards when doing their job overseas.

We have some of the most committed and professional service personnel in the world, who not only adhere to the rule of law but promote it through their conduct while on operations, and we should not second-guess their actions from this House. There seems to be confusion in much of the reporting about the difference between investigations and prosecutions. This Bill does not give free rein to our forces to behave in a way that would bring our services into disrepute, and it will not prevent the prosecution of any service personnel found to have committed illegal acts on operations overseas. Despite suggestions by Opposition Members, it does not provide immunity from torture, but it does make provision for the prosecution of any service personnel found to have been involved in such acts.

The Bill does not act as a pardon, amnesty or statute of limitations. Prosecutors will have the ability to prosecute for criminal offences, including torture, taking into account factors such as sufficiency of evidence and public interest. Furthermore, service personnel are subject to criminal law in England and Wales and to the disciplinary framework of service law, and have a duty to uphold both wherever in the world they are serving. Indeed, the people we have failed in recent years, whom we now deny the protection of law, have—

Mr Deputy Speaker (Mr Nigel Evans): Order. I am terribly sorry, Ian; we have to leave it there.

5.55 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): As I am co-chair of the all-party parliamentary human rights group, my comments will be heavily focused on human rights. Perhaps not surprisingly, when I see a Bill come forward from this Government that seeks to achieve a derogation from the ECHR, I am sceptical about its intentions. This Bill is another example of the Government trying to get around our international legal obligations in a “specific and limited way”, and in so doing opening up a whole can of worms for our armed forces personnel overseas.

There can be no doubt that our armed forces carry out incredibly sensitive and dangerous work overseas, and they have our gratitude for doing so. They do not deserve to be repeatedly investigated for vexatious claims against them. The internationally agreed rules of warfare simply must be adhered to. That includes prosecuting war crimes and crimes against humanity when there is evidence to suggest that those serious offences have been committed in the course of armed conflict. Doing so not only upholds our commitment to the rules-based order but offers armed forces personnel crucial protection from torture and abuse themselves. It is hypocritical of us to demand of others that they should obey international

law if we do not follow it ourselves, and the consequences for serving personnel on the battlefield are serious if we undermine our commitments to human rights.

I have considerable concern about the impact that clause 12 will have on our human rights obligations. In its current form, the Bill enables the Secretary of State to derogate from article 15 of the ECHR in certain circumstances, even though article 15 is one of the provisions of the ECHR where derogation can take place. I am concerned about the concentration of power in the hands of the Executive on matters pertaining to states of emergency, especially as the clause only places a duty on the Secretary of State to consider whether an overseas operation is significant enough to merit derogation. At the very least, additional parliamentary oversight is required before such a derogation is made, given the existing notification requirements to the Council of Europe for such a derogation to take place.

Our armed forces deserve protection but should not be above the law. Unfortunately, the Bill creates far too many unintended consequences for the UK’s reputation as a country that upholds human rights and the rule of law. I do not believe that the Government have adequately addressed those issues in the Bill as it stands, and it is for that reason that I will join my colleagues on the SNP Benches in voting against the Bill tonight.

5.58 pm

Carla Lockhart (Upper Bann) (DUP): My constituency is home to many veterans. Their service to our nation is valued by me as their MP and by the overwhelming majority of the local community. For their service, we owe them a great debt of gratitude, and central to that gratitude is the full implementation of the military covenant right across the United Kingdom—something on which we in Northern Ireland still have a way to go.

At the core of that covenant—that promise between society and our military family—is the principle of fairness, and I believe that the Bill before us is no different. At the heart of this should be fairness. Is it fair that our military personnel are targeted through vexatious actions that are proven to have no legitimacy when they reach a court but, in the period up to that point, come at a mental and financial cost that is a heavy burden to bear? Likewise, would it be fair for those who have committed wrongdoing to be able to escape justice? Would that be fair on victims? Absolutely not.

I am conscious of the concerns raised both by hon. Members in this House and by constituents that this Bill could exempt soldiers from justice in relation to heinous acts such as torture. No one wants that. At all times, the punishment, whether or not the alleged offence is within a five-year period, must fit the crime. There should be no amnesty for those who abuse the uniform when serving Crown and country.

One area that still remains unresolved by this Bill, despite a promise and platitudes from the Government, is the vexatious prosecution of those who served in Northern Ireland. These veterans must not be left behind.

Paul Girvan (South Antrim) (DUP): There are still many veterans who are awaiting the knock on the door. As has been mentioned, 80-year-old men are receiving that knock on the door. When the Minister is summing

up the debate, will he give assurances on the progress of implementation and forward movement of inclusion within the Northern Ireland Bill?

Carla Lockhart: I thank my hon. Friend, and I agree entirely with his sentiments.

On 18 March, in a statement to this House, the Secretary of State for Northern Ireland did give a commitment that there would be equal treatment for Northern Ireland veterans, yet today we see no sign of a Bill that will give that equal treatment to the veterans who served in the streets and laneways of Ulster. Such delays create suspicion, so I urge the Minister to commit that, before this Bill becomes law, veterans in Northern Ireland will have that equal treatment.

Jim Shannon: The Minister who will be replying—

Mr Deputy Speaker (Mr Nigel Evans): Order. I am sorry, Mr Shannon, but you cannot make an intervention from there.

Jim Shannon: I apologise, Mr Deputy Speaker. I have just realised that.

Mr Deputy Speaker: Take 2! Mr Shannon, you must come here more often and you will find out how this place works. *[Laughter.]*

Jim Shannon: It is always a learning curve, Mr Deputy Speaker, and I am still learning.

On the issue of our veterans in Northern Ireland—I declare an interest as one of those veterans, having served in the Ulster Defence Regiment in Northern Ireland—the Minister gave a commitment previously that, by the end of this year, a Bill would be coming through on Northern Ireland veterans' issues. Does my hon. Friend, like me, want to see the Minister committing himself at the end of this debate to giving veterans in Northern Ireland the same protection as those here on the mainland?

Carla Lockhart: I thank my hon. Friend for his intervention, and I wholeheartedly agree with him. I think the Minister will have got the message loud and clear from the Ulster Benches that we want that clarity today. Those who served in Operation Banner, who stood firm against terrorism and who defeated those terrorists must not be left behind as prey for unscrupulous lawyers, emboldened by smears and innuendo from self-styled rights activists, republican politicians or investigative journalists. To do so would be wrong.

In Northern Ireland, we have the ludicrous scenario where terrorists were freed from prison having served only 18 months for the murder of police officers and soldiers, yet we are here having to debate why we do not pursue elderly men who have served their country by standing against those very terrorists. These same terrorists now want to be paid compensation for the injuries they suffered carrying out their illegal and murderous deeds. I want to put a marker down in relation to this Bill: there can be no consideration and no legal framework to offer a level of equivalence between the perpetrator and the innocent victim.

In conclusion, this is a matter of fairness—fairness to our servicemen and women, fairness to victims and the fair application of the law of this land, but also fairness

within the ranks of service personnel. Northern Ireland veterans must be treated fairly, and in that regard this Government must step up and live up to their prior commitment—no more lip service, no more delay.

6.3 pm

Jack Lopresti (Filton and Bradley Stoke) (Con): I welcome the clear intention to support our service personnel, whom we send into harm's way on operations overseas quite often these days, with this Bill. First, let me congratulate my hon. Friend the Minister for Defence People and Veterans on all the incredibly hard work he has done on veterans' issues and on the work he has done to bring this Bill before the House.

I would like to declare an interest as a veteran. I was proud to serve our country in Afghanistan on Op Herrick 9 as a mobilised reservist in the Royal Artillery. One of my sons, Michael, is currently serving in the Royal Artillery as a lance bombardier in 1RHA—1st Regiment Royal Horse Artillery—having just returned this week from a six-month deployment to Estonia. I am looking forward to catching up with him at the weekend and having a few beers.

While I anticipate the important legislation that will follow this Bill and address the great injustice of the treatment of our Northern Ireland veterans, I hope that this Bill will end the vexatious and repeated claims that some of our service personnel have had to endure following their service in Afghanistan and Iraq. I will support the Bill, although I have some questions about which I hope Ministers will reassure me.

Will the Minister assure me that the Bill will not lead to an increased risk that our people will be pursued through the International Criminal Court? We must be careful not to give the impression unintentionally that our armed forces do not operate to the highest possible standards, as we know they do, or that some sort of immunity exists for them while on operations. We must make that point throughout, and be clear that if a service person commits a crime on an overseas operation, they will be held to account legally.

Service personnel are taught about the law of armed conflict and their obligations under the Geneva convention, which they take incredibly seriously. Colleagues have drawn attention to the fundamental difference between an error in the fog of war, and a crime. Even with all the modern technology now available to our armed forces, sadly, we will never eliminate the risk of civilian casualties.

In a recent interview, General Sir Nick Carter drew attention to the need for better records to be kept on operations, and for service personnel to know that any incident that occurs on operations and leads to an investigation will be dealt with quickly by the MOD. As my right hon. Friend the Member for New Forest East (Dr Lewis) said, it is not entirely clear that the Bill will be able to stop repeated investigations. I hope Ministers can assure me that once an investigation has closed, it will not be repeated unless there is more compelling evidence that specifically relates to that case. That will put an end to repeated investigations and interviews by various boards of inquiry that can drag on for many years, with both service and civilian police.

I was proud to serve on the Armed Forces Bill Committee, which enshrined the armed forces covenant in law for the first time and means that military personnel will not be disadvantaged by their service. Will the

[Jack Lopresti]

Minister reassure the House that the Bill will not inhibit the ability of any veteran who seeks legal action against the MOD?

6.6 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): It is a privilege to speak in this debate on an issue that is of great importance to me and my constituents. Indeed, it was a manifesto commitment, and I congratulate my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer) on his considerable energy in delivering the Bill.

Lincolnshire is the proud home of much of our air force and its heritage. Sleaford and North Hykeham is lucky to have a number of RAF bases, including RAF Cranwell, at which the next generation of officers are trained. Through the armed forces parliamentary scheme, I have seen at first hand how our armed forces personnel train night and day, so that they are fully prepared to protect us in the most difficult circumstances imaginable.

Although our armed forces put their lives on the line to protect us in conflict overseas, there has been a collective failure to protect them from vexatious claims when they come home. The strong emotions on that topic cannot be understated, and like many colleagues, I have received much correspondence about this issue, which is often raised in conversations with veterans, service personnel and families. I believe that the Bill cannot come soon enough, although, tragically, for many veterans it will have come too late. In 2014, the al-Sweady inquiry found that the vast majority of claims made against the British military were the product of “deliberate and calculated lies.” Those lies came at a huge personal cost to soldiers who were victims of them.

Our brave men and women in the armed forces do not want to be, and should not be, above the law, and the Bill will not make them above the law. They want to be protected from vexatious claims, however, and we should ensure that they are. At the core of this issue has been the expansion of human rights law under the ECHR to apply outside the UK, and its conflict with international humanitarian law. The Bill will protect our personnel from vexatious claims, and I am proud to see the Government fulfilling their manifesto commitment to protect the armed forces.

As other hon. Members have said, the Bill does not cover Northern Ireland veterans, but earlier in the debate I heard the Minister’s assurances in that regard, and I hope that further legislation will come forward soon. I welcome the introduction of the Bill, and will support it this evening. I look forward to the day when our veterans no longer need to worry that their brave and honourable service for this country will be tarnished by repeated intimidation by investigation.

6.9 pm

Christian Matheson (City of Chester) (Lab): Let me say at the outset that although I did not agree with all his conclusions, I found the speech by the hon. Member for Wolverhampton South West (Stuart Anderson) stark, powerful and illuminating. I pay tribute to him for his service.

Chester is a proud garrison city. The hon. and gallant Member for Beckenham (Bob Stewart), who is in his place, served as leader of the Cheshire Regiment and is

still highly thought of there. Many of the men who served with him are now veterans, and I have a large veteran community in Chester. I seek to represent them because they served us, and we owe them a debt for that service. We owe it to them to look after them, which is why I have in the past called for measures to protect veterans from vexatious claims. Consequently, I will not vote against Second Reading tonight.

None the less, it is the role and the right of the Opposition to point out errors and holes in legislation and to try to improve it. I was disappointed by the response from the Secretary of State, particularly his outburst when my right hon. Friend the Member for Wentworth and Deane (John Healey) the shadow Secretary of State, pointed out some of the holes and criticisms. There are clear reasons to include torture in the scope of the Bill, but that was rejected.

My hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) and the right hon. Member for New Forest East (Dr Lewis) both talked about the fact that the legislation will not prevent investigations, and in that respect there is a particular group I want to talk about. When there is a knock on the door at 7 o’clock in the morning, it is not just the veteran who suffers; it is his or her family as well. We need to remember the families of veterans.

I was especially disappointed when, in response to my right hon. Friend the shadow Secretary of State, the Secretary of State tried to associate ambulance, tank or armoured personnel carrier-chasing lawyers with the Labour party. My right hon. Friend had taken a constructive approach and will continue to do so. I ask the Minister to consider carefully: these lawyers, who deserve obloquy, have no support from us. Those of us who represent areas where there are high numbers of honourable ex-servicemen want to find a way to protect them. The Bill may be the right way, but it needs to be considered carefully in Committee. I hope the Minister and his colleagues will take into account our genuine and heartfelt concerns about its failings, so that they can be amended during the Bill’s passage through Parliament.

6.12 pm

Chris Clarkson (Heywood and Middleton) (Con): It is a pleasure to follow the hon. Member for City of Chester (Christian Matheson), who made a reasonable and moderate speech. In our debate on the Bill today, we have heard some powerful stories based on personal experience, not least from my hon. and gallant Friend the Member for Wolverhampton South West (Stuart Anderson), as well as some fairly strong accusations based on the belief that the Bill will somehow undermine this country’s enviable legacy in respect of human rights.

I read John Larkin’s article, and I have to concur with the conclusion reached in relation to Felix Frankfurter’s tripartite test for deciding whether a law does what it says on the tin:

“1. Read the statute, 2. Read the statute, 3. Read the statute”.

The Bill does not give, or even approach giving, immunity to service personnel in respect of serious crimes. There is no special provision to prevent prosecutions for torture, and those who claim otherwise should be ashamed of themselves. We hear a lot of Opposition Members paying lip service to supporting our forces, and I believe that some of them genuinely do, but when asked to do so, some have demurred. Failing to support the Bill will be a serious breach of faith on their part.

What the Bill does is create a new framework for prosecutions of alleged offences that take place on overseas operations. It requires exceptional grounds for bringing such prosecutions, and factors relevant to overseas operations must be taken into account by those deciding whether it is in the public interest to prosecute. Specifically, prosecutors must take into account the negative effects on mental health and decision-making capacity arising from being exposed to the overwhelming stress of continuous threat to life or commanding those who are so exposed, from seeing colleagues killed or maimed, or from the myriad other harsh realities of overseas service, which most of us in this place should be grateful for never having seen.

Lloyd Russell-Moyle: Can the hon. Gentleman tell me how those things are not already taken into account under current provisions in courts and in decisions to prosecute?

Chris Clarkson: I thank the hon. Gentleman for his question, but if they were taken into account and taken seriously, we would not need legislation such as this.

What I described should dispel suggestions that the Bill will create immunity from prosecutions. The Bill only creates a test of exceptionality for prosecutions after a period of five years has expired. What is exceptional within the scope of the Bill is determined by an independent prosecutor, the Attorney General, who is still accountable to this place. It is clearly wrong to say that the Bill would forbid prosecutions of allegations of torture supported by evidence.

The Government are seeking with the Bill to provide some reassurance to service personnel that they are unlikely to be prosecuted many years on from events, where no new evidence has come forward. To paraphrase my right hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat), we the powerful must protect the strong—

Jonathan Gullis (Stoke-on-Trent North) (Con): He is only honourable.

Chris Clarkson: Only honourable? Very honourable indeed. We the powerful must protect the strong in order to protect the weak. In welcoming the Bill, I join others in the House and veterans in Heywood and Middleton, many of whom served on Operation Banner, in encouraging the Government to move quickly to provide similar protections for those who have served in Northern Ireland, where comparable prosecutions are a serious concern. I welcome the Government's indication that legislation will be forthcoming before the end of the year.

Jonathan Gullis: I concur with my hon. Friend's viewpoint. Veterans in Stoke-on-Trent, Kidsgrove and Talke have talked relentlessly about the need to bring an end to these vexatious claims, and especially veterans who served in Northern Ireland, where the Staffordshire Regiment was strong. I want to put on record my full support for his comments; we must have this Northern Ireland legislation soon.

Chris Clarkson: My hon. Friend is entirely correct. I say with no shame that I am a law graduate, but I am extremely offended by the behaviour of some of my compatriots, and their wings need to be clipped quite severely.

A lot of people in this country are extremely grateful for the role that our armed services play. I would like to associate myself with them in saying that passing this Bill will go some way to ensuring that the dedication, patriotism and selflessness that our forces show are not undermined by those who seek profit in doing so.

6.16 pm

Stephen Farry (North Down) (Alliance): Sadly, I rise to speak in opposition to the Bill, but at the outset, I place on record my enormous respect for all those who have served the UK in uniform and have acted in various theatres around the world with great honour and distinction, and from my perspective, for those who served under Operation Banner in Northern Ireland. In saying that, we have to recognise that at times things have gone very badly wrong in Northern Ireland, and there are legitimate issues around accountability and investigations in that respect.

The Bill is regrettable in its own terms, but we are seeing quite a lot of Members referring to the pending legislation regarding Northern Ireland, and I want to make a couple of comments on that at the outset. Dealing with the legacy of the past in Northern Ireland is an even more thorny and difficult issue than Brexit, to put it in some context. It is something that people have been wrestling with for over 20 years. We have had the basis of some type of agreement through the Stormont House agreement from 2015, which the Government have struggled to implement over the past five years. I want to say this very loud and clear, so that everyone is aware: if this Parliament acts unilaterally over one aspect of legacy in Northern Ireland—around veterans—it will destroy any prospect of an agreed way forward to deal with the contentious past in Northern Ireland. This has to be a rounded process, and it has to involve all the parties in Northern Ireland, the victims' groups in Northern Ireland and the Irish Government. Those have not been the characteristics of what we have seen so far with the statement from 18 March.

The narrative of vexatious prosecutions is one that I do not recognise. We have seen many claims of this from Ministers and others, but we never hear any reference to particular cases, so it is a narrative. Indeed, it has been debunked on many occasions by eminent persons—most recently, by the Lord Chief Justice in Northern Ireland. I have to say, I am somewhat bemused to see the references to the former Attorney General for Northern Ireland, John Larkin, as somehow the intellectual force behind what is happening, because he has been far from infallible, as many people in Northern Ireland will recognise, over the past number of years.

The triple lock in the Bill will make things more difficult, because it undermines the whole legitimacy of the people who served in Northern Ireland and overseas. They feel they do not need the system to be rigged and changed to give them an advantage. They can stand on their legacy. They were serving to uphold democracy, human rights and good governance—the values we need to project around the world.

Lloyd Russell-Moyle: Does the hon. Gentleman think it might also cause difficulty because part of the triple lock is a political decision, which might, particularly with the balance in Northern Ireland, cause real mistrust?

Stephen Farry: Indeed. I see a lack of accountability around those measures. The checks are very ill defined. We have had a pattern of substandard investigations, and that is often what lies behind some of the concern arising from the narrative of vexatious claims: the standard of investigations catches up with that. There will, of course, be the opportunity for more rigorous investigations to happen sooner, when issues are raised, and hopefully that will address the issue. However, whenever I hear references to human rights potentially having to be compromised to get the Bill through and have a new basis for dealing with claims, I think we should all be extremely concerned.

It is worth recalling that one of the very few rights under the European convention that cannot be qualified in any circumstances is the freedom from torture. We should reflect very heavily on that. It is eminently possible for people to serve and have clear rules of engagement that can be respected without going into situations that compromise either human rights law or humanitarian law.

6.21 pm

Peter Gibson (Darlington) (Con): I am grateful to the Minister for introducing the Bill, and for the fantastic work he does with veterans in our country.

Like many in this House, I have family who have served this country and put themselves at risk for our peace and security. In my view, it is essential that the Government take steps to protect our armed forces from a long shadow of vexatious claims. As our veterans return to the peace of home, we must ensure that they enjoy the peace of mind they deserve.

There has, sadly, been much misinformation circulating in advance of the Bill. The Bill is not a licence to torture. No one in this House would condone such behaviour. The Bill is not an amnesty providing a window of immunity. The Bill has a very clear limitation period for the long stop of prosecution and litigation. Britain's armed forces are held to the highest standards of conduct and international reputation. The Bill does nothing to undermine that, but simply serves to update the law in light of an increasingly litigious landscape.

As a lawyer, I have acted for both claimants and defendants in civil matters. Litigation is not an enjoyable process for any party involved. I can only imagine the distress, anguish and mental health problems that must arise in our veterans who are subject to claims long after they have concluded their duty and service. Just as they have protected us, and as they face increasing speculative litigation years after events, we must play our part to serve them and provide them with the peace that the Bill seeks to bring.

There will be those who worry, wrongly in my view, that the Bill will prevent genuine victims from using legal avenues of recourse open to them. That is not the case. As figures from the MOD reveal, over 94% of claims made within the past 15 years could still have been made within the time limits set down by the Bill. Our armed forces serve our United Kingdom with exemplary conduct in the toughest of situations. To suggest that the Bill will give them free rein to abuse established international treaties on conduct in warfare is dangerous and damaging both for our reputation and to our service personnel.

The Bill does not undermine the UK's commitment to human rights, nor does it undermine our commitment to our international obligations. The Bill strikes a proportionate balance between the rights and wellbeing of our service personnel, and ensuring that genuine victims can access justice in a reasonable time. I believe we should support the Bill. I urge Members on all side of the House to support it and to show their support for our armed forces.

6.23 pm

Mr Laurence Robertson (Tewkesbury) (Con): I have been in the House for 23 years, and the hardest decisions that I have had to make in voting have been when we have been asked whether we want to send our armed forces abroad to conflicts in Afghanistan, Iraq, Syria or Libya. When making those decisions, I have known, as all Members have known, that our armed forces will have to put their own lives at risk, that they may have to kill people and they may be killed themselves. We have had to think very carefully about the justification of such actions. As I say, those have been the hardest decisions that I have taken in the House.

As we consider this Bill, it is right to applaud what our armed forces do for us. They strive to keep peace, they strive to protect us as individuals, and they strive to protect the United Kingdom as a country. In the same way that we have rightly applauded our NHS workers and other vital workers recently, it is right to remember what our armed forces have done for us and continue to do for us.

It is also right to remember that, when our armed forces are acting on our behalf, they uphold very high standards, and that too is right. The difficulty is that the people they are fighting against do not uphold those very high standards. They can be indiscriminate. They really do not care who they kill—men, women, children; innocent people. That puts our armed forces at a disadvantage. It is still probably right that we uphold those standards, but it is surely wrong that those soldiers should face vexatious claims many years afterwards, when they have been under such tremendous pressure.

I would say the same about our veterans who served in Northern Ireland. I served as Chairman of the Select Committee on Northern Ireland Affairs for seven years, and it troubled me greatly that our armed forces who served there were fighting against an enemy who called it a war. They used the term "war" so that they could excuse their indiscriminate murder of men, women and children, yet members of our armed forces had to abide by the yellow card—they had to abide by very strict rules. It is wrong that they are facing prosecution up to 40 or even 50 years after events, and even more of them may face prosecution. That is very wrong, so I urge the Minister to introduce legislation similar to this to cover Northern Ireland as soon as possible.

6.27 pm

Joanna Cherry (Edinburgh South West) (SNP): I will confine my comments to the presumption against prosecution for serious criminal offences contained in part 1 of the Bill. I believe that the way in which this is framed will make prosecutions close to impossible for some of the most serious crimes under international law. I am also concerned, as are many lawyers, that it will

create a presumption against prosecution for a class of defendants, which is unprecedented in our domestic legal systems.

In cases where UK personnel have committed crimes such as torture, the triple lock will apply no matter how grave the conduct involved is or how detailed the evidence is. The Government claim that this measure is designed to protect soldiers, but in fact, it runs counter to everything that our military personnel stand for. I respectfully remind Government Members that many Opposition Members have family members who have served in the armed forces as well. My paternal grandfather served in the Royal Air Force.

After the second world war, our armed forces helped to update and expand the Geneva conventions, which protect captured personnel. Both the Army field manual and the Ministry of Defence doctrine explicitly forbid torture or cruel treatment. Torture has been prohibited in Scotland since the Treason Act 1708 and in England for more than 300 years, since the Long Parliament's abolition of the Star Chamber. Even Margaret Thatcher—not somebody I am normally given to praising—fought to preserve the ban on torture, and in 1988 she made it a criminal offence, no matter who committed it or where it was committed. Right-thinking Conservative Members might wish to bear that in mind when considering the part of the Bill to do with the triple lock.

Tom Tugendhat: I know that the hon. and learned Lady has a much finer legal mind than mine, but I merely draw her attention to clause 3(2)(b), which refers to “no compelling new evidence”. Surely the Bill does envision the possibility that there could be compelling new evidence, and therefore this is not the absolute lock of which she speaks.

Joanna Cherry: I have not said that it is an absolute lock. It does envisage some possibilities. But the bottom line is that you do not create a triple lock against something if you are expecting to encourage it or to allow it in. It simply cannot be right not to prosecute criminal acts when the crime is as serious as that of torture if there is strong evidence that it took place. Torture victims have a right to see their tormentors brought to account, and there should be no time limit on justice.

This is not just a matter of domestic law. As we have heard from other hon. Members, our international legal obligations under the UN convention against torture and the Rome statute consist of recognising prohibitions against torture, which are absolute. That was the point of my intervention on the hon. Member for Tonbridge and Malling (Tom Tugendhat). The prohibition against torture in international law is absolute, and it ill behoves us to pass a statute creating one class of defendants in the United Kingdom wherein there is a presumption against them being prosecuted for that crime.

I have no time for vexatious litigation. I can say, as somebody who practised at the Bar for many years, and also someone who prosecuted, that vexatious litigation is a pain in the neck. What I am concerned about is the international reputation of the United Kingdom, for so long as Scotland remains part of it. Indeed, I will be concerned about the international reputation of England even when Scotland is no longer in a union with it. International law may not mean much to this Government, but they forget at their peril that it keeps all of us safe. If

this is what the Government meant by their manifesto promise to update human rights laws, then we should all be very concerned.

Mr Deputy Speaker (Mr Nigel Evans): I remind Members that if they intend to press the Second Reading to a Division, it would be very useful if the Chair got the names of the Tellers in advance, please

6.31 pm

Kate Osborne (Jarrow) (Lab): I have listened to the views of my constituents, the experiences of former service personnel, and various human rights groups, and I am of the view that this Bill fails in its primary purpose, in that it does not provide greater legal protections to forces personnel who have served on overseas operations. The Bill denies public transparency and accountability for military intervention overseas. There is an assumption within it that all allegations made against the MOD and UK forces are vexatious, and that the MOD and UK forces are always in the right. We know from history that this has not always been the case. Opposition to the use of torture is enshrined in the MOD doctrine, so why are the Government now trying to exclude the use of torture from the triple lock against prosecutions? As the human rights group Liberty has stressed, if this Bill goes through in its current format, it will result in the effective decriminalisation of torture and many other breaches of the Geneva convention.

We also need to look to the future. We know that this Government are no strangers to violating international law, and this Bill in its current form seeks only to diminish our global reputation further.

Stuart Anderson: Will the hon. Lady give way?

Kate Osborne: I am afraid I do not have enough time.

How can we as a nation criticise and hold states to account for engaging in torturous practices if we are happy to set laws that would allow us to do exactly that?

There are also issues with the part of the Bill that relates to civil matters. UK service personnel should be afforded the same employment rights as those they seek to defend. The Bill gives the MOD a free pass. Stress disorders can manifest themselves many years after the original trauma. Therefore, the fact that the Bill allows a time limit on claims being introduced denies service personnel the ability to hold the MOD to account.

I listened to the argument made by the hon. Member for Bracknell (James Sunderland) that one cannot be a supporter of our armed forces and vote against this Bill. Frankly, that is extremely offensive: there is nothing patriotic about undermining and letting down our veterans. They have been let down by this and previous Governments for too long. The available care and services are just not adequate for those who have served this country. Ultimately, the Bill fails those who have served our country and seeks to further diminish our global reputation.

6.34 pm

Jo Gideon (Stoke-on-Trent Central) (Con): I am grateful for the opportunity to speak in this incredibly important debate. I commend the Minister for Defence People and Veterans, my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer); his commitment to standing up for the rights of veterans has been evident ever since he became a Member of Parliament in 2015. The Bill

[Jo Gideon]

reflects that commitment, which is shared by me and many parliamentarians from all parties, to better protect those who have served our country and to offer reassurance to those contemplating a career in our armed services that we are on their side.

One of my earliest conversations in Stoke-on-Trent Central during the election campaign was with local veteran Alan, who asked me to ensure that the law was changed to protect veterans from vexatious claims. He said, "Why would anyone sign up to serve their country if they thought that years later they would be hounded and threatened with legal action simply because they obeyed orders in a conflict? It is not right and it needs to stop." I promised him that I would campaign for and back legislation to put this right. For Alan, and all those like him who want greater protection for our veterans and service personnel, I speak today in support of this much-needed Bill.

The measures in the Bill are a proportionate solution to the existing problem, and strike an appropriate balance between victims' rights and access to justice and fairness for those who have served this country. Time and again, we have seen investigation after investigation of the conduct of service personnel, but those investigations have not led to prosecution. This supposed lawfare benefits the specialist legal firms that cynically profit from the misery caused. It is time that we redressed the balance.

The Bill is not intended to be an obstruction of justice; instead, it will be easier for families of victims to find out what happened to their loved ones. Access to family reports is vital in ensuring that that happens. The triple lock in the Bill, enforcing greater legal protections for armed services personnel and veterans, will provide certainty that the pressures placed on them while deployed will be considered when prosecution decisions about historical offences are made.

I am pleased that long-standing campaigners for veterans have praised the Bill's objectives and the outcomes it will have. I know that the Minister has worked diligently to ensure that the balance between justice for veterans and for victims will be respected. I will be pleased to vote for the Bill.

6.37 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): There are two substantial parts of the Bill: the criminal part, which in my view puts an unnecessary burden on the prosecution of war crimes and other crimes, and the civil part, which protects the MOD more than it protects veterans.

The Royal British Legion and numerous others have said that great sections of the civil part need to be rewritten. My view is that so much needs to be rewritten that the Government should come back with another proposal. Let us be clear: there is currently a presumption of three years, but that can be extended. A hard line of six years for civil actions, with no ability to extend, will potentially reduce the ability of our veterans to take action and seek compensation.

As an example, let us use a scenario in which a veteran is slowly going blind. Blindness can sometimes take 10 years from the initial act. The blindness comes on, but veterans are patriotic; they do not go running to the courts immediately. Only 10 years down the line do

those veterans realise that it has ruined their lives and that they need support or compensation, but it is too late. In my view, that is wrong and that provision is totally wrong.

Stuart Anderson: I know that the hon. Gentleman speaks with passion, having worked with him in all-party groups. There is the timeframe to consider, but it is also about the point of knowledge. It was 15 years before it was recognised that I had post-traumatic stress, although I had seen the problems many years before that. Under the Bill, there would be time for me to take that forward.

Lloyd Russell-Moyle: That is why I used the example of blindness: the point of knowledge would be the first time that sight is lost, but total sight loss could take much longer. [Interruption.] The Minister for Defence People and Veterans can come back in his usual style.

On the criminal part, I think the Bill threatens our service people with being more likely to be investigated by the ICC. I am not convinced that prosecutions would be sought in the ICC, but the very risk of investigation by the ICC defeats the whole point of this Bill, which in my view—I have said this a few times in the Chamber tonight—was to tackle a series of vexatious investigations. We need a system where cases, once they are fully investigated, can be closed and not reopened unless a significant bar is met. This Bill does nothing at all about that and fails in its very purpose. That is why it is a great shame that this wording—not the concept; I think we all agree this issue must be tackled—is what the Government have used.

I also want to touch on the time limits. France has a 30-year time limit for serious crimes, while crimes under international humanitarian law are never given a time limit. In the USA, time limits are exempted for the law of war and also for serious crimes or murder. This Bill would put us at odds with how the French and American systems protect their veterans. It would seem extremely odd to take that approach. We should be learning from our allies, not trying to diverge from their approach.

I am extremely disappointed with the wording of this Bill. If it passes tonight, I will work extremely hard to try to amend it. I do not think it will ever be an amazing Bill, because it started from the wrong point and is answering the wrong questions, but I will work with others to try to get the best out of it. Given its drafting, however, I am not convinced that it deserves to go forward in its initial form. The Government should come forward with an alternative plan that hits the nail on the head, because this certainly does not.

Mr Deputy Speaker (Mr Nigel Evans): Order. I am terribly sorry to the 23 Members who were unable to get in, but I am afraid there was a lot of interest in this debate. I call Stephen Morgan to start the wind-ups.

6.42 pm

Stephen Morgan (Portsmouth South) (Lab): I would like to start by paying tribute to our armed forces and joining colleagues from across the House in expressing gratitude to those who serve. They truly give us reason to be proud of our country.

There is consensus across the House today. Labour, the Government and our armed forces all want the same thing. We all agree that we must protect our troops from vexatious claims, and we all agree that we must defend those who serve our country overseas with courage and

distinction. The Government promised to introduce legislation to do just that in the first 100 days of government. Now, 284 days later, they have disappointingly got crucial elements of this Bill badly wrong.

The question we must be asking is: what does this Bill mean for our troops? It risks breaching the armed forces covenant and rows back on their employment rights. It fails to properly protect against vexatious claims and undermines Britain's proud adherence to international laws, such as the Geneva convention, that we helped to create. However, it is not too late. There is still time for Ministers to work with us to get this right.

A number of powerful points have been made in the House today. It would probably be unwise of me to single out any of them, but let me just mention my right hon. Friends the Members for East Ham (Stephen Timms) and for North Durham (Mr Jones), and my hon. Friend the Member for City of Chester (Christian Matheson), who all spoke commandingly on the importance of our nation's national standing; my hon. Friends the Members for Coventry North West (Taiwo Owatemi) and for Jarrow (Kate Osborne), who spoke about ensuring that we always think about the impact of this Bill on our armed forces personnel and veterans; my hon. Friend the Member for Leicester East (Claudia Webbe), who spoke about the need to invest in mental health services and tackling homelessness; and my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle), who spoke about the concerns raised by the Royal British Legion.

I also congratulate the Chair of the Defence Committee, the right hon. Member for Bournemouth East (Mr Ellwood), and pay tribute to him for passionately saying that we do not want the Government to over-promise and that the Bill in its current form will not help a number of veterans. Finally, my hon. Friend the Member for Barnsley Central (Dan Jarvis) said that Britain must uphold its commitment to human rights. I agree with him that we cannot afford to become an outlier among our allies by refusing to investigate allegations of some of the gravest crimes imaginable.

I am most concerned by the Bill's potential infringement of the rights of Her Majesty's forces. I share the view of the Royal British Legion—an organisation with an unwavering commitment to service personnel—that the Bill constitutes a possible breach of the armed forces covenant. I urge other armed forces groups to share their views on what the Bill means for our forces community. Our troops must be at the heart of this debate.

The Government's introduction of a six-year limit for bringing civil claims will prevent troops who suffer injury from taking cases to court. As we heard earlier in the debate, over the past 15 years there have been 25 cases brought by injured British troops against the MOD for every one case brought by alleged victims against our forces. That means the main beneficiary of this Bill is the MOD, not our personnel. The Bill should be designed to protect troops, not the purse strings of Government. I put this to the Minister: if this Bill is for our armed forces community, why does it deny them the same employment rights as civilians?

Labour is also deeply concerned that this Bill does not meet its primary objective. It does not do enough to protect our troops from vexatious claims. Months of letters from the Defence Committee to the Defence Secretary—the Committee only received a reply yesterday—made

the point that the Bill does nothing to prevent arduous investigation processes; it just protects from prosecutions. It does nothing to deal with the serious failings in the system of investigating allegations against British troops, something that Defence Ministers have themselves admitted. Had those allegations been dealt with properly and had self-regulation occurred, we probably would not be here today. Perhaps the toughest, most intrusive aspects of the vexatious claims process are not being dealt with in this Bill, and that is not the only way in which it leaves our troops open to so-called lawfare.

By going back on our commitments under the Geneva convention, the Bill risks dragging our people in front of the International Criminal Court. I put it to the Minister: does he really want to make it more likely that the ICC can open investigations against British troops?

There is also a set of wider issues. Vexatious claims are not the only problem that our forces face. Action on the issue is not a licence to neglect others, such as low pay, 10 years of falling morale, a decade of falling numbers and a housing crisis across the tri-services. If the Ministers are serious about tackling the poor track record on defence, we need to see action on all those issues. The Bill presents an opportunity to turn the tide, to break the mould and to work with Labour to get it right.

In this country, we are proudly patriotic, and reinforcing that patriotism—that love of our country—is the high regard in which our armed forces are held. When we see Union flags on the shoulder patches of service personnel overseas, that means something: it means honesty, it means respect for the rule of law and it means justice. From Sandhurst to Britannia Royal Naval College, there is a reason that countries around the world send their officers to be trained in our military institutions.

This Bill puts all that at risk. It is at odds with the rules-based international order we helped to create. In its current form, the Bill would make Great Britain the only nation among our major allies to offer a statutory presumption against prosecution. As the previous Chief of the Defence Staff but also the ex-Attorney General and a former Defence Secretary have said, the Bill undermines Britain's proud, long-standing adherence to the Geneva convention.

Great Britain has proudly stood and must stand against the use of torture and against the use of rendition. I urge the Minister: do not undo the work of Churchill, do not undo the work of Attlee, and do not chip away at our nation's proud reputation. I put it to the Minister: how can we expect Great Britain to speak with authority on international law to China, Russia and Iran if we go back on our own commitments? In years gone by, a commitment made by our proud nation meant something. Last week, the Government tarnished that reputation by breaking international law with the United Kingdom Internal Market Bill. I urge the Minister to commit to working with us to ensure that this Bill does not do the same.

Unfortunately, the Government have got important parts of the Bill badly wrong. In its current form, it risks damaging our reputation and failing to protect Her Majesty's armed forces, but it is not too late. As I said, there is consensus in the House today. There is still time for Ministers to work with the Opposition to get it right. Protecting troops from vexatious claims does not need to be at odds with our commitments to international law. Labour stands four-square behind our troops. We want

[Stephen Morgan]

to work with the Government to build the broadest consensus possible around a Bill tailored to support our armed forces and to safeguard human rights. Let us work together to get this right, protect our troops and their reputation, and protect our country's international standing.

6.50 pm

The Minister for Defence People and Veterans (Johnny Mercer): It is a pleasure to finally be able to speak in the debate. I have not heard such a lot of vacuous nonsense for a long time from the Opposition. They talk about protecting our troops while invoking a litany of things that I am afraid are not true. I started writing them down, but I got bored after about two hours: “almost impossible to prosecute”; “independent investigations”; “breaks the armed forces covenant”; “time limit on prosecutions”. None of that is in the Bill. I have written down those phrases word for word, and it is disgraceful that Opposition Members try to build on the back of our armed forces personnel a caricature of the Bill that is totally false.

We have heard some good speeches today and there were some challenges for me to take away as the Bill Minister. I will address some of those now. The Bill delivers a promise made to brave individuals that we will deal with the threat of prosecution for alleged historical offences many years after the event and help put an end to the vexatious civil claims that undermine our armed forces. It delivers that promise in a proportionate way by ensuring victims' rights and access to justice on the one hand and fair treatment of those who defend our country on the other.

I will deal with a couple of detailed points. The question of Northern Ireland veterans was quite rightly raised on a number of occasions. We are clear that we will deliver our commitments to Northern Ireland. In a written ministerial statement on 18 March, we committed to equal treatment for those who served on Op Banner. We will not resile from that position.

Regarding any perceived disadvantages to service personnel and veterans, as I have said before I do not anticipate the measure having a significant negative impact. Let me address the point about the armed forces covenant. It was designed to ensure that there is no disadvantage for people who serve in the military. It was never designed to compare somebody who works in Tesco with somebody who is asked to go away, serve on operations and sacrifice their life. The Bill applies to both civilians and military personnel who are deployed on operations. I totally refute the claim that it is any way a breach of the armed forces covenant—something I worked hard to produce and will be the first Minister to legislate for, next year in the armed forces Bill.

I have noted the concerns many hon. Members raised about part 1 of the Bill and the fact that it does not address the problem of reinvestigations. We could not run a Department if we did not take seriously every allegation that came in and investigate every single one. The problem comes when that is advanced further and starts impacting on veterans' lives and way of life. That is why we have introduced a very low bar for prosecutors to get over. To say, as my friend the hon. Member for Barnsley Central (Dan Jarvis) said—he knows he is a great friend of mine and I have a huge amount of time

for him—that it is almost impossible to prosecute is simply incorrect. It is a low bar. It asks for consideration of the circumstances in which the House asks servicemen and women to operate. It is asking for consideration of whether it is really in the public interest to prosecute repeat allegations with no new evidence, and it is asking for the Attorney General's consent.

Several hon. Members rose—

Johnny Mercer: No I will not give way.

Any allegation that has a very low quality of evidence will clearly be investigated. There is no time bar on murder. There is no time bar on any of the offences in the Bill. That is a low bar that we are asking prosecutors to get over. Unnecessary? Seriously? Say that to Lance-Corporal Brian Wood, who I was with yesterday. When his kid comes home from school, he goes upstairs and cries in his room. Why? He says, “Daddy, at school they're all saying that you're a murderer.” Every single one of those allegations was found to be completely false and generated simply to build the financial position of solicitors.

The shadow Defence Secretary made some comments about the Secretary of State. Let us get this absolutely clear and into the open. Many colleagues here have been very quick to declare interests seeking associations with the armed forces, but not with the lawyers who pursued them. The shadow Secretary of State failed to declare his interests when referencing the much criticised law firm Thompsons Solicitors, from which he received £2,000 for his direct mail campaign literature in 2017. In fact, since 2001 Labour and its MPs have received £229,000, including £80,000 from solicitors Leigh Day. It is all on the record, including tens of thousands of pounds to the shadow Attorney General, the right hon. Member for Islington South and Finsbury (Emily Thornberry).

Several hon. Members rose—

Johnny Mercer: I will not take interventions. Members have had hours and hours to whine away on these points.

The reality is that over a consistent period of time, the Labour party—

Christian Matheson: On a point of order, Mr Deputy Speaker. The Minister is not giving way, but he is making allegations about these firms that are simply incorrect. Thompsons Solicitors works exclusively for trade unions. Leigh Day has taken class actions against trade unions. Frankly, the Minister does not know what he is talking about.

Mr Deputy Speaker (Mr Nigel Evans): That is not a point of order for the Chair; it is a point for debate. Let us have no more points of order on that subject.

Johnny Mercer: It is not a point of order. It is yet another effort to waste time in a very important debate. [Interruption.] I hear the complaints about my attitude towards Opposition Members. Let me be absolutely clear. I have said in private a number of times that I will engage with the individuals who are so loud this afternoon. Not once have they chosen to do so, and not once have they come up with a proposal.

Several hon. Members rose—

Johnny Mercer: Absolutely not; I am not giving way.

It is very clear to me that this is the first Government to come to this House and not say, “What a difficult problem this is, but we will hand all our soldiers over to the human rights lawyers.” This is the first Government who are actually going to do something to protect our servicemen and women. I am proud of that and I make no apology for it at all. *[Interruption.]* There really is no point in whingeing on at me, because I am not going to give way.

I came to this place because I loathed the way it treated cheaply my generation of servicemen and women as we fought for the freedoms and privileges that Members of this House enjoy every day. Summer after summer, I served with what was and is this nation’s finest product—our fighting men and women—in some of the most testing circumstances that this House has deployed for generations. Yet when they came home, this House was not there for them. Members will remember, in those heady days, the pain of our veterans’ families as they fought for decent prosthetics or effective mental health care. We are light years away from where we were—

Mr Kevan Jones: Absolute rubbish.

Johnny Mercer: “Absolute rubbish”, the Labour party says—amazing.

I still cannot describe what it was like sitting with the family of a young man who could not cope with the trauma that he suffered as a result of what we asked him to do on our behalf and who took his life. I cannot describe what it is like to visit the parents of a soldier who died in your arms 48 hours earlier, thousands of miles from home, and tell them that it is pointless. This Bill is different. It is fair, it is proportionate and it is balanced. It is good legislation. Members can match words with actions and vote for this Bill tonight.

Question put, That the Bill be now read a Second time.

The House divided: Ayes 331, Noes 77.

Division No. 112]

[6.59 pm

AYES

Adams, Nigel	Baldwin, Harriett
Afolami, Bim	Barclay, rh Steve
Afriyie, Adam	Baron, Mr John
Ahmad Khan, Imran	Baynes, Simon
Aiken, Nickie	Bell, Aaron
Aldous, Peter	Benton, Scott
Allan, Lucy	Beresford, Sir Paul
Amess, Sir David	Berry, rh Jake
Anderson, Lee	Bhatti, Saqib
Anderson, Stuart	Blackman, Bob
Andrew, Stuart	Blunt, Crispin
Ansell, Caroline	Bone, Mr Peter
Argar, Edward	Bottomley, Sir Peter
Atherton, Sarah	Bowie, Andrew
Atkins, Victoria	Bradley, Ben
Bacon, Gareth	Bradley, rh Karen
Bacon, Mr Richard	Brady, Sir Graham
Badenoch, Kemi	Braverman, rh Suella
Bailey, Shaun	Brereton, Jack
Baillie, Siobhan	Bridgen, Andrew
Baker, Duncan	Brine, Steve
Baker, Mr Steve	Bristow, Paul

Britcliffe, Sara	Freer, Mike
Brokenshire, rh James	Fuller, Richard
Browne, Anthony	Fysh, Mr Marcus
Bruce, Fiona	Gale, rh Sir Roger
Buchan, Felicity	Garnier, Mark
Buckland, rh Robert	Gibb, rh Nick
Burghart, Alex	Gibson, Peter
Burns, rh Conor	Gideon, Jo
Butler, Rob	Gillan, rh Dame Cheryl
Carter, Andy	Girvan, Paul
Cartlidge, James	Glen, John
Cash, Sir William	Goodwill, rh Mr Robert
Cates, Miriam	Graham, Richard
Caulfield, Maria	Grant, Mrs Helen
Chalk, Alex	Green, Chris
Chishti, Rehman	Green, rh Damian
Churchill, Jo	Griffith, Andrew
Clark, rh Greg	Griffiths, Kate
Clarke, Mr Simon	Grundy, James
Clarke, Theo	Gullis, Jonathan
Clarke-Smith, Brendan	Halfon, rh Robert
Clarkson, Chris	Hall, Luke
Cleverly, rh James	Hammond, Stephen
Clifton-Brown, Sir Geoffrey	Hands, rh Greg
Colburn, Elliot	Harper, rh Mr Mark
Collins, Damian	Harris, Rebecca
Costa, Alberto	Harrison, Trudy
Courts, Robert	Hart, Sally-Ann
Coutinho, Claire	Hart, rh Simon
Crabb, rh Stephen	Hayes, rh Sir John
Crosbie, Virginia	Heald, rh Sir Oliver
Crouch, Tracey	Heapey, James
Daly, James	Heaton-Harris, Chris
Davies, David T. C.	Henderson, Gordon
Davies, Gareth	Henry, Darren
Davies, Dr James	Higginbotham, Antony
Davies, Mims	Hinds, rh Damian
Davis, rh Mr David	Hoare, Simon
Davison, Dehenna	Holden, Mr Richard
Dinenage, Caroline	Hollinrake, Kevin
Dines, Miss Sarah	Hollobone, Mr Philip
Djanogly, Mr Jonathan	Holloway, Adam
Donaldson, rh Sir Jeffrey M.	Holmes, Paul
Dorries, Ms Nadine	Howell, John
Dowden, rh Oliver	Howell, Paul
Doyle-Price, Jackie	Huddleston, Nigel
Drax, Richard	Hudson, Dr Neil
Drummond, Mrs Flick	Hughes, Eddie
Duddridge, James	Hunt, Jane
Duguid, David	Hunt, rh Jeremy
Duncan Smith, rh Sir Iain	Hunt, Tom
Dunne, rh Philip	Jack, rh Mr Alister
Eastwood, Mark	Jayawardena, Mr Ranil
Edwards, Ruth	Jenkin, Sir Bernard
Ellis, rh Michael	Jenkinson, Mark
Ellwood, rh Mr Tobias	Jenkyns, Andrea
Elphicke, Mrs Natalie	Johnson, Dr Caroline
Eustice, rh George	Johnson, Gareth
Evans, Dr Luke	Johnston, David
Evennett, rh Sir David	Jones, Andrew
Everitt, Ben	Jones, rh Mr David
Fabricant, Michael	Jones, Fay
Farris, Laura	Jones, Mr Marcus
Fell, Simon	Jupp, Simon
Fletcher, Katherine	Kawczynski, Daniel
Fletcher, Mark	Kearns, Alicia
Fletcher, Nick	Keegan, Gillian
Ford, Vicky	Knight, rh Sir Greg
Foster, Kevin	Knight, Julian
Francois, rh Mr Mark	Kruger, Danny
Frazer, Lucy	Largan, Robert
Freeman, George	

Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 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
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murray, Mrs Sheryl
 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
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William

Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
 Leo Docherty and
 Tom Pursglove

NOES

Abbott, rh Ms Diane
 Bardell, Hannah
 Begum, Apsana
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Bonnar, Steven
 Brock, Deidre
 Brown, Alan
 Burgon, Richard
 Byrne, Ian
 Callaghan, Amy
 Cameron, Dr Lisa
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Chapman, Douglas
 Cherry, Joanna
 Cooper, Daisy
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Crawley, Angela
 Davey, rh Ed
 Day, Martyn
 Docherty-Hughes, Martin
 Dorans, Allan
 Edwards, Jonathan
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Flynn, Stephen
 Gibson, Patricia
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Hanvey, Neale
 Hendry, Drew
 Hobhouse, Wera
 Hosie, Stewart
 Jardine, Christine
 Lake, Ben

Lavery, Ian
 Law, Chris
 Long Bailey, Rebecca
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Mc Nally, John
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McLaughlin, Anne
 Monaghan, Carol
 Moran, Layla
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Olney, Sarah
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Ribeiro-Addy, Bell
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Sheppard, Tommy
 Smith, Alyn
 Stephens, Chris
 Sultana, Zarah
 Thewliss, Alison
 Thomson, Richard
 Trickett, Jon
 Webbe, Claudia
 Whitford, Dr Philippa
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete

Tellers for the Noes:
 David Linden and
 Owen Thompson

Question accordingly agreed to.

Bill read a Second time.

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.

OVERSEAS OPERATIONS (SERVICE PERSONNEL AND VETERANS) BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Overseas Operations (Service Personnel and Veterans) Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 22 October 2020.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—
(*Rebecca Harris.*)

Question agreed to.

Mr Deputy Speaker (Mr Nigel Evans): I now have to announce the results of the deferred Divisions.

On the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) (Amendment) Regulations 2020, the Ayes were 337 and the Noes were 6, so the Question was agreed to.

On the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 3) Regulations 2020, the Ayes were 340 and the Noes were 1, so the Question was agreed to.

On the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) (Amendment) (No. 2) Regulations 2020, the Ayes were 335 and the Noes were 6, so the Question was agreed to.

On the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) (Amendment) Regulations 2020, the Ayes were 335 and the Noes were 1, so the Question was agreed to.

On the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport) (England) (Amendment) Regulations 2020, the Ayes were 334 and the Noes were 6, so the Question was agreed to.

On the Health Protection (Coronavirus) (Restrictions on Holding of Gatherings and Amendment) (England) Regulations 2020, the Ayes were 332 and the Noes were 5, so the Question was agreed to.

On the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) (Amendment) (No. 2) Regulations 2020, the Ayes were 332 and the Noes were 1, so the Question was agreed to.

[The Division lists are published at the end of today's debates.]

Business without Debate

Ordered,

That, at this day's sitting the motion in the name of Mr Jacob Rees-Mogg relating to Business of the House (Today) may be proceeded with, though opposed, until any hour; and Standing Order No. 41A (Deferred divisions) will not apply.—(*Rebecca Harris.*)

BUSINESS OF THE HOUSE (TODAY)

Ordered,

That, at this day's sitting, the Speaker shall put the Questions necessary to dispose of the motions in the name of Mr Jacob Rees-Mogg relating to proxy voting not later than one hour after the commencement of proceedings on the motion for this Order; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—
(*Rebecca Harris.*)

7.18 pm

Sitting suspended.

7.20 pm

On resuming—

Karen Bradley (Staffordshire Moorlands) (Con): On a point of order, Mr Deputy Speaker. My apologies for being slightly delayed in raising this point of order, but I hope that you can help me. I have been approached by a number of right hon. and hon. Members from across the House who are concerned that there may be some Members who do not understand parliamentary protocol when it comes to dealing with constituents, particularly constituents who might be from another Member's constituency. Perhaps you could offer some guidance.

Mr Deputy Speaker (Mr Nigel Evans): I thank the right hon. Member for her point of order, and for providing advance notice of it. This may not, perhaps, be the right forum today to go into the details of any specific cases, but I am happy to take the opportunity to remind all colleagues of the importance of always treating other Members of Parliament with due respect, inside and outside this place, especially when it comes to the support that we provide to our own individual constituents.

Proxy Voting

[Relevant documents: Fourth Report from the Procedure Committee, Proxy voting: review of pilot arrangements, HC 10; and Memorandum from the Leader of the House in response to the Committee's report, HC 10.]

Mr Deputy Speaker (Mr Nigel Evans): We now come to motion No. 6 on voting by proxy, and with it we will also debate motion No. 7 on proxy voting during the pandemic. I inform the House that I have not selected the amendment to motion No. 7 in the name of the Chair of the Procedure Committee.

7.21 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): I beg to move,

(1) That:

(a) the Resolution of 28 January 2019 (Proxy Voting (Implementation)), as amended on 16 January and 20 July 2020,

(b) the Resolution of 4 June 2020 (Proxy Voting (Extension)), as amended on 10 June 2020, be rescinded.

(2) That the following Standing Order be made:

VOTING BY PROXY

(1) A Member eligible under paragraph (2) may arrange for their vote to be cast by one other Member acting as a proxy (a proxy vote) under a scheme drawn up by the Speaker in accordance with this order and published by him.

(2) A Member is eligible for a proxy vote by reason of absence from the precincts of the House for childbirth or care of an infant or newly adopted child, subject to the conditions set out in the scheme published under paragraph (1) of this order.

(3) A proxy vote may be cast:

(a) in any division, including a deferred division, in the House, in Committee of the whole House, or in any legislative grand committee, save as provided in paragraph (4) below; and

(b) in a ballot cast in an election under Standing Order No. 1B (Election of Speaker by secret ballot), Standing Order No. 2A (Election of the Deputy Speakers), Standing Order No. 122B (Election of select committee chairs) and Standing Order No. 122D (Election of Chair of the Backbench Business Committee).

(4) No proxy vote shall be reckoned in the numbers participating in a division for the purposes of (a) Standing Order No. 41(1) (Quorum), and (b) Standing Order No. 37 (Majority for closure or for proposal of question).

(5) (a) A proxy vote may be cast only if the Speaker has certified that the Member for whom the vote is to be cast is eligible under the terms of this order.

(b) The Speaker shall cause that certificate, including the name of the Member nominated as a proxy, to be entered in the Votes and Proceedings no later than the sitting day on which it takes effect.

(6) A vote cast by a proxy shall be clearly indicated as such in the division lists published under the authority of the House.

(7) A Member is also eligible for a proxy vote by reason of absence from the precincts of the House in circumstances where there have been complications relating to childbirth; and the Speaker may make appropriate provision for the exercise of a proxy vote in such circumstances in the scheme drawn up under paragraph (1) above.

Mr Deputy Speaker (Mr Nigel Evans): With this it will be convenient to consider motion No. 7, on proxy voting during the pandemic:

That the following amendments be made to the Standing Order (Voting by Proxy) and have effect until 3 November 2020:

(1) In paragraph (2) after “child” insert “, or for medical or public health reasons related to the pandemic”.

(2) After paragraph (5) insert –

(5A) The Speaker may certify that a Member's eligibility for a proxy vote for medical or public health reasons related to the pandemic should take effect before the certificate is published in the Votes and Proceedings, or that a certificate already granted should be varied, if satisfied there are urgent and unforeseeable circumstances to justify this.

Mr Rees-Mogg: At the outset, may I put on the record my gratitude to my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley) and the Procedure Committee for the Committee's review of the pilot arrangements for proxy voting and their recommendations, which have formed the basis for the motions before us today? I am pleased that we have now been able to present proposals to implement a permanent scheme for parental proxy voting. This is an important step in ensuring that we do all we can to support new parents in the House, in a measure that more broadly reflects the approaches to maternity and paternity leave seen across the country.

As well as being an important step, this is an historic one for the way that the House operates. Together we take decisions on vital matters of state, sometimes affecting questions of life and death. The results of Divisions in this House change people's lives across the country. So the legitimacy of the system by which Members vote must be above reproach. Any reform of voting procedure is something that we need to get right in order to ensure that we maintain the full confidence of our constituents. That is why it was important to pilot these measures properly, as well as to review their operation.

I wish to thank my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom) who, when Leader of the House, introduced the pilot scheme. The Procedure Committee, both in the last Parliament and in this, has played a key role to get us to this point. The pilot proxy voting arrangements for parental leave have now been in place for nearly 20 months. As the Committee has reported, proxy voting has worked well for Members who are new mothers and fathers, allowing them to continue to serve their constituents while also dealing with their familial obligations.

We are therefore in the happy position of being able to make such a fundamental change to our voting procedures. We are confident that it will work, and work well. I hope that the whole House will support the Procedure Committee's recommendations to make a permanent change to Standing Orders to reflect the success of this scheme.

Let me now turn to arrangements for proxy voting that have been put in place during the pandemic. Early in June 2020, the Government tabled a motion to extend the scope of proxy voting to allow Members unable to attend Westminster for medical or public health reasons related to the coronavirus pandemic to vote by proxy.

Jim Shannon (Strangford) (DUP): I thank the Leader of the House for proposing the continuation of the system. I want to ask him a specific question. I do not want to mention the person's name, but someone took ill on the Sunday who was intending to come here to vote on the Monday, but was therefore not able to. Is there any way, at very short notice, in a real emergency, that provision could be made, on that timescale, to enable someone to vote?

Mr Rees-Mogg: Yes. The motion includes the words: “a certificate already granted should be varied, if satisfied there are urgent and unforeseeable circumstances”,

so Mr Speaker now has the ability to do this at very short notice. With parental leave, there is normally some element of notice, whereas with the coronavirus, there may not be any notice at all. However, there has to be some discretion for Mr Speaker, because there comes a point in the day at which it is too difficult administratively to get something in place. The hon. Gentleman raises a fair point, and I am glad to say that that has been taken account of.

Sir Edward Leigh (Gainsborough) (Con): My right hon. Friend said that we had brought in proxy voting to help Members for reasons of public health. The trouble is that this whole system has been corrupted. A huge number of Members of Parliament now have proxy votes. I do not believe that the great majority of them are actually shielding or medically ill—I think it is just for convenience. This shows the creeping danger of what is going on. I would like to get from the Leader of the House, as someone who loves the House of Commons, a personal view on that and a determination that if a Member wants to vote, in virtually all circumstances, they should take the trouble to turn up here.

Mr Rees-Mogg: I hope that my right hon. Friend is wrong in saying that people are abusing the system. We have to have a system that works on trust, and that is one of the changes being made to the parental leave system: previously, evidence had to come from a doctor, but now we are accepting that hon. Members will behave honourably.

The motion states:

“The Speaker may certify that a Member’s eligibility for a proxy vote for medical or public health reasons related to the pandemic should take effect before the certificate is published in the Votes and Proceedings”.

It is for “medical or public health” reasons. That includes being in an area subject to a local lockdown; being unable to send children to school because of needing to self-isolate or because the school has required children to be at home for whatever reason; and issues relating to difficulties with public transport, which were more acute earlier in the crisis than they are now. It is a fairly broad definition because the circumstances are changeable and, to some extent, unknowable. It seems only fair to allow Members, on their own say-so and their own cognisance, to say to Mr Speaker that they feel they are in such a position that they need a proxy.

Sir Edward Leigh: May I press my right hon. Friend on that? Why do some Members have a proxy vote one week but are then here the next week, or they have a proxy vote and we see them wandering around the corridors? We all know that this is being abused, and I want the Leader of the House to give a firm commitment that he will not have this creeping corruption of our procedures.

Mr Rees-Mogg: Members with a proxy vote may only appear remotely. They may not appear in the Chamber. Mr Speaker has been absolutely clear on that. I would not expect Members who have a proxy vote to be in the precincts of the Palace, because if they can be here, they

ought to be voting in person. Any Member who had behaved in that way would not be behaving within the spirit of the temporary Standing Order.

This system has allowed many Members to have their votes recorded, and in the current circumstances, I think it is right that we make the continuing provision for proxy voting. The broad eligibility criteria provide appropriate flexibility in the circumstances. Any Member who has any concerns related to the coronavirus must feel entitled to apply for a proxy vote, and I hope that this motion will be agreed by the House today. It will allow for the current temporary arrangements to be in place until 3 November 2020, in line with the arrangements for remote participation in the Chamber and other measures that facilitate social distancing.

Mr Mark Harper (Forest of Dean) (Con): Forgive me for referring to a matter that was dealt with a few moments ago. I knew I had read this and I just wanted to make sure that I was accurately quoting it, just to help my right hon. Friend the Member for Gainsborough (Sir Edward Leigh). In the report of the Procedure Committee on proxy voting, the Clerk of the House noted in his evidence that there had been a small number of issues with colleagues not understanding the rules on whether they should be here if they had a proxy vote. He said that there were a very small number of cases where he had had to intervene, and that number was diminishing as colleagues properly understood the rules. I hope it is helpful to put that on the record.

Mr Rees-Mogg: I am very grateful to my right hon. Friend. It is indeed helpful and useful to put on the record the evidence given to the Select Committee.

The Government, working with the House authorities, will continue to keep these matters under review following broader public health guidance, as we have since the outset. We are fortunate in the robust measures put in place under the leadership of Mr Speaker, which have allowed this Parliament to conduct its essential business in a covid-secure way. It is worth noting—this is, I think, significant—that because we did not apply the relaxation of the rules that came in over the summer, we are able to continue as we are now because we always remained in line with the tighter rules that allowed us to come back on 2 June. That is why this week’s announcements do not necessitate any sudden reversion. It is, however, worth reminding all Members of their obligation to observe social distancing, especially when queuing for Divisions. That is important and we have an obligation to show we are doing the same as other British subjects.

Owen Thompson (Midlothian) (SNP): I thank the right hon. Gentleman for giving way. Does he feel that in the current situation there is appropriate social distancing when a Division takes place? From what I have seen, there is not.

Mr Rees-Mogg: The Doorkeepers and the Whips are doing an excellent job to encourage proper social distancing, but we are a society that believes in individual responsibility. Members of Parliament really must lead by example and show they can be responsible. I confess I find that most Members keep a safe six-and-a-half-foot distance from me, Mr Deputy Speaker, although I am worried about whether that is because of the coronavirus or for other reasons that perhaps I will not go into.

[Mr Rees-Mogg]

None the less, I am extremely grateful for the continuing work of all those on the estate who contribute to making our proceedings possible in the present difficult and imperfect circumstances. Meeting the challenge posed by the pandemic has certainly provided lessons for all of us in appreciating afresh the value of actually being here together. The effectiveness of our scrutiny and the efficiency of our lawmaking was sadly diminished during the period of the hybrid proceedings. Since then, the rigour of the measures applied across the estate and the ingenuity of the procedural approaches pioneered particularly by Mr Speaker have enabled so much that was once thought impossible: the welcome return of Backbench Business Committee debates, sitting Fridays, and soon, from a motion coming immediately after this one, Westminster Hall debates. All those things help us to represent our constituents better.

Andrew Griffith (Arundel and South Downs) (Con): May I thank my right hon. Friend for his endeavours as Leader of the House to ensure that the voice of this House can be heard during this crisis, but reiterate that not a single constituent is saying that we are suffering from an excess of legislative scrutiny, given some of the measures that are being introduced at this time?

Mr Rees-Mogg: I doubt that in the whole history of Parliament any constituent has ever complained about an excess of legislative scrutiny. I think a surfeit of lampreys is more dangerous than an excess of legislative scrutiny.

Mr Harper: I am intervening on my right hon. Friend only because he mentioned the subsequent motion on Westminster Hall. I was not going to bring it into scope myself. I do not know whether this is a matter for him or for the Chair on a future occasion, but I note that that motion states that:

“the Chair in Westminster Hall may limit the number of Members”.

My question—it may not be for today—is whether we will have call lists and, effectively, the same processes for Westminster Hall that we have for the Chamber to enable that limitation to take place, and whether that could be furnished to Members in due course.

Mr Rees-Mogg: By your leave, Mr Deputy Speaker, I will try to answer that question. Mr Speaker or the Chairman of Ways and Means will set out the proposals, but, yes, there will have to be limits and, yes, therefore call lists, except that many Westminster Hall debates do not have so many people involved that we would face getting up to the limit.

Karen Bradley (Staffordshire Moorlands) (Con): I wanted to put on the record that at the meeting of the Procedure Committee earlier we agreed to a short sharp inquiry into the use of call lists and time limits. We encourage all hon. and right hon. Members to contribute to that inquiry.

Mr Rees-Mogg: I am very grateful for that, and I know that Members will be glad that such an inquiry is taking place.

Ultimately, we have a system that is working and balances the need to ensure the safety of Members and staff, with providing a robust voting system to allow the delivery of the legislative programme and the key decisions affecting our constituents. I therefore commend the motions to the House.

7.34 pm

Valerie Vaz (Walsall South) (Lab): I, too, will address both motions. I thank the Leader of the House for tabling them, and say a special thank you to the Chair of the Procedure Committee and its members. They have worked incredibly hard to get many reports out in double-quick time so that we can continue with this.

The Committee’s report is the fourth of the Session and was published on 10 September, but the launch of the first inquiry seems a long time ago, after the House resolved on 1 February 2018:

“That this House believes that it would be to the benefit of the functioning of parliamentary democracy that honourable Members who have had a baby or adopted a child should for a period of time be entitled, but not required, to discharge their responsibilities to vote in this House by proxy.”

We have had a number of debates and, as I set out from the Dispatch Box on 18 July 2018, 13 September 2018 and 22 January 2019, Her Majesty’s Opposition, the Labour party, support the principle of proxy voting for parental absence. I am not sure when baby Sixtus was born and whether the Leader of the House indulged in proxy voting at the time.

The motion provides for the new Standing Order for voting by proxy for parental absence. It is not temporary or time-limited. It accepts the Procedure Committee’s recommendation that

“provision for proxy voting for parental absence be made in the standing orders of the House”.

The new Standing Order makes a number of amendments to the original proxy scheme, allowing proxy voting for the Chair of the Backbench Business Committee, in addition to the others. It removes the provision for the exercise of a proxy vote for Members who have suffered a miscarriage, quite rightly replacing the wording with

“in circumstances where there have been complications relating to childbirth”,

which may include postnatal depression. It removes the restriction on proxy voting in a Division

“on any motion in the form specified in section 2(2) of the Fixed-term Parliaments Act 2011”—

if we want to vote for an early general election, we may do so by proxy. Those were all recommended by the Procedure Committee in its report.

In the proposed Standing Order, the certification process touched on by the Leader of the House becomes the responsibility of the Speaker alone. The Procedure Committee’s report found:

“The requirement to produce certificates of pregnancy or adoption to demonstrate eligibility for a proxy vote has proved onerous.”

The Committee suggested that such certificates were “unnecessary”, which I also suggested during the debates—people do not have to prove that they are pregnant or

having a baby. It is up to the Speaker to decide whether to remove the certification process. I agree with that recommendation.

I was to provide evidence to the Procedure Committee in March, but the pandemic set in and I was unable to do so. It was arranged for 15 July, but I think the evidence was incorporated into the Committee's other report, "Procedure under coronavirus restrictions". As a result, the evidence was not included in this report, but I know that the written evidence is on the website. I hope it was taken into account. I have to pay tribute to the Clerk of the Committee, who has been assiduous. I have known him from other Committees, and my thanks go to him.

Karen Bradley: I want to say absolutely, categorically, that the right hon. Lady's evidence was very informative and informed our report. She is right that the evidence is published under a different inquiry, but it very much helped to inform us in this inquiry.

Valerie Vaz: I thank the right hon. Lady for that.

The second motion amends the Standing Order on voting by proxy to allow proxy votes "for medical or public health reasons relating to the pandemic" until 3 November 2020.

The Procedure Committee report found that "the system of remote voting used in May was a more effective means of handling divisions in the House under conditions where the division lobbies could not be used in the traditional way and where a large number of Members were unable to attend for public health reasons."

Her Majesty's Opposition put that in our written evidence for the Committee on 9 July 2020, when we said:

"The electronic remote voting system was a practical and necessary measure which allowed Parliament to continue in unprecedented circumstances during the pandemic. The decision to end electronic voting on 2 June 2020 was"—

I am afraid—

"undertaken without consultation or consideration of Members", or of their democratic accountability. It was replaced by the proxy voting system, which was clearly inferior to the safe and efficient remote voting system that did not fail once.

In its report, the Procedure Committee found that the current system of proxy voting for coronavirus absences "is barely adequate, is potentially unreliable and imposes disproportionate administrative burdens on staff."

Owen Thompson: Even with the extension to proxy voting, does the right hon. Lady agree that a number of Members are still disenfranchised because they are not able to cast a vote in the House?

Valerie Vaz: They are able to cast a vote through the proxy system, but they are not able to come here to do that.

Sir Edward Leigh: I am sorry, but I cannot believe it is right that I was sitting in my garden at my daughter's birthday party in Lincolnshire, and I could nip in and try to proxy vote. Given the circumstances we are in—we are supposed to be Members of Parliament; we are not forced to be here—most Members of Parliament can make the effort to come here in person and vote. Remote voting did not always work. I do not know what it is like in Leicester or Vauxhall, but in Lincolnshire

our broadband is terrible, and at least twice the system broke down for me. Members turning up in person and being seen by their colleagues—that is the right way to vote.

Valerie Vaz: The right hon. Gentleman may have been in his garden, but he could not have used proxy voting—it was by remote voting. The House worked hard to get this system up and running, and there were many tests. When it came to voting, the system worked, and it enabled people not only to vote remotely, but to take part in debates, which was vital. How the right hon. Gentleman chooses to vote is a matter for him, but I know that hon. Members are assiduous. They did listen to and take part in debates, and they could vote remotely. I am sorry that he did not like the system. It did work, and it worked extremely easily.

In my oral evidence to the Procedure Committee on 21 July, I recommended the reinstatement of electronic remote voting for those Members who are unable to attend the parliamentary estate in person for public health reasons related to the pandemic. That is key: a pandemic is going on. I am delighted that the Procedure Committee also took that view, and it is unfortunate that the Leader of the House has chosen not to implement the recommendations.

Members are still unable to take part in debates on primary legislation, and can participate virtually only in questions, urgent questions and statements. I do not know whether the Leader of the House is aware that the Petitions Committee had a debate with people taking part even while shielding. We know that can work, and I hope he will look at it. As we enter a new phase of coronavirus restrictions with rising infection rates, Parliament needs a safe, functional remote system.

Mr Harper: I have discussed this matter with the Leader of the House, and I agree with the right hon. Lady's point about participating in legislative debates. It is good that we have enabled colleagues to participate virtually in the scrutiny parts of the House's proceedings, but we must look at a way of enabling those who cannot be here to participate in the legislative process. As the Prime Minister said this week—I think he is right—we are in this for the long haul. This is not a short, tiny period. We could be operating under these procedures well into next year at the earliest, and we need measures that enable all colleagues to participate fully in the business of the House. That is not for our benefit, but for that of our constituents.

Valerie Vaz: The right hon. Gentleman is absolutely right, and many right hon. and hon. Members have told me that they are disenfranchised because they cannot take part, particularly in recent important legislation such as the Internal Market Bill. They cannot tell the House what is happening in their constituency if they are unable to be here for public health reasons. We need a functional remote voting system that ensures fair representation and allows all right hon. and hon. Members to do their democratic duty. We in Her Majesty's Opposition support the motion.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Nigel Evans): Order. This is a time-limited debate, and I will be allowing a short period for the Leader of the House to respond to it. Everybody

[Mr Deputy Speaker]

has a call list, so they can see who wishes to speak. It would be nice if all Members could show some time restraint in their contributions and allow everybody some say in this important debate, but I am not imposing a speaking time limit.

7.44 pm

Andrea Leadsom (South Northamptonshire) (Con): Thank you, Mr Deputy Speaker, and I will be quick.

I thank very much my right hon. Friend the Leader of the House, the right hon. Member for Walsall South (Valerie Vaz), and the Chair of the Procedure Committee, my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), for what I think is a real improvement on proxy voting for parental leave. It is great to see that someone no longer has to prove, when their tummy is out there, that they are actually pregnant and it is not just a cushion. That is very valuable.

On the other hand, I have to say that I am a bit disappointed. As the right hon. Member for Walsall South said, we had many debates in this place, and there was a Procedure Committee review of parental leave a long time ago. That was always done on the expectation that if it worked, we would include it, but also potentially expand it. I see that the Committee's latest report says, "We don't want to expand it because if somebody is very ill or recently bereaved, for the purpose of transparency, that would have to be disclosed." I am sorry; I just do not accept that.

I think that this is a missed opportunity. We have had some colleagues in this place who have been desperately ill. They are not allowed to vote by proxy. They are just going to have to turn up or be paired. What really sparked this change was the inadvertent breaking of a pair when a colleague was off on maternity leave. I do think it is a grave disappointment—

Karen Bradley *rose*—

Andrea Leadsom: I give way to the Chair of the Procedure Committee.

Karen Bradley: I pay tribute to my right hon. Friend for the work that she did to get us to this point. May I just assure her that the Procedure Committee is committed to looking at proxy voting once we are through the pandemic? What we wanted to do at this stage was ensure that we had a report that allowed the Government to table motions on parental leave and that dealt with proxy votes during the pandemic, but I give her my absolute commitment that we will look at this again and consider whether it is right to expand proxy voting beyond parental leave once we are back to—let us hope—business as normal at some point soon.

Andrea Leadsom: I am grateful to my right hon. Friend for that reassurance. Even so, were somebody to be very ill now with cancer or some other awful thing, they would, under the current circumstances, be very tempted to say, "This is related to the coronavirus pandemic." My right hon. Friend the Member for Gainsborough (Sir Edward Leigh) said that people are swinging the lead. I do not think people are swinging the lead, but I do think that, since we have what is in

effect a very lax system of self-assessment for any illness related to the coronavirus pandemic, for someone who was recently bereaved or, indeed, very ill with something that was nothing to do with the pandemic, that would be the way to remain enfranchised in this place. Surely, that cannot be right.

Very briefly, on proxy voting during the coronavirus pandemic, I am concerned that we are not really able to socially distance in a properly fit way. Instead of using our passes in the Lobbies, I would love to see us perhaps using them in Westminster Hall, where it would be much easier for people to remain apart from one another. We do have bottlenecks. It is very difficult for the doorkeepers to keep us all away from one another when there are bottlenecks as we are filing through the Lobby, even after using our passes, so I would like to see that change. However, I welcome all these changes, and I congratulate all those who have sought to improve the system.

Mr Deputy Speaker (Mr Nigel Evans): Thank you, Andrea Leadsom, for showing huge time restraint.

7.48 pm

Tommy Sheppard (Edinburgh East) (SNP): I appreciate that we will not vote on the motions tonight and that the amendment was not selected, and I appreciate that there will be a lot of discussion happening in other places about this ongoing process, so I do not wish to detain the House; I will be brief. However, I wish to make some points by way of giving notice of things that I do not think are going to go away as we chart our way through this in the next weeks and months.

First, although on the face of it these motions appear very similar—both are concerned with proxy voting—actually, in character and intent, they are quite distinct and different. The first, which deals with proxy voting for parental leave, is a matter of providing a facility for individual members in specific circumstances that they may or may not come across during their time in this place. The second, however, is a matter of the type of changes that we should make to how we function collectively in order to deal with a public health response to a global pandemic.

For the benefit of the right hon. Member for Gainsborough (Sir Edward Leigh), who I do not think has quite got this, this debate is not just about trying to do the right thing for individual Members who may be ill or shielding; it is also about us as an institution trying to do the right thing and protect the rest of society from the actions that we take, because they have consequences, too. That is why it is important that we revisit how we operate in this place.

On the face of it, there appears to be a fairly major contradiction between the stance that the Government took yesterday—what they are imploring the public to do—and the rules that we apply to ourselves. Yesterday, the Prime Minister said to employees and employers, "You should work from home if you can do so." It is not good enough for this Chamber to tell the general public that MPs have the opportunity and the possibility of working from home but choose not to do so by switching off the machine that allows remote participation. We do need to revisit this issue and make sure that the message is consistent.

We need to do three things. First, we of course need to go back to the system of remote voting. As the shadow Leader of the House said, it was simple and secure, but most of all it was safe and allowed us to vote effectively without coming into proximity with one another.

Secondly, we need to get rid of this ridiculous split, with some of our proceedings allowing virtual participation and some not. Frankly, I do not understand the distinction, so I do not expect the public to understand it. Were I not here tomorrow—Thursday—I could participate in business questions and fulfil my role by making a two or three-minute speech in the morning using my computer. I am down to speak in a debate in the afternoon, but I would be forbidden from taking part in that debate were I not here. That is wrong; we should have the opportunity to participate virtually in all our proceedings.

Finally, I implore the House leadership to be more open-minded and ambitious about how it approaches this topic. Instead of thinking about this as a matter of how we can, with second-hand iPads and dodgy broadband connections, try to communicate through the screens in the Chamber, let us be a little more sophisticated. Let us harness all the technology that is available to us, look at major centres of population throughout the United Kingdom and hire proper video-conferencing facilities that will allow Members to go to a place and be absolutely certain and secure that they can participate safely and remotely.

7.52 pm

Karen Bradley (Staffordshire Moorlands) (Con): I, too, will attempt to keep my remarks short.

I thank my right hon. Friend the Leader of the House for accepting most of the recommendations in my Committee's report. We do support the motion on the Order Paper. Although the amendment was not selected, my right hon. Friend will have noted that it did not try to change the motion; it would merely have added to it something on other forms of voting.

I pay tribute to my predecessor, my hon. Friend the Member for Broxbourne (Sir Charles Walker), because his incarnation of the Committee was the first to look at a version of proxy voting for parental leave. Had it not been for the work done by his Committee at that time, we would not be where we are now. I also pay tribute to my right hon. Friend the Member for Basingstoke (Mrs Miller), who was the Chair of the Women and Equalities Committee at the time and part of the team that pushed so hard to make sure that proxy voting for parental leave could be brought in. I reassure my right hon. Friend the Leader of the House that there was unanimous support for the recommendations on parental leave in our report, and we are grateful that the Government have taken most of those recommendations forward.

The Committee members do differ when it comes to proxy voting for coronavirus. I am afraid that the majority view—I will be clear that it was a majority view; not everybody on the Committee feels the same—was that the proxy system for coronavirus is substandard. The majority view was that it is a very unwieldy system and is possibly open to abuse—that point was made by some Committee members; indeed, my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) would have found friends in our debate on that—but it was also felt that it is simply unreliable and not robust. We know that the queuing is not properly socially distanced.

My right hon. Friend the Leader of the House is right to say that that is a matter of individual responsibility, but it simply is not possible: we see perhaps 500 Members queuing up and, inevitably, there end up being logjams, delays and points at which people are too close to each other. People are worried and scared—not just for their own health but for the health of the staff of the House of Commons. If we do not have our staff here, we cannot operate.

The majority view of the Committee was that we had a robust system of voting. The remote voting system that we used on our phones worked. It works consistently in the other place, which has been using it, and it is quick and simple. I do not accept that Members would not attend this place; Members want to be here. We want to take part in Committees and we want to take part in proceedings. We want to be here and be part of it. Some simply cannot, but we can see that it is not possible for all of us to be here. We are limited to 50 in this Chamber, and many Members feel that they are putting their health at risk to take part in a Division. They may really want to be part of that, but they have not been able to take part in the debate because there simply is not space for them.

Andrew Griffith: As a member of the Committee, I would like to pay tribute to the chairmanship of my right hon. Friend. It is true, nevertheless, that we as a Committee were unable to reach consensus. We had a strong consensus—a consensus I was proud to be part of—on the issue of parental leave, but we were not as a Committee able to reach consensus on the appropriate means of voting. I would just urge my colleagues on the Committee and the Leader of the House to ensure, as we continue to address this issue, that the full House has a chance to express its view. It is so profound that it is really not something I suspect we are likely to be able to reach full consensus on in the Committee.

Karen Bradley: I absolutely agree. The point of my amendment was to give the House an opportunity to have its say. I personally believe there is a majority now for a return to voting by phone, not because people do not want to participate, but because it is robust and sensible. It gave more time for people to be able to do their job as an MP, and it meant that we were the safest and most efficient Parliament. I have to say to my right hon. Friend the Leader of the House that we were held up across the world as a Parliament leading on how to manage the pandemic and keep Parliament going, and it looked like a very retrograde step to move away from that.

Owen Thompson: On that point, I can give as an example the fact that we had the Japanese Parliament talking to the Procedure Committee about the processes we had implemented. It was looking at what we had done, but during that process, we had to say, "We're very sorry, but actually these leading processes that we implemented have since been turned off. They were great; however, we're not using them any more." There are some Members who still cannot take part, but if we were to have such a vote it would be the first time all Members would actually be able to take part, because they were not able to do so last time.

Karen Bradley: Absolutely, and I would reflect that. I gave evidence to the Procedure and House Affairs Committee of the Canadian Parliament, and exactly the same points of view were put forward.

[Karen Bradley]

Another point about the system we have at the moment, with the large number of proxy votes, is that the power is held in the hands of the Whips. Hundreds of votes are held by the Whips. I know my right hon. Friend the Leader of the House will say that a Member can give their proxy to anyone they wish, but that is not what has happened. Whether we like it or not, constitutionally, it is not perhaps the best look for this Parliament, and it is something that many right hon. and hon. Members are desperately uncomfortable about.

I want to be very clear that the moment we can go back to the Division Lobbies and use them in the traditional way, I will be the first person to request that we do so, but until we can do that—until we can vote safely in the Division Lobbies, in a way that is safe for our own health and that of the staff in this place—I ask my right hon. Friend to consider giving this House a chance to have another say on whether we want to return to remote voting.

7.58 pm

Sir Edward Leigh (Gainsborough) (Con): Hon. Members may not know this, but in the 18th century Members used to send their servants to vote for them—they would mumble “Leigh” or whatever the name was. That is why we are not allowed to wear an overcoat as we walk through the Division Lobby.

I am afraid that human nature is innately lazy, and there is a reason why we vote in person. I say to the hon. Member for Edinburgh East (Tommy Sheppard) that, yes, the Government are encouraging solicitors to work from home, but this is not a solicitor’s office; this is the Parliament of the United Kingdom. We are elected by the people to come here and to be here—to be seen and to see.

With regard to the safety of Members, I agree that what we are doing is completely absurd. Here we are, totally socially distanced—I am not allowed to go just one step further towards my hon. Friend the Member for Ynys Môn (Virginia Crosbie)—but then we wander through the Lobby, all crowded and chatting to each other. Is it beyond the bounds of possibility that we could have another voting terminal in the Lobby, or outside the Chamber, or in Westminster Hall? We could even have one in Portcullis House—at least it would still be in Parliament. People say that we are unsafe when voting, but there is a way of getting around it.

This whole issue of proxy voting just shows what happens when we make these reforms. I am afraid that, human nature being what it is, people would much rather be sitting at home or doing their gardening and then tapping on a computer to vote than making all the effort of coming down here. I say to the hon. Member for Edinburgh East—we know that large numbers of SNP Members are proxy voting—that of course it is a crashing bore to have to come all the way here on the plane from Edinburgh or Glasgow, taking three and a half hours. It takes me three and a half hours to get here from Lincolnshire, but I take the view that if I want to speak and take part, I should make the effort to come.

What if someone is genuinely ill and cannot be here? Again, I suspect that a lot of people who have proxy votes are not really genuinely ill—it is just very convenient

to sit at home, appear on the screen up there and have their say without making the effort to make the journey. But if someone is genuinely ill and does not want to come, they do what we have always done—they go to the Whips and say, “Can I have a pair?” The advantage of that is that we have to give a reason, and sometimes they say yes and sometimes they say no. If they say no, we can sometimes ignore them, as I have done many times, or, if we want to preserve our careers, we can obey the instruction and make sure we turn up.

There is nothing wrong with pairing. We have the Whips here. It would be perfectly possible. We have always done it in the past. In the famous vote that Jim Callaghan lost by one vote, there was one Labour Member genuinely ill in hospital. Even then, we were allowed to bring people down here in ambulances and the Whips would check them in. But Jim Callaghan, being a gentleman, said, “No, I’m not going to take that Labour MP out of hospital to come here in an ambulance to be checked by the Whips to vote—he will be allowed to stay in hospital and die in peace.” He lost the vote, lost the Government and lost the general election. People did things properly, and we must ensure that we do things properly.

This is a zombie Parliament. These call lists are just terrible. The much derided Speaker Bercow, who everybody apparently now dislikes—I thought he was quite a good Speaker at the time—made sure that everybody got in. The Prime Minister was constantly coming here. Mr Cameron was constantly coming here, my right hon. Friend the Member for Maidenhead (Mrs May) was always coming here: we were questioning them and everybody got in. Now we have these call lists. Some people have been applying for Prime Minister’s Question Time for two years and have not got in once. This is giving too much power to the Government. It is scandalous that some Whips are going through the Division Lobbies wielding 50 votes. This is just letting the Government off the hook.

By the way, I am all in favour of parental leave. I was on the Procedure Committee and I voted it through. I remember that when my son was born on a Thursday, the Whips made me turn up here on the Monday. They were pretty tough. They are quite nice people now, the Whips. In those days, they were all ex-Army officers who had had a good war and had burnt faces from burning tanks and things. They were cruel and horrible. They made me turn up three days after my son was born. I am all in favour of parental leave, but it has to be tightly controlled.

I beg my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley): do not take this system too far. Let us recall what has happened in this period and go back to the traditional way of being here and voting in person.

8.3 pm

Mrs Maria Miller (Basingstoke) (Con): I rise to very much support the motion and commend the Leader of the House for his statement.

This motion is all about improving the functioning of this place for the benefit of parliamentary democracy, as we have heard. But, as ever, there is a very careful balance to be struck, not because, as a body, we are resistant to change, but because the way Parliament works is more of an art than a science. Enabling more

Members to participate is a very good thing, whether their physical presence here is curtailed for reasons of parenthood or pandemic. I agree with a lot of what my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) said, because we have to be clear that using a proxy is no substitute for being here in person. Voting is only one small part of what MPs do while they are here in the precincts of this place. I would go so far as to say that physical participation in debates and questions is absolutely more productive than participating virtually, although that is better than nothing at all.

I believe that we have lost a great deal of the depth of scrutiny, influence and spontaneity within this Parliament under the coronavirus restrictions and I, like my right hon. Friend the Member for Gainsborough, feel that that is a very negative thing. In particular, the rigorous use of call lists, which seemed appealing, is now stifling a great deal of the scrutiny that we take for granted in this place, because it is the interaction between Members and Ministers inside and outside the Chamber that influences the scrutiny of the legislation we bring before Parliament. Parliament was designed to be interactive, and the use of technology is diminishing that. We need to be honest and acknowledge that proxy voting is not the same as being here, but it is better than nothing at all.

Change does not happen here very often, but in the past six months we have seen a great deal of change, some of which we have not enjoyed at all. We feel that the application of proxy voting particularly for parental leave is something of a keeper and that we should continue with it, but the broader application of proxy voting should be dealt with with a great deal of trepidation.

I want to ask the Leader of the House whether making the use of proxy voting permanent for those with family obligations will be coupled with further consideration of other support for people in that position, particularly the support that they might get from the Independent Parliamentary Standards Authority. At the moment that is still somewhat based on conversations that people have in corridors rather than on a set of rules that have actually been agreed, and that makes it unfair.

We are elected first and foremost to be representatives of the people in our constituencies, but we are also custodians of this democratic process. The way this place runs, our culture and ethos and the way we evolve the procedures here are a serious responsibility, and I pay tribute to my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), who does so much on this. We need to take this responsibility seriously. The motion tonight is proportionate. It is tested and it is welcome, but it is no replacement for people being here, and I very much hope that we will see people back in the Chamber in their full numbers as soon as we are possibly able to do that.

8.7 pm

Mr Mark Harper (Forest of Dean) (Con): I will endeavour to be brief, and to pick up a number of points that other Members have made. First, I support the motions on the Order Paper, and I welcome them. Perhaps I can be of help to my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), the Chairman of the Procedure Committee, on the

point that my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom) made about coming back to the arrangements regarding other reasons not to be here. One of the things I can perhaps offer, as a former Chief Whip, is that these things are connected. For example, when someone is absent for parental reasons, the fact that they can now have a proxy vote actually makes it more challenging to enable other colleagues to be absent for other reasons, particularly ill health. That is because pairing involves colleagues from both sides of the House, and it was often those who were not here for maternity or paternity reasons who enabled other colleagues to be paired with them.

On the question of delay, I would counsel that if we are in this for the long haul, the Committee might wish to attend to that matter—maybe not to reach a conclusion but at least to look at it—earlier, and to see whether we need to address the point about people who are seriously ill earlier. Another point is that, culturally, pairing is not well understood outside the House. It means that when two people who are going to vote on opposite sides cannot be here, they effectively cancel each other out. Our voting is more visible now, however, because there are apps to enable people to see how we vote, so if we think that it is not really acceptable for someone who is very ill to just not vote, we need to put in place a mechanism whereby they can vote, so that people who are seriously ill are not required to turn up here in person. It may be that things have moved on and that, because we have made one set of changes, we need to make the other set of changes because they are more difficult to implement.

Let me pick up the point made by the hon. Member for Edinburgh East (Tommy Sheppard). It is not often that I defend members of the Scottish National party in the House, but I will defend those who are not here. In my experience, it is easier for many Scottish Members to get here by plane than it is for me to get here from the Forest of Dean—certainly in terms of the time that it takes. I do not believe that there is a significant number of Members in this House—I am afraid that I disagree with my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) on this point—who do not want to be here. In my experience, Members of Parliament work really hard to get into this House, and they want to be here. I certainly love my constituency and I love being at home, but I would not trade it for being in this place.

None the less, we do have to recognise the issues facing many of our colleagues—either because of their own health or because of their shielding responsibilities, or, as the Leader of the House mentioned, the variety of reasons around childcare. A parent may be in their place here, but if their child is in a bubble and a child in that bubble has coronavirus, that bubble will get sent home and that parent may not have access, particularly at short notice, to childcare. Someone will have to stay at home to look after their children, so they may not be able to get here. That will mean not that they are not dedicated, but that they are having to balance their responsibilities as a Member of Parliament and a parent, as many of our constituents have had to do during the pandemic. We need to recognise that if we want a diverse range of Members of Parliament, of different ages, from different backgrounds, with different financial requirements, and people who are parents, we need to

[Mr Mark Harper]

ensure that they can all participate in this House as Members of Parliament. I think that what the hon. Gentleman said was perfectly sensible.

On remote voting, the Leader of the House and I could probably have a competition over who was most keen on in-person voting—I am not sure which of us would win that competition. I always champion in-person voting when people suggest that we should move to modern electronic mechanisms. That is because, certainly in the major parties—the Labour and Conservative parties—it is a fantastic opportunity for Back Benchers to engage with Ministers. I say to every Back Bencher that if they ever want to keep Ministers accountable and accessible, we must never move permanently to remote voting because they will never see a Minister in this place again. For constituents who wonder what the benefit is for them, I say that in-person voting is so valuable because we can then raise their issues directly with Ministers quickly and efficiently. When Ministers do not have their civil servants present, they can sometimes see the point of something without someone persuading them that the issue is not worth solving.

The whole point about that is that we can access people. The problem at the moment with the way we have to vote is that we cannot just go and grab a Minister. If Members are to be properly socially distanced, they have to be 2 metres apart, or perhaps a little less if they are wearing a face mask, but a complex, difficult conversation is impossible in those circumstances. I am afraid, therefore, that I do agree with what is in the report.

In my experience, because Members want to use that opportunity to talk to each other, they are torn between socially distancing and creeping closer together. I do agree with what the hon. Member for Edinburgh East said: we need to set an example. Even if, individually, we try to set an example, it is not always possible when there are hundreds of colleagues getting very close. I am not saying that I am perfect at it, but sometimes I try to shoo people away because they are getting too close. It is difficult. As a fan of in-person voting, I think we need to think about setting a good example and looking at remote voting.

Karen Bradley: Not only is it not possible for a Member to find the Minister that they need to find in the queue in a socially distanced way, but they are not able to do so privately, because they are in a queue of hundreds of people from all different parties. With the best will in the world, even though I have great friends from all parts of the House, I may not want to discuss some issues in front of them.

Mr Harper: My right hon. Friend makes a very good point. All I ask the Leader of the House to think about is the fact that the big advantage of in-person voting—my right hon. Friend the Member for Gainsborough and I are in massive agreement on this point—is the access that Back Benchers get to Ministers. That is simply not deliverable in the present circumstances. Perhaps it is a little bit, but certainly not to the extent that it was. Regretfully, because I love in-person voting, I do think that during this period, which I fear will be lengthy, the Leader of the House should at least think about that and put in place some procedures that will mean that we

can bring in remote voting if we need to. In particular, if we are forced to take more stringent measures—I hope we are not, but it is entirely possible that we are—we may need to look at it.

On remote voting—and then I will conclude to allow the Leader of the House to get in—the other point that struck me in the report was about areas of local lockdown. I agree with him that if someone is in an area of local lockdown, there are ancient privileges for Members of Parliament to be able to come here, but we also have to set an example. If someone is in an area where we are telling constituents that they must not go to work if they can work at home, although there may be reasons why Members of Parliament feel that they should be here, that will set a dreadful example and look very much like, “One rule for us and one rule for our constituents”. If a Member is in one of those local lockdown areas, as something like a fifth of the population are, we want them to do what they are encouraging their constituents to do, and in those circumstances, they cannot be here and participate. I think we need to think about how we deliver that, and those points are made powerfully in the report. Although I am a traditionalist on in-person voting, I urge the Leader of the House to look at it going forward.

8.15 pm

Mr Rees-Mogg: It is always a pleasure to follow my right hon. Friend the Member for Forest of Dean (Mr Harper). In the event that we went back to the level of lockdown that we had in April, of course the Government would reconsider the situation.

I note the point made by my right hon. Friend the Member for Basingstoke (Mrs Miller) about more support for families. That is very important. An interim chief executive of IPSA has just been appointed, and I will ensure that it is taken up with him.

My right hon. Friend the Member for Gainsborough (Sir Edward Leigh) goes back to the 18th century, which shows what a modernist he is, but it is of course true that overcoats are meant not to be worn so that people do not send somebody in their place to vote.

My right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), the distinguished Chairman of the Procedure Committee, made a number of points. It is really important that Members know that they do not have to give the proxy to Whips. That is fundamental; they can give it to anyone they like. And remote voting is not that robust because of the conditions mentioned by my right hon. Friend the Member for Gainsborough, in that wi-fi goes down.

I am so grateful for the speech by the hon. Member for Edinburgh East (Tommy Sheppard). I am not sure if he is going to like this—it is part flattery and it is part disagreeing with him—but, when he is here, his points are made 10 times more effectively than when he is appearing up on the screen. I do not know whether, from my point of view, that is a good or a bad thing, because his points come across extremely well, but we are key workers as Members of Parliament, and therefore I think we need to be here to hold people like me to account, which is a thoroughly good thing.

I finish by thanking the right hon. Member for Walsall South (Valerie Vaz) for her support on these motions.

Question put and agreed to.

Ordered,

(1) That:

(a) the Resolution of 28 January 2019 (Proxy Voting (Implementation)), as amended on 16 January and 20 July 2020,

(b) the Resolution of 4 June 2020 (Proxy Voting (Extension)), as amended on 10 June 2020, be rescinded.

(2) That the following Standing Order be made:

VOTING BY PROXY

(1) A Member eligible under paragraph (2) may arrange for their vote to be cast by one other Member acting as a proxy (a proxy vote) under a scheme drawn up by the Speaker in accordance with this order and published by him.

(2) A Member is eligible for a proxy vote by reason of absence from the precincts of the House for childbirth or care of an infant or newly adopted child, subject to the conditions set out in the scheme published under paragraph (1) of this order.

(3) A proxy vote may be cast:

(a) in any division, including a deferred division, in the House, in Committee of the whole House, or in any legislative grand committee, save as provided in paragraph (4) below; and

(b) in a ballot cast in an election under Standing Order No. 1B (Election of Speaker by secret ballot), Standing Order No. 2A (Election of the Deputy Speakers), Standing Order No. 122B (Election of select committee chairs) and Standing Order No. 122D (Election of Chair of the Backbench Business Committee).

(4) No proxy vote shall be reckoned in the numbers participating in a division for the purposes of (a) Standing Order No. 41(1) (Quorum), and (b) Standing Order No. 37 (Majority for closure or for proposal of question).

(5) (a) A proxy vote may be cast only if the Speaker has certified that the Member for whom the vote is to be cast is eligible under the terms of this order.

(b) The Speaker shall cause that certificate, including the name of the Member nominated as a proxy, to be entered in the Votes and Proceedings no later than the sitting day on which it takes effect.

(6) A vote cast by a proxy shall be clearly indicated as such in the division lists published under the authority of the House.

(7) A Member is also eligible for a proxy vote by reason of absence from the precincts of the House in circumstances where there have been complications relating to childbirth; and the Speaker may make appropriate provision for the exercise of a proxy vote in such circumstances in the scheme drawn up under paragraph (1) above.

PROXY VOTING DURING THE PANDEMIC

Ordered,

That the following amendments be made to the Standing Order (Voting by Proxy) and have effect until 3 November 2020:

(1) In paragraph (2) after “child” insert “, or for medical or public health reasons related to the pandemic”.

(2) After paragraph (5) insert –

(5A) The Speaker may certify that a Member’s eligibility for a proxy vote for medical or public health reasons related to the pandemic should take effect before the certificate is published in the Votes and Proceedings, or that a certificate already granted should be varied, if satisfied there are urgent and unforeseeable circumstances to justify this.—(*Mr Rees-Mogg*)

PARLIAMENTARY WORKS ESTIMATES COMMISSION

Ordered,

That Lilian Greenwood and Dame Eleanor Laing be confirmed as members of the Parliamentary Works Estimates Commission under Schedule 3 to the Parliamentary Buildings (Restoration and Renewal) Act 2019.—(*Mr Rees-Mogg*)

Business without Debate

SITTINGS IN WESTMINSTER HALL (RESUMPTION)

Ordered,

That—

(1) sittings in Westminster Hall shall resume in accordance with Standing Order No. 10 on Monday 5 October; and

(2) the Chair in Westminster Hall may limit the number of Members there present at any one time for as long as paragraph (4) of the Order of 2 June 2020 (Proceedings during the pandemic (No. 2)) remains in effect.—(*Rebecca Harris*.)

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (LEGAL PROFESSION)

That the draft Services of Lawyers and Lawyer’s Practice (Revocation etc.) (EU Exit) Regulations 2020, which were laid before this House on 21 July, be approved.—(*Rebecca Harris*.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INTERNATIONAL MONETARY FUND

That the draft International Monetary Fund (Limit on Lending) Order 2020, which was laid before this House on 1 July, be approved.—(*Rebecca Harris*.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

IMMIGRATION

That the draft Immigration (Health Charge) (Amendment) Order 2020, which was laid before this House on 21 July, be approved.—(*Rebecca Harris*.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 30 September (Standing Order No. 41A).

PETITION

Removing classification of prescription only medicine from injectable vitamin B12

8.19 pm

Jane Hunt (Loughborough) (Con): I rise to present a petition on behalf of two residents of the constituency of Loughborough regarding access to B12 injections, alongside an online petition that they have started on the same topic, which has been signed by over 94,000 people. Today is B12 Awareness Day, and this petition shines a light on how the rules around only accessing B12 injectables at GP surgeries are having a far-reaching physical and mental impact on those who rely on them.

The petition states:

NICE CKS guidance states that treatment of B12 deficiency in people with neurologic involvement should include injections on alternate days...a restricted maintenance dose of just four injections per year is what is normally allowed, which can leave people physically and mentally unable to contribute to either family or

[Jane Hunt]

society...B12 injectables should be made available over the counter at pharmacies, which would bring our approach in line with that of other countries, affording those with B12 deficiency...dignity and control over their own health...and reducing the workload and financial burden on...NHS services...The petitioners therefore request that the House of Commons urges the Government to remove the classification of Prescription Only Medicine from injectable vitamin B12. And the petitioners remain, etc.

Following is the full text of the petition:

[The petition of the residents of the constituency of Loughborough.

Declares that a lack of B12 can have far reaching and significant effects on both physical and mental health; notes that a significant number of people who are B12 deficient are unable to absorb the vitamin from food or supplements, and so need to inject it, which they can only do at their GP practice; further notes that NICE CKS guidance states that treatment of B12 deficiency in people with neurologic involvement should include injections on alternate days until there is no further improvement; further notes that a restricted maintenance dose of just four injections per year is what is normally allowed, which can leave people physically and mentally unable to contribute to either family or society, and lead to permanent neurological damage; further notes that, in response to a Freedom of Information request asking for the clinical evidence for the three monthly maintenance dose, the Medicines and Healthcare products Regulatory Agency stated that they were unable to obtain this information; further notes that B12 injectables should be made available over the counter at pharmacies, which would bring our approach in line with that of other countries, affording those with B12 deficiency the same dignity and control over their own health as a diabetic using insulin, and reducing the workload and financial burden on GP practices, District Nurses and other NHS services; further notes that a Change.org petition started by the petitioners on this issue has garnered over 94,000 signatures.

The petitioners therefore request that the House of Commons urges the Government to remove the classification of Prescription Only Medicine from injectable vitamin B12.

And the petitioners remain, etc.]

[P002599]

Secondary School Provision: Lyde Green

Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)

8.20 pm

Chris Skidmore (Kingswood) (Con): In the past 10 years that I have been fortunate to be the Member of Parliament for Kingswood, I have been proud to have campaigned for and helped to deliver several new schools in my constituency, including King's Oak Academy primary school, the Digitech Studio School on the site of the former Grange School, a new special school for Kingswood that is due to open shortly, and a new primary school for Lyde Green. In addition, since 2010 many more schools have received funding to expand their premises, including Barley Close Community Primary School, Mangotsfield Primary School and Beacon Rise Primary School.

These new schools and this new investment would not have been possible without the funding and support from the Department for Education and the Minister for School Standards, my right hon. Friend the Member for Bognor Regis and Littlehampton (Nick Gibb), who is in his place today. He knows well my commitment to securing the good school places needed in my local area in order to meet demand and raise standards. He has met me and delegations that I have brought from South Gloucestershire Council on many occasions over the past decade. He has even come to visit local schools in my constituency. I thank him dearly again for the commitment that he has shown.

Tonight I wish to raise with the Minister yet another campaign for a new school—this time, new co-located primary and secondary schools. It is the largest school investment project that I have ever called for. I am incredibly excited to be supporting this proposal for a school to be situated in and at the heart of the newly built Lyde Green community. I have been running this campaign with my neighbour, my hon. Friend the Member for Thornbury and Yate (Luke Hall), because Lyde Green straddles both our constituencies. I assure the Minister that my hon. Friend is as committed and passionate about delivering this project as I am, and I am delighted that he has been able to attend this debate. I congratulate him on his recent appointment as Minister of State, Ministry of Housing, Communities and Local Government. Given his new role, he is unable to speak in this debate—it is important that our constituents recognise that—but that does not diminish the fact that he has been championing this project behind the scenes with me. Just the other week, we both visited the site where the potential new school might be built.

Over the past 10 years, my constituency—like many others, including that of my hon. Friend the Member for Thornbury and Yate—has seen growth in new housing. This has taken place primarily in the entirely new village of Lyde Green, which, when complete, will number around 2,500 houses, many of which are family homes. The Minister gave permission for the £5.7 million Lyde Green Primary School following a previous campaign I ran, way back in October 2014. The funding resulted in the new primary school being delivered within a year and fully open within two, which is testament to the speed and efficiency of South Gloucestershire Council and the educational trusts in our area in meeting the commitments that they have signed and agreed. Indeed,

South Gloucestershire Council has secured land and the financial contributions for 15 new primary schools and two new secondary schools, which are being delivered over a 10-year period. To date, the council is able to evidence the successful delivery of five new primary schools and their phases since 2013. I pay tribute to and acknowledge the fantastic leadership of Councillor Erica Williams, Councillor Toby Savage and Councillor Jon Hunt, who, as executive members for education on the council during that period, have spearheaded some truly vital work across the district. I also take this opportunity to recognise the campaigning efforts of many Conservative councillors in South Gloucestershire, most notably that of Councillor Colin Hunt, who has campaigned vigilantly and vigorously over the past 20 years for a secondary school to be delivered as part of this new and flourishing Lyde Green community.

To meet this rising demand and in particular the demand for school places in Lyde Green—principally as the first pupils who have been educated at the fantastic £5.7 million Lyde Green Primary School will move to a secondary setting in September 2022—we need to act now to provide the secondary school that Lyde Green deserves and, indeed, was promised as part of the section 106 agreement with the developers of the Lyde Green site.

In addition, further primary school places are needed to meet the demand of the community. Again, those places were agreed as part of the development's initial planning permission. In particular, to meet demand in Lyde Green, my hon. Friend the Member for Thornbury and Yate and I are campaigning first for a 420-place primary school to be delivered by September 2022. That school will provide for children aged between four and 11. Secondly, we are campaigning for a new 900-place secondary school to be open by September 2022. That would be made up of 450 places required to mitigate the impact of new housing that I have spoken about, and also 450 places to meet basic need growth for the whole area of south Gloucestershire. Basic need refers to the growth of the existing secondary school age population, which at the moment exceeds the current number of places in south Gloucestershire secondary schools.

As I am sure the Minister is aware, South Gloucestershire Council is seeking to commission the new secondary school via the Department for Education's ongoing wave 14 free schools programme. As part of that programme—the bid that is now open is wave 14—South Gloucestershire and Stroud Academy Trust, the delivery partner, known as SGSAT, has submitted a bid for a new secondary school at Lyde Green to meet the demand for 900 places for the 11-to-16 age range. That bid has been shortlisted by the Department, and SGSAT attended an interview as part of the process.

Following the interview round, I understand that the Department will determine which free school projects nationally will receive formal approval, which I hope will happen, to use ministerial phraseology, to which I am accustomed—I should probably put on record that I have been a Minister in the Department for Education not once, but twice, I enjoyed it so much—"in due course".

I want to use this debate tonight to highlight my determination about this individual bid for a new secondary school at Lyde Green. It is essential not only for the Lyde

Green community, but for the wider south Gloucestershire area if the local authority is to meet its statutory duty to place all pupils in secondary school provision, given the demographic uplift in demand locally.

I put on record also, in advance of the outcome of the wave 14 free school bid process, that time is tight and time is getting tighter. As I have mentioned, September '22 is the end date to deliver the new school buildings and, as a result, South Gloucestershire Council has already developed an outline design and submitted that for planning approval. In advance of any potential wave 14 successful bid—God willing—I want to reassure the Minister that, as a result of previous agreement with developers, many of the important milestones have already been reached and are already in place. The council has already secured 2.83 hectares of land for the second primary school and new secondary school provision. The land designation for the new school was reflected in the original masterplan for the development site. Following site investigations of the land, the council has identified some very specific site constraints and, in order to overcome those constraints, the council has renegotiated the school site boundaries. Drawings of the revised school site have been prepared by the development consortium, Emersons Green Urban Village, which I would be happy to share with the Minister and his free schools team overseeing the wave 14 bid process. The plan shows a revised school site location and infrastructure road layout, and the amalgamation of two previously separate potential school sites, including an amendment to the local centre land to provide for part of the revised full school site. It also demonstrates indicative school buildings within the new school site, as well as adjacent residential parcels and how they are being planned within the revised masterplan layout.

The council is in a strong position to deliver new school provision for September 2022, which is reflected in the following considerations. Working with sponsor trusts, the council has developed an outline design and submitted it for planning approval. That means that the scheme will be ready for contractor selection next month, in October. Planning permission will be in place by November 2020, and construction could commence from June 2021. At every stage of the initial process, there has been positive engagement with the local community, and current year 5 children attending Lyde Green Primary School anticipate that they will be able to express a preference for the new Lyde Green secondary school at secondary transfer in September 2022. No contentious issues have been raised in response to the design proposals.

That is significant progress in developing the scheme and reflects the relatively short period of time in which to design, procure and build the new school ready for September 2022. It is for this reason that I have called today's debate: to highlight to the Minister that we are shovel-ready, as it were—ready and more than willing to get going on a new secondary school, along with a primary school, co-located on the same site, which is more than much needed by the growing Lyde Green community. As the local Member of Parliament, I would be honoured if he and his Department considered this wave 14 bid as quickly as possible. It is a strong bid, a desperately needed bid, and a bid that will help to transform secondary school provision in my local area.

[Chris Skidmore]

I place my faith in the Minister. He has delivered for me many times before, transforming the lives of young people across my constituency, for which I thank him. I hope that he can deliver once more.

8.32 pm

The Minister for School Standards (Nick Gibb): I congratulate my right hon. Friend the Member for Kingswood (Chris Skidmore) on securing the debate. I listened carefully to his speech, and I know how instrumental he has been in securing new schools for his constituency and for parents in his area. I know at first hand how committed he is to ensuring that standards of education in schools in his constituency are high. I pay tribute to him for his work over many years in developing education policy, most recently in his role as Universities Minister.

As my right hon. Friend has explained, Lyde Green has grown significantly over the last five years, with developments that are to include 2,500 new homes, a large science park, and other business and industrial developments. Although there is an open primary school in Lyde Green—thanks to my right hon. Friend—there is currently no secondary school. As he is aware, given the changing demographics, the need for a new secondary school is now under consideration.

Since 2010, the Government have worked hard to drive up academic standards. Our aim has been to ensure that every state school is a good school, teaching a rigorous and broad curriculum, with world-class qualifications and high standards of behaviour. During that time we have seen standards rise. As at March 2019, 86% of schools were graded good or outstanding by Ofsted, compared with 68% in 2010. Ensuring high-quality education in south Gloucestershire is a priority for my right hon. Friend, as it is for the Government. Primary school results across the local authority are good, with over 84% of primary schools having been as assessed by Ofsted as either good or outstanding. Of the 17 secondary school in south Gloucestershire, eight are graded by Ofsted as good.

Since 2010, the number of academies nationally has grown from 200 to over 8,500, including free schools, and four out of 10 state-funded primary and secondary schools are now part of an academy trust. When the opportunity for schools to become academies arose, 13 out of 15 south Gloucestershire secondary schools took the opportunity to convert. With a further conversion planned in January and two new secondary free schools successfully opened in recent years, there has been a significant change in the education landscape.

It is clear that the presence of strong multi-academy trusts is starting to have an impact in south Gloucestershire. The six previously inadequate secondary schools that are now sponsored are beginning to show improvements. For example, Greenshaw Learning Trust was introduced into the area and sponsored Yate Academy in September 2017, and it has demonstrated rapid impact. The Progress 8 score has moved from minus 0.48 in 2017 to plus one in 2019, which means that it is well above the national average in terms of the progress that its pupils make. Hanham Woods Academy, with the support of the Cabot Learning Federation, came out of special measures and was graded good by Ofsted in November 2019.

As a former Minister in the Department, my right hon. Friend will know that we are increasing funding by £2.6 billion in 2020-21, by £4.8 billion in 2021-22 and by £7.1 billion in 2022-23, compared with 2019-20. That is in addition to the £1.5 billion a year that we will continue to provide to fund additional pension costs for teachers over the next three years. The national funding formula continues to direct funding where it is most needed. South Gloucestershire will receive 3.8% more per-pupil funding in 2021-22—above the national average of 3.1%—which amounts to an additional £6.9 million based on provisional allocations and will take its total funding to over £177 million.

I turn to the question of secondary provision in Lyde Green. Until now, on the basis of demographics, a school has not been needed in this area, but there is now an increasing need for places for secondary school-age pupils in this part of south Gloucestershire, which is projected to put pressure on the school system from 2022 onwards. To date, the deficit in places for year 7 pupils in this area—88 in 2019 and 106 in 2020—has been accommodated by local secondary schools. The largest group of pupils attend Downend School, and other pupils attend Mangotsfield School and Winterbourne Academy. However, as this demographic trend continues, the schools taking these extra pupils will no longer have the capacity to accommodate increasing numbers of pupils, and therefore an alternative solution will be needed.

Through the free schools programme, the Government have funded thousands of new good school places and opened schools across the country. As of 1 September, there are 558 open free schools, 49 university technical colleges and 22 studio schools. Those will provide more than 340,000 places when at capacity. We have approved a further 222 applications from groups that we are now working with to establish those schools. Of the mainstream free schools approved since 2014, 86% have been in areas where there was a need for more school places, and Ofsted's latest information shows that 86% of all free schools with inspection reports published by the end of August are rated good or outstanding.

The purpose of free schools is to deliver choice, innovation and higher standards. We want them to challenge the status quo and drive wider improvement, injecting fresh approaches and drawing in talent and expertise from a wide variety of groups and backgrounds.

In 2019, seven of the top 15 Progress 8 scores for state-funded schools in England were achieved by free schools, including three of the top five in the country: Eden Boys' School in Birmingham, Eden Girls' School in Coventry and Michaela Community School in Brent. Secondary free schools are among the highest-performing state-funded schools in the country, providing a world-class education to their students. For example, Michaela Community School was proud to announce its first wave of excellent GCSE results in 2019—54% of all grades awarded were level 7 and above, which is equivalent to A to A*. The proportion of disadvantaged pupils at the school is above the national average. We want to do more to unleash that kind of successful innovation in areas of the country where it is needed most of all, so that children, regardless of their background, have the opportunity to fulfil their potential.

My hon. Friend mentioned wave 14. Applications for wave 14—the latest wave of the free schools programme—had a key focus on targeting areas most in need of good school places. We received a total of 89 applications and

we have funding for up to 30 new schools. As my hon. Friend knows—he mentioned it in his speech—an application for a secondary free school in Lyde Green was progressed to the interview stage and is still going through the national assessment process. Covid-19 has unfortunately delayed the original timetable, but we have been able to complete interviews online. We expect to announce the names of successful applicants later this autumn, or in my hon. Friend's words, "in due course", as he parodied.

I congratulate my hon. Friend on his success in securing time for this debate, which enabled him to raise an issue of concern to his constituents in the Lyde

Green area. The Government recognise that in future years there will be an increasing need for more secondary school places in the Lyde Green area. The regional schools commissioners team will continue to work closely with the local authority on plans for meeting that need, and the Department will announce the free schools decisions later this term.

Question put and agreed to.

8.40 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	Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington)	Bell Ribeiro-Addy	Sir David Evennett (Bexleyheath and Crayford)	Stuart Andrew
Tahir Ali (Birmingham, Hall Green)	Chris Elmore	Michael Fabricant (Lichfield)	Stuart Andrew
Dr Rosena Allin-Khan (Tooting)	Chris Elmore	Marion Fellows (Motherwell and Wishaw)	Patrick Grady
Tonia Antoniazzi (Gower)	Chris Elmore	Stephen Flynn (Aberdeen South)	Patrick Grady
Victoria Atkins (Louth and Horncastle)	Stuart Andrew	Vicky Foxcroft (Lewisham, Deptford)	Chris Elmore
Mr Richard Bacon (South Norfolk)	Stuart Andrew	Mr Mark Francois (Rayleigh and Wickford)	Stuart Andrew
Siobhan Baillie (Stroud)	Stuart Andrew	George Freeman (Mid Norfolk)	Bim Afolami
Hannah Bardell (Livingston)	Patrick Grady	Gill Furniss (Sheffield, Brightside and Hillsborough)	Chris Elmore
Mr John Baron (Basildon and Billericay)	Stuart Andrew	Marcus Fysh (Yeovil)	Stuart Andrew
Margaret Beckett (Derby South)	Clive Efford	Sir Roger Gale (North Thanet)	Caroline Nokes
Scott Benton (Blackpool South)	Stuart Andrew	Preet Kaur Gill (Birmingham, Edgbaston)	Chris Elmore
Sir Paul Beresford (Mole Valley)	Stuart Andrew	Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Jake Berry (Rossendale and Darwen)	Stuart Andrew	Mary Glendon (North Tyneside)	Chris Elmore
Mhairi Black (Paisley and Renfrewshire South)	Patrick Grady	Mrs Helen Grant (Maidstone and The Weald)	Stuart Andrew
Bob Blackman (Harrow East)	Stuart Andrew	Peter Grant (Glenrothes)	Patrick Grady
Kirsty Blackman (Aberdeen North)	Patrick Grady	Neil Gray (Airdrie and Shotts)	Patrick Grady
Mr Peter Bone (Wellingborough)	Stuart Andrew	Margaret Greenwood (Wirral West)	Chris Elmore
Steven Bonnar (Coatbridge, Chryston and Bellshill)	Patrick Grady	James Grundy (Leigh)	Stuart Andrew
Andrew Bridgen (North West Leicestershire)	Stuart Andrew	Andrew Gwynne (Denton and Reddish)	Chris Elmore
Ms Lyn Brown (West Ham)	Chris Elmore	Fabian Hamilton (Leeds North East)	Chris Elmore
Richard Burgon (Leeds East)	Zarah Sultana	Greg Hands (Chelsea and Fulham)	Stuart Andrew
Conor Burns (Bournemouth West)	Stuart Andrew	Ms Harriet Harman (Camberwell and Peckham)	Chris Elmore
Ian Byrne (Liverpool, West Derby)	Beth Winter	Sir Oliver Heald (North East Hertfordshire)	Stuart Andrew
Liam Byrne (Birmingham, Hodge Hill)	Chris Elmore	Sir Mark Hendrick (Preston)	Chris Elmore
Amy Callaghan (East Dunbartonshire)	Patrick Grady	Simon Hoare (North Dorset)	Fay Jones
Dan Carden (Liverpool, Walton)	Chris Elmore	Mrs Sharon Hodgson (Washington and Sunderland West)	Chris Elmore
Sarah Champion (Rotherham)	Chris Elmore	Kate Hollern (Blackburn)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady	Adam Holloway (Gravesham)	Maria Caulfield
Feryal Clark (Enfield North)	Chris Elmore	Sir George Howarth (Knowsley)	Chris Elmore
Theo Clarke (Stafford)	Stuart Andrew	Dr Neil Hudson (Penrith and The Border)	Stuart Andrew
Damian Collins (Folkestone and Hythe)	Stuart Andrew	Imran Hussain (Bradford East)	Chris Elmore
Rosie Cooper (West Lancashire)	Chris Elmore	Ranil Jayawardena (North East Hampshire)	Stuart Andrew
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy	Dame Diana Johnson (Kingston upon Hull North)	Chris Elmore
Ronnie Cowan (Inverclyde)	Patrick Grady	Alicia Kearns (Rutland and Melton)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East)	Patrick Grady	Barbara Keeley (Worsley and Eccles South)	Chris Elmore
Stella Creasy (Walthamstow)	Chris Elmore	Afzal Khan (Manchester, Gorton)	Chris Elmore
Tracey Crouch (Chatham and Aylesford)	Caroline Nokes	Sir Greg Knight (East Yorkshire)	Stuart Andrew
Judith Cummins (Bradford South)	Chris Elmore	Julian Knight (Solihull)	Stuart Andrew
Janet Daby (Lewisham East)	Chris Elmore	Ian Lavery (Wansbeck)	Kate Osborne
Geraint Davies (Swansea West)	Chris Evans	Chris Law (Dundee West)	Patrick Grady
Alex Davies-Jones (Pontypridd)	Chris Elmore	Mrs Emma Lewell-Buck (South Shields)	Chris Elmore
David Davis (Haltemprice and Howden)	Stuart Andrew	Clive Lewis (Norwich South)	Chris Elmore
Martyn Day (Linlithgow and East Falkirk)	Patrick Grady	Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew
Marsha De Cordova (Battersea)	Rachel Hopkins	Tony Lloyd (Rochdale)	Chris Elmore
Allan Dorans (Ayr, Carrick and Cumnock)	Patrick Grady	Julia Lopez (Hornchurch and Upminster)	Lee Rowley
Ms Nadine Dorries (Mid Bedfordshire)	Stuart Andrew	Mr Jonathan Lord (Woking)	Stuart Andrew
Peter Dowd (Bootle)	Chris Elmore	Kenny MacAskill (East Lothian)	Patrick Grady
Jack Dromey (Birmingham, Erdington)	Chris Elmore	Rachel Maclean (Redditch)	Stuart Andrew
Philip Dunne (Ludlow)	Jeremy Hunt	Angus Brendan MacNeil (Na h-Eileanan an Iar)	Patrick Grady
Mrs Natalie Elphicke (Dover)	Maria Caulfield	Karl McCartney (Lincoln)	Stuart Andrew
Florence Eshalomi (Vauxhall)	Chris Elmore	Andy McDonald (Middlesbrough)	Chris Elmore
Dr Luke Evans (Bosworth)	Stuart Andrew	John McDonnell (Hayes and Harlington)	Zarah Sultana

Member eligible for proxy vote	Nominated proxy
John Mc Nally (Falkirk)	Patrick Grady
Khalid Mahmood (Birmingham, Perry Barr)	Chris Elmore
Shabana Mahmood (Birmingham, Ladywood)	Chris Elmore
Paul Maynard (Blackpool North and Cleveleys)	Mark Spencer
Ian Mearns (Gateshead)	Chris Elmore
Mark Menzies (Fylde)	Stuart Andrew
Anne Marie Morris (Newton Abbot)	Stuart Andrew
David Morris (Morecambe and Lunesdale)	Stuart Andrew
James Murray (Ealing North)	Chris Elmore
Ian Murray (Edinburgh South)	Chris Elmore
John Nicolson (Ochil and South Perthshire)	Patrick Grady
Dr Matthew Offord (Hendon)	Rebecca Harris
Guy Opperman (Hexham)	Stuart Andrew
Kate Osamor (Edmonton)	Nadia Whittome
Owen Paterson North Shropshire)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Sir Mike Penning (Hemel Hempstead)	Stuart Andrew
Dr Dan Poulter (Central Suffolk and North Ipswich)	Peter Aldous
Yasmin Qureshi (Bolton South East)	Chris Elmore
Christina Rees (Neath)	Chris Elmore
Ellie Reeves (Lewisham West and Penge)	Chris Elmore
Andrew Rosindell (Romford)	Rebecca Harris
Mr Virendra Sharma (Ealing, Southall)	Chris Elmore
Mr Barry Sheerman (Huddersfield)	Chris Elmore
Tulip Siddiq (Hampstead and Kilburn)	Chris Elmore
Henry Smith (Crawley)	Stuart Andrew
Sir Gary Streeter (South West Devon)	Stuart Andrew
Mel Stride (Central Devon)	Stuart Andrew
Jon Trickett (Hemsworth)	Olivia Blake
Karl Turner (Kingston upon Hull East)	Chris Elmore
Hywel Williams (Arfon)	Liz Saville Roberts
Pete Wishart (Perth and North Perthshire)	Patrick Grady

Deferred Divisions

PUBLIC HEALTH

That the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) (Amendment) Regulations 2020 (S.I., 2020, No. 839), dated 6 August 2020, a copy of which was laid before this House on 7 August, be approved.

The House divided: Ayes 337, Noes 6.

Division No. 105]

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carmichael, rh Mr Alistair
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishty, Rehman

Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Cooper, Daisy
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Farron, Tim
Farry, Stephen
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George

Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundey, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, 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
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John

Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Lucas, Caroline
Mackinlay, Craig
Mackrory, Cherylyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Moran, Layla
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Olney, Sarah
Opperman, Guy
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
Pursglove, Tom
Quin, Jeremy
Quince, Will

Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary

Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Campbell, Mr Gregory
 Girvan, Paul
 Hollobone, Mr Philip

Lockhart, Carla
 Swayne, rh Sir Desmond
 Wilson, rh Sammy

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 3) Regulations 2020 (S.I., 2020, No. 863), dated 14 August 2020, a copy of which was laid before this House on 14 August, be approved.

The House divided: Ayes 340, Noes 1.

Division No. 106]

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward

Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon

Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip

Eastwood, Mark
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Farry, Stephen
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom

Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, 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
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Sir Robert

Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 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
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura

Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne

Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Hollobone, Mr Philip

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) (Amendment) (No. 2) Regulations 2020 (S.I., 2020, No. 882), dated 20 August 2020, a copy of which was laid before this House on 21 August, be approved.

The House divided: Ayes 335, Noes 6.

Division No. 107]

AYES

Adams, Nigel
 Afolami, Bim
 Afriye, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack

Bridgen, Andrew
 Brien, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carmichael, rh Mr Alistair
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishty, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Cooper, Daisy
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey

Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donaldson, rh Sir Jeffrey M.
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Farron, Tim
 Farry, Stephen
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver

Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, 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
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mackrory, Cheryl
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen

Millar, Robin
 Miller, rh Mrs Maria
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Moran, Layla
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Olney, Sarah
 Opperman, Guy
 Parish, Neil
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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

Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Campbell, Mr Gregory
 Girvan, Paul
 Hollobone, Mr Philip

Lockhart, Carla
 Swayne, rh Sir Desmond
 Wilson, rh Sammy

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) (Amendment) Regulations 2020 (S.I., 2020, No. 898), dated 25 August 2020, copy of which was laid before this House on 25 August, be approved.

The House divided: Ayes 335, Noes 1.

Division No. 108]

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James

Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew

Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, 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
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Lucas, Caroline
Mackinlay, Craig

Mackrory, Cheryl
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Maynard, Paul
McCartney, Jason
McCartney, Karl
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
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
Pursglove, Tom
Quin, Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
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
Shapps, rh Grant

Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin

Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carmichael, rh Mr Alistair
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Cooper, Daisy
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Farron, Tim
 Farry, Stephen
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky

Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, 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

NOES

Hollobone, Mr Philip

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport) (England) (Amendment) Regulations 2020 (S.I., 2020, No. 906), dated 26 August 2020, a copy of which was laid before this House on 27 August, be approved.

The House divided: Ayes 334, Noes 6.

Division No. 109]

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan

Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James

Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mackrory, Cheryllyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Moran, Layla
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Olney, Sarah
 Opperman, Guy
 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
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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
 Shapps, rh Grant
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen

Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig

Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Campbell, Mr Gregory
 Girvan, Paul
 Hollobone, Mr Philip
 Lockhart, Carla
 Swayne, rh Sir Desmond
 Wilson, rh Sammy

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus) (Restrictions on Holding of Gatherings and Amendment) (England) Regulations 2020 (S.I., 2020, No. 907), dated 26 August 2020, a copy of which was laid before this House on 27 August, be approved.

The House divided: Ayes 332, Noes 5.

Division No. 110]

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinéage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dorries, Ms Nadine

Double, Steve
 Dowden, rh Oliver
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Farry, Stephen
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, 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
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Mills, Nigel

Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 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
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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
 Shapps, rh Grant
 Shelbrooke, rh Alec

Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Campbell, Mr Gregory
 Hollobone, Mr Philip
 Stringer, Graham
 Swayne, rh Sir Desmond
 Wilson, rh Sammy

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

That the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) (Amendment) (No. 2) Regulations 2020 (S.I., 2020, No. 930), dated 2 September 2020, a copy of which was laid before this House on 2 September, be approved.

The House divided: Ayes 332, Noes 1.

Division No. 111]

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Campbell, Mr Gregory
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James

Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinenaage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Grundy, James

Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, 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
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Lockhart, Carla
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Lucas, Caroline
 Mackinlay, Craig
 Mackrory, Cheryll
 Maclean, Rachel

Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 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
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 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
 Shapps, rh Grant
 Simmonds, David
 Skidmore, rh Chris

Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James

Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben

Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John

Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

NOES

Hollobone, Mr Philip

Question accordingly agreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Written Statements

Wednesday 23 September 2020

CABINET OFFICE

Withdrawal Agreement Joint Committee

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove): The fourth meeting of the Withdrawal Agreement Joint Committee will take place on 28 September 2020 in Brussels, with delegations attending in person and by video conference.

The meeting will be co-chaired by the Chancellor of the Duchy of Lancaster, Right hon. Michael Gove MP and Vice President of the European Commission, Mr Maroš Šefčovič.

The agenda will include three items:

Introduction and opening remarks from co-chairs

Stocktake of Specialised Committee meetings

Update on withdrawal agreement implementation

Citizens' rights

Protocol on Ireland/Northern Ireland

Protocol on Sovereign Base Areas in Cyprus

Protocol on Gibraltar

Financial provisions

AOB and concluding remarks the UK delegation will include:

Chancellor of the Duchy of Lancaster, Rt Hon. Michael Gove MP

The Paymaster General, Rt Hon. Penny Mordaunt MP

Representatives from the Northern Ireland Executive have also been invited to form part of the UK delegation.

[HCWS465]

DIGITAL, CULTURE, MEDIA AND SPORT

Loot Boxes: Call for Evidence

The Minister for Digital and Culture (Caroline Dinenage): I am today launching a call for evidence on loot boxes in video games. I want to understand fully the existing research and concerns around loot boxes including any evidence of links to gambling-like behaviour and problem

gambling amongst young people. This fulfils a commitment the Government announced on 8 June as part of their response to the Digital, Culture, Media and Sport Committee's report on immersive and addictive technologies.

The Government take concerns around potential harms from loot boxes seriously. This open call for evidence will seek detailed information on the impact of loot boxes on players, particularly children and young people, examining concerns that loot boxes may encourage gambling-like behaviour and lead to problem gambling, as well as examining the size and scale of the loot box market in the UK, and the impact of current voluntary and statutory protections. The call for evidence will also seek information on the direct experiences of video games players and adults responsible for children and young people who play video games.

In 2019, the Government committed to review the Gambling Act with a particular focus on tackling issues around online loot boxes. The results from the call for evidence will be considered alongside the review of the Gambling Act and will inform future actions in regard to loot boxes. The Government stand ready to take action should the outcomes of the call for evidence support taking a new approach to ensure users, and particularly young people, are better protected.

The Government continue to support the growth of the video games sector in the UK, recognising that video games bring great economic, cultural and social benefits. Over half the UK population plays games, the vast majority engaging safely with content that allows them to enjoy fun, exciting play, find moments of relaxation, socialise and learn new skills. The video games sector, a key part of the UK's world-leading creative industries, is also a cutting edge creator and adopter of innovative new technologies, and a provider of highly skilled creative jobs.

However, evolving digital technologies such as video games also present new responsibilities to ensure that users, particularly children and vulnerable people, are not exposed to harm.

I believe the call for evidence the Government are launching today is an important step towards gathering the evidence required to ensure we can support the further growth of this innovative and important industry while protecting users.

The call for evidence document will be available on gov.uk.

[HCWS464]

ORAL ANSWERS

Wednesday 23 September 2020

	<i>Col. No.</i>		<i>Col. No.</i>
PRIME MINISTER	932	WOMEN AND EQUALITIES—continued	
Engagements	932	Older People: Covid-19	929
WOMEN AND EQUALITIES	923	Online Abuse	927
BAME Women: Covid-19	926	Protected Characteristics: Caste	928
Disabled People: Covid-19	923	Statutory Sick Pay	929
Geographic Inequality of Opportunity	926	STEM Subjects	925
International Trade: Opportunities for Women	927	Topical Questions	930
LGBT Action Plan	928	Young Female and Disabled Athletes: Covid-19	930

WRITTEN STATEMENTS

Wednesday 23 September 2020

	<i>Col. No.</i>		<i>Col. No.</i>
CABINET OFFICE	19WS	DIGITAL, CULTURE, MEDIA AND SPORT	19WS
Withdrawal Agreement Joint Committee	19WS	Loot Boxes: Call for Evidence	19WS

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than
Wednesday 30 September 2020**

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CONTENTS

Wednesday 23 September 2020

Oral Answers to Questions [Col. 923] [see index inside back page]

*Minister for Women and Equalities
Prime Minister*

End of Eviction Moratorium [Col. 945]

Answer to urgent question—(Christopher Pincher)

EU Exit: End of Transition Period [Col. 961]

Statement—(Michael Gove)

Social Security (Up-rating of Benefits) [Col. 980]

Bill presented, and read the First time

Pets (Microchips) [Col. 981]

*Motion for leave to bring in Bill—(James Daly)—agreed to
Bill presented, and read the First time*

Overseas Operations (Service Personnel And Veterans) Bill [Col. 984]

Motion for Second Reading—(Mr Wallace)—on a Division, agreed to

Proxy Voting [Col. 1057]

Motions—(Mr Rees-Mogg)—agreed to

Immigration [Col. 1076]

Motion—(Rebecca Harris); Division deferred till Wednesday 30 September

Petition [Col. 1076]

Secondary School Provision: Lyde Green [Col. 1078]

Debate on motion for Adjournment

Public Health [Col. 1089]

Motions, on deferred Divisions, agreed to

Written Statements [Col. 19WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
