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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 6 October 2020

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

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

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

Oral Answers to Questions

HEALTH AND SOCIAL CARE

The Secretary of State was asked—

Cancer Outcomes

James Cartlidge (South Suffolk) (Con): What steps he is taking to improve cancer outcomes. [907099]

Felicity Buchan (Kensington) (Con): What steps he is taking to improve cancer outcomes. [907102]

Jo Gideon (Stoke-on-Trent Central) (Con): What steps he is taking to improve cancer outcomes. [907114]

Angela Richardson (Guildford) (Con): What steps he is taking to improve cancer outcomes. [907121]

Julian Sturdy (York Outer) (Con): What steps he is taking to improve cancer outcomes. [907123]

The Secretary of State for Health and Social Care (Matt Hancock): The NHS's recovery approach is restoring urgent cancer referrals and treatment to at least pre-pandemic levels and building capacity for the future. Latest data from July suggests that urgent two-week-wait GP referrals are back to over 80% of pre-pandemic levels.

James Cartlidge: I thank my right hon. Friend for that answer, but does he agree that if we are to deliver better outcomes in cancer and all areas of care, our clinicians need the best possible infrastructure? Is that not why it is so important that the Prime Minister confirmed last week that we will deliver our manifesto pledge of 40 new hospitals? Does my right hon. Friend share my delight at seeing on that list a new rebuild for West Suffolk Hospital, to deliver even better outcomes for our constituents?

Matt Hancock: Yes, I do. I share my hon. Friend and neighbour's enthusiasm for the rebuild of the West Suffolk Hospital. For treating patients with cancer and patients with all other conditions, the West Suffolk is a brilliant local hospital that is much loved in the community; however, its infrastructure is getting very old and it needs to be replaced. I am delighted, along with the Minister for primary care, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), in whose constituency

the hospital is and will be rebuilt, that we are able to make the funding commitment and get this project going.

Felicity Buchan: I understand that we continue to requisition private hospitals. Given that there are patients who are nervous about attending hospitals, could those be used as covid-secure environments for cancer analysis and treatment?

Matt Hancock: Yes, absolutely. The private hospitals of this country have played a very important role in responding to covid, and we have a contract with them to be able to continue to deliver much needed services, including cancer services. Because by their nature they rarely have the pressures of emergency attendance, we can ensure that they are part of the green part of the health service—that they are as free as is feasibly possible from coronavirus—and therefore safe to carry out all sorts of cancer treatments. They are an important part of the recovery plan.

Jo Gideon: In my constituency of Stoke-on-Trent Central, patients being treated for cancer at the Royal Stoke University Hospital were relocated to Nuffield Health in Newcastle-under-Lyme. That is an example of practical measures that hospital trusts across the UK have taken to limit the spread of coronavirus since the outbreak in March. As we approach the winter pressures on the NHS, will my right hon. Friend outline the precautions the Government are taking to ensure that cancer patients' treatments and appointments are not put to the back of the queue and do not suffer undue delays?

Matt Hancock: My hon. Friend makes an important point. The Royal Stoke Hospital has performed brilliantly during coronavirus, and I thank everybody who works there for the efforts that they have gone to. It is critical for everybody to understand that the best way to keep cancer services running is to suppress the disease; the more the disease is under control, the more we can both recover and continue with cancer treatments. I believe that it behoves us all to make the case that controlling this virus not only reduces the number of deaths directly from coronavirus, but enables us as much as possible to recover the treatment that we need for cancer and other killer diseases.

Angela Richardson: Following an online meeting with the manufacturer, I am excited to visit the Royal Surrey County Hospital on Friday to see up close the robotics that are used in many soft tissue cancer operations. Does my right hon. Friend agree that these clever robots, operated by talented surgeons, help to reduce the size of the incision site and therefore trauma, meaning a swift discharge and recovery for cancer patients, and that they are crucial to ongoing success in hospitals such as the Royal Surrey, which is a world leader in cancer treatments?

Matt Hancock: I know the Royal Surrey and I enjoyed visiting it, albeit in the rain, in December last year with my hon. Friend. The Royal Surrey is carrying out some of the most cutting-edge treatments for cancer. We have put in extra funding more than £200 million—for the use of advanced technology for treating diseases such as cancer, and my hon. Friend will have seen that I announced

to the House yesterday that we are engaging with the best regulators around the world as we leave the European Union to ensure that we get cancer treatments to the frontline as fast as is safely possible.

Julian Sturdy: York Hospital, like a lot of others, experienced a fall in cancer referrals at the height of the pandemic as a result of residents having stopped going to consult their GP. There is real concern among health professionals in York about the knock-on consequences of that and the rise in the backlog of cancer referrals locally. What steps can the Secretary of State take to assist NHS trusts such as York's to ensure that the backlog does not lead to late diagnosis of cases, worsening cancer outcomes?

Matt Hancock: My hon. Friend raises a very important point. As I mentioned in response to the first question, we now have referrals back up to over 80% of pre-pandemic levels, but we need to get that up further, because we all know that early diagnosis saves lives. I am also very glad to be able to report that in July, on the latest data, over 90% of patients saw a cancer specialist within two weeks of a referral from a GP, and 95% of patients receive treatment within 31 days of a decision to treat, so those referrals are leading to the action that is necessary. It is very important that the message goes out that the NHS is open, and anybody with a concern over cancer should come forward and they can get the treatment in a safe way that can help to save their lives.

Alex Norris (Nottingham North) (Lab/Co-op): In June's departmental questions, I pressed Ministers on the cancer backlog that has grown so greatly under covid, so it was alarming that despite those ministerial assurances, between August and September, with infection rates being much lower than they are today, the waiting list to see a specialist grew by 16%. Things will only get harder now that infection rates are rising and with the NHS facing winter pressures, so will the Secretary of State give us a categorical assurance that he has a cancer recovery plan, and that it will drive down the waiting lists each month for the rest of the year?

Matt Hancock: Yes, absolutely. I think we agree right across the House on the importance of this agenda. The first and most important part of it is to bear down on the long waits, because the longer that people wait, the more dangerous cancer can become. That is happening, and we also have to make sure we bring the referrals forward, because we do not want to have fewer people referred for the diagnostics. At the same time, we are expanding the diagnostics that are available, both in hospitals and increasingly in community hubs, which are safer from a covid point of view and, for the long term, will mean that diagnostic centres for things such as cancer can perhaps be on a high street or in the places where people live, so that they do not necessarily have to go to a big, acute hospital to get the diagnostics part of the pathway done.

Non-covid Treatments

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): What steps he is taking to ensure that patients with illnesses other than covid-19 can access the treatments and procedures that their diagnosis requires. [907100]

The Minister for Health (Edward Argar): It is vital that non-covid treatments are restored as quickly and safely as possible. That is what the NHS is doing. It is working to have them restored, by October, to around 90% of last year's levels.

Dr Johnson: Thankfully, children are relatively robust in the face of coronavirus. However, children's services, like other hospital services, were understandably reduced during the pandemic. What is my hon. Friend doing to ensure that paediatric services are now 100% up and running and will not be affected by a future wave of the pandemic? What is he doing to support NHS trusts in dealing with the backlog of appointments delayed by the coronavirus?

Edward Argar: I pay tribute to my hon. Friend for her service to her constituents both as their MP and as a paediatric clinician. She is right to raise this important issue. Restoration guidance has already been published by NHS England and NHS Improvement, setting out a framework to fully restore services in this area, which I agree is vital. I would be very happy to meet her to discuss this further.

Mental Health Support in Schools

Abena Oppong-Asare (Erith and Thamesmead) (Lab): What recent discussions he has had with the Secretary of State for Education on allocating additional resources for mental health support in schools. [907101]

The Minister for Patient Safety, Mental Health and Suicide Prevention (Ms Nadine Dorries): We are working closely with the Department for Education to support children and young people's mental health, and we remain committed to implementing the proposals in the children and young people's mental health Green Paper putting mental health support teams in schools and colleges, otherwise known as trailblazer schemes.

Abena Oppong-Asare: Schoolchildren have had their education interrupted. They have been separated from their friends and face continual threats to their daily lives. The Government knew schools were to return. Why did they not take adequate steps to provide mental health support in schools for students and teachers?

Ms Dorries: I am afraid I have to say that, actually, the opposite is the case. We have just completed the wellbeing for education return "train the trainer" scheme. The trainers have been trained by the Anna Freud Centre and are ready to go out into schools across the country. It was always the position that schools should be open and the best place for children to receive help and support, for exactly the reasons that the hon. Member described: separation from their routine and their friends, and school being a place of safety.

Train the trainer has now completed. The Under-Secretary of State for Education, my hon. Friend the Member for Chelmsford (Vicky Ford), and I worked hard on that over the summer to ensure that the £8 million was there and the training was in place, ready to provide mental health and wellbeing support to children when they return to school. I am pleased to say that the last "train the trainer" scheme happened last week, and those involved are now ready to move into schools across the country.

Dr Rosena Allin-Khan (Tooting) (Lab): It has been six months of uncertainty for our country's children and their parents, with schooling cancelled, the exam results fiasco and now students trapped in uncertainty in their university accommodation. Despite the Education Secretary recognising that there was a serious impact on young people's mental health, yet again it seems that the Government have no plan. Children and young people are being failed. When will the Minister finally address the pending mental health crisis in our schools, colleges and universities?

Ms Dorries: I just do not recognise the picture that the hon. Lady has presented. We are investing at least £2.3 billion in mental health support and mental health provision. That investment translates to 345,000 children and young people who will be able to access mental health support via NHS-funded health services and school-based mental health support teams. Spending on children and young people's mental health services is growing faster than the overall spend on mental health, which itself is growing faster than the overall NHS budget. Children and young people's mental health is our priority, and we are showing that by investing in it. The picture that she paints is, I am afraid, completely inaccurate.

NHS Test and Trace

Helen Hayes (Dulwich and West Norwood) (Lab): What recent assessment he has made of the effectiveness of the NHS Test and Trace service. [907103]

Mary Kelly Foy (City of Durham) (Lab): What recent assessment he has made of the effectiveness of the NHS Test and Trace service. [907105]

Karl Turner (Kingston upon Hull East) (Lab): What recent assessment he has made of the effectiveness of the NHS Test and Trace service. [907110]

Rachael Maskell (York Central) (Lab/Co-op): What recent assessment he has made of the effectiveness of the NHS Test and Trace service. [907113]

The Minister for Care (Helen Whately): NHS Test and Trace was launched in May. Four months later, more than 150,000 people who have tested positive for covid-19 have been contacted, and 450,000 of their contacts have been reached so that they can self-isolate. We have tested more than 7 million people at least once, and many, such as care home workers, more than once. Rapid expansion brings with it challenges. Working with local authorities, we will continue to improve test and trace, as it is an important part of our armoury to defeat this virus.

Helen Hayes: As a co-chair of the all-party parliamentary group on adult social care, I meet weekly with a working group drawn from across the care sector. Providers on that group report that they are still experiencing delays in receiving weekly test results, still have no routine access to weekly testing for domiciliary care workers or staff working in supported living environments, and urgently need regular testing for family members to alleviate the terrible isolation of care home residents from their loved ones. When will the care sector have all the access to testing that it needs on a reliable basis to stop the second wave of coronavirus delivering the utter tragedy and devastation of the first to the care sector?

Helen Whately: I thank the hon. Member for her question and for the work that she does with the APPG, which I joined recently for a very valuable conversation. Supporting care homes through the pandemic and in the months ahead is absolutely our, and my, priority. One part of that is ensuring that they have the testing that they need. We are getting regular repeat testing to care homes. I acknowledge that the turnaround times have not been what we would have liked them to be, but those turnaround times are coming down and we are seeing a rapid improvement in performance.

Mary Kelly Foy: This week, the president of the Association of Directors of Public Health said that the funding is just not there for local authorities to effectively run local contact tracing. Where it has been done, at a cost to the local authority, evidence shows that local teams were more likely to be successful in contacting people than the national tracers in tiers 2 and 3. Can the Minister tell me why the Government keep insisting that the current track and trace system is working when public health professionals are telling them the opposite?

Helen Whately: I thank the hon. Member for her question. I am sure she will know that local authorities received £400 million to support them with local outbreak management. It is really important to have this coming together of the national system and the local system, where local authorities are indeed playing an important part, using their local knowledge to follow up with contact tracing, particularly for some of the contacts that are proving harder to reach.

Karl Turner [V]: Schools in my constituency are having to close, disrupting children's education and the work of their parents. Serco's test and trace has been an unmitigated disaster. It is more than an extraordinary waste of public money; it is a public health crisis. To make matters worse, Ministers signed off a wholly inappropriate Excel spreadsheet, blowing billions and leaving thousands of contacts untraced. When I asked the Secretary of State last week when he was going to take personal responsibility, he simply boasted that the system was working brilliantly. When does the Minister think her boss, the Secretary of State, will begin to take personal responsibility for this fiasco?

Helen Whately: There was quite a lot in that question. One thing I will say on schools is that enabling our children to continue to go to school is very much part of the whole strategy that we are using to tackle and suppress coronavirus, because education is so important. On the specific test and trace system to which the hon. Member refers, the Secretary of State spent an hour and a half in the Chamber yesterday answering colleagues' questions about the performance of that system.

Rachael Maskell: In the light of the fact that infection levels in York have risen from 63.1 cases per 100,000 to 143.9 cases per 100,000 in just the past seven days, the local public health team is working with the university and local labs, and together they have put together a programme whereby they can test, process the testing and do contact tracing. This is a testing service that works for York, with test results the next day and tracers who understand local population flows. Will the Minister put the necessary resources in place to enable them to do their work and allow this to happen, because this is surely the game changer we need to beat this virus?

Helen Whately: Well, it is very good to hear of the set-up in York that the hon. Member describes. What I can do is take that away and follow it up to ensure that there is joint working, which we know is a really effective way to bring together national resources with the local resources, expertise and knowledge that are so important in tackling this virus.

Dr Philippa Whitford (Central Ayrshire) (SNP) [V]: With covid, speed is of the essence, but people are struggling to get a test due to limited capacity at the Lighthouse labs. New labs were due to open in Newport in August and in Loughborough last month, but both are delayed. As NHS labs are having to take on more testing, can the Minister say what additional funding will be provided specifically to increase NHS lab capacity?

Helen Whately: The context is the huge increase in the testing capacity of our system that we have already seen, rising from about 2,000 tests a day back in March to well over 200,000 a day now and building up to 500,000 by the end of this month. I also note both the Lighthouse labs—what is known as the pillar 2 testing system—and the important part that NHS testing facilities play in the pandemic; and of course the hon. Member will know that a huge amount of money has been and is going into the NHS to support its response to covid.

Dr Whitford [V]: Scotland's public health-based tracing service has reached over 95% of contacts, yet four months on, the Serco system in England has still only reached 61%. As finding contacts and getting them to isolate is critical to reducing covid spread, should not tracing in England now be based more on local public health teams?

Helen Whately: It may be helpful to say that, since the NHS Test and Trace system started, it has contacted 78.5% of those who have tested positive, and then 77% of their contacts have been reached. There is an important part of the system where the national contact tracers are handing over to local authority contact tracers who are able to access the same system and are supported in contact tracing but, critically, are also using their local knowledge of the local area to increase the success rate. It is really important that people are reached wherever possible and advised to self-isolate.

May I also say how much I appreciate and thank all those who are doing the right thing by self-isolating, both those with symptoms and those who have been contacted by contact tracers?

Justin Madders (Ellesmere Port and Neston) (Lab): I am not going to ask about the current problems with test and trace, because it is clear from what we have heard already that the Government have no answers on that. Instead, I will ask about the so-called moonshot tests and Dido Harding's comments that some people will have to pay for them. When the Prime Minister was given a chance in the Chamber, a fortnight ago, to deny that was on the table, he did not take it. We have real concerns about creating a two-tier system for tests whereby some people have to pay. It undermines a fundamental principle of the NHS and will do nothing to stop the spread of the virus. Will the Minister give us a definitive answer today? Are some people going to have to pay to access the moonshot tests, yes or no?

Helen Whately: I do not recognise the hon. Gentleman's suggestion that there could be a two-tier system. What we have in place is a universal system whereby everybody who has symptoms is able to access a test. As he well knows, where we know there are particular risks, such as in care home settings, there are also tests for those who do not have symptoms so that we can pick up outbreaks early. A huge amount of resource and investment is going into developing new technologies for testing—easier testing, quicker tests and tests that can be done at greater scale—because this is all part of building up our testing capacity, so we can suppress this horrid virus.

Education, Health and Care Plans

Chris Loder (West Dorset) (Con): What discussions he has had with the Secretary of State for Education on ensuring that education, health and care plans are linked effectively with the healthcare system. [907104]

The Minister for Care (Helen Whately): Education, health and care plans identify the support needs of children and young people across those three areas. Local authorities and health bodies are required to jointly commission the services. The Government are currently undertaking a review of the special educational needs and disability system, and I am working on this with my ministerial counterpart in the Department for Education.

Chris Loder: I thank the Secretary of State and Ministers for their focus on Dorset County Hospital in the recent investment announcements, but in my West Dorset constituency, there are totally unacceptable waiting times of up to two years for EHCPs for children and their parents. That is totally unacceptable. They face the most difficult of situations and, I am afraid, are losing hope. Will the Minister help me in supporting these desperate children and parents who need to get their EHCPs done?

Helen Whately: My hon. Friend makes an important point about the need for children and young people to have, as soon as possible, the support that can help them, and about the waiting times for these plans. There are two things I can say in response. First, in the context of covid, NHS England has made it clear to NHS organisations that they must restart and restore services that support children and young people with EHC plans and in the assessments for those plans. Secondly, in the review of the SEND system, we are indeed looking at how we can address some of the problems in the system and achieve better integration across health, care and education.

Breast Screening

Kim Johnson (Liverpool, Riverside) (Lab): What steps he has taken to ensure the continuation of breast screening during the covid-19 outbreak. [907106]

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): Women at greatest risk of breast cancer continue to be prioritised for screening. The NHS has worked hard and has significantly reduced the backlog of delayed breast screening appointments from over 468,000 in June to under 52,000 in September. All services have now been restarted and, in Breast Cancer

Awareness Month, the message is clear: when you get a screening invite, please attend; if you are worried about anything, contact your general practitioner.

Kim Johnson: Breast screening appointments were paused during the height of the pandemic. Breast Cancer Now has estimated that 986,000 women across the UK missed their mammograms, and it estimates that, as a result, there could be 8,600 women living with undetected breast cancer. With this being Breast Cancer Awareness Month, what steps is the Secretary of State taking to address the gaps in provision of specialist breast cancer nurses recently highlighted by Macmillan Cancer Support?

Jo Churchill: I thank the hon. Lady for her question. Cancer nurse specialists are a particular interest of mine, and the long-term plan identifies that everybody deserves to have personalised care from a cancer nurse specialist. We did see the rate decline from 91% in 2018 to about 89% in 2019, and we are focused on making sure that everybody has a cancer nurse specialist. We promised it in the long-term plan and it is our ambition to deliver that personalised care to every woman. As I have outlined, the backlog of breast cancer screening has gone down but, again, I urge women who are called for screening to come forward. It is safe and, as with me, it could make all the difference.

Local Restrictions: Reducing Covid-19 Transmission

Bill Esterson (Sefton Central) (Lab): What assessment he has made of the effectiveness of local restrictions on reducing the rate of transmission of covid-19. [907107]

Owen Thompson (Midlothian) (SNP): What assessment he has made of the effectiveness of lockdown restrictions on limiting the second wave of covid-19. [907108]

Judith Cummins (Bradford South) (Lab): What assessment he has made of the effectiveness of local restrictions on reducing the transmission of covid-19. [907115]

The Secretary of State for Health and Social Care (Matt Hancock): I chair the Government's local action gold committee, which considers the latest data and advice from experts, including epidemiologists and the chief medical officer, and the Joint Biosecurity Centre. Through this process, we consult local leaders and directors of public health. We have seen local actions in some parts of the country bring the case rate right down, and we need to make sure that we are constantly vigilant in relation to what needs to happen to suppress this virus.

Bill Esterson [V]: Yesterday, the Health Secretary told me:

“we have been putting the extra money into...councils”—[*Official Report*, 5 October 2020; Vol. 681, c. 637.]

What money is that? He announced £7 million, split between nine councils, as compared with £12 billion for Serco. That is not putting the extra money into councils, is it? So may I ask him to show respect for Members of this House and, more importantly, for our constituents, and answer the question: when is he going to stop relying on the outsourcing giants and support local public health teams with the funds they need, because that is how he and this country are going to fix test, trace and isolate?

Matt Hancock: We are, as the hon. Gentleman said in his question, putting money into local councils in areas where local action needs to be taken. We have an open dialogue with councils and local mayors about what needs to be done. But I urge him, on behalf of all of his constituents in Sefton, to recognise that it is better to support the whole effort to control this virus, not just part of it.

Owen Thompson: The Mayor of London has warned that the virus is now spreading widely again across London, although vital knowledge is being hampered by the problems with test and trace. Are the Government now looking at introducing wider restrictions across London? As a matter of interest for this House, will the Cabinet Secretary, as a part of that, commit to reintroducing a hybrid Parliament in such a situation?

Matt Hancock: I discuss these matters with the Cabinet Secretary and other colleagues across government all the time, and I also speak regularly to the Mayor of London. We maintain vigilance over the transmission of the virus right across the country.

Judith Cummins: Can the Secretary of State answer a very simple question: what rate of infection means that a local authority needs to go into local restrictions and what rate means that it can leave them? Of course I accept that there will sometimes be very specific circumstances, such as workplace outbreaks, that would need to be considered, but surely it is not beyond his level of competence to do both, because my constituents deserve to know when they can see their families.

Matt Hancock: Of course the hon. Member's constituents and all those who are under local action restrictions yearn to see their families. We all yearn to be able to get back to the normal socialising that makes life worth living, but I am afraid that the answer to her question is in the question: because of specific local circumstances, such as outbreaks in a workplace or a hall of residence, it is not possible to put a specific number on the point at which a judgment is made to put in place local restrictions, which we do in consultation with the council, or to take an area out of them.

Student Lockdown: Access to Care

Lilian Greenwood (Nottingham South) (Lab): What steps he is taking with the Secretary of State for Education to ensure that university students with (a) cystic fibrosis and (b) other long-term health conditions who are required to self-isolate on campus as a result of the covid-19 outbreak have access to essential (i) medication, (ii) dietary provision and (iii) medical care. [907109]

The Minister for Care (Helen Whately): Universities have a duty of care to support students who are required to self-isolate. The Department for Education is working with universities to make sure that where an outbreak occurs, support is in place. That includes ensuring that students with cystic fibrosis and other long-term health conditions who are self-isolating have access to the food, medicine and medical care they may need.

Lilian Greenwood: Self-isolating students throughout the country, and their understandably worried parents, are reporting problems with accessing food, drinks, exercise and other support. That is completely unacceptable

for any student, but for those with cystic fibrosis, who often need high calorie requirements to stay well, access to regular food supplies is absolutely essential for their health. What is the Minister doing to ensure that students with CF who are required to self-isolate at university and have previously shielded are able to access priority supermarket delivery slots? Many will have relied on their parents' accounts when they were at home. What other action is she taking, in partnership with universities and the Department for Education, to ensure that every student with CF who finds themselves in lockdown is supported in respect of their healthcare needs?

Helen Whately: The hon. Lady asks a really important question. Clearly, it is a difficult time for students starting university now, but particularly for those with long-term health conditions such as cystic fibrosis. Overall, as she knows, the context is that we are prioritising education. We do not want students to put their life on hold, but we do want them to be supported by their university, particularly if it is harder for them to self-isolate because of health conditions. I am in regular contact with the Minister for Universities and will take up with her the specific questions about support for students with cystic fibrosis and access to supermarket deliveries. If the hon. Lady would like to raise any specific case with me, she should let me know, and I will take it up with the Minister for Universities.

Covid-19 Laboratory Testing Capacity

Gordon Henderson (Sittingbourne and Sheppey) (Con): What steps his Department is taking to increase covid-19 laboratory testing capacity. [907111]

The Secretary of State for Health and Social Care (Matt Hancock): As part of the drive towards the capacity target of 500,000 tests a day by the end of October, we have announced additional Lighthouse labs as part of the national lab network, and work is ongoing to expand the UK's lab capacity inside the NHS.

Gordon Henderson: The Lighthouse labs do not appear to be delivering sufficient test results. Schools and care homes in my constituency are still having to wait an unacceptably long time for covid-19 test results, and the delays are making it difficult for them to operate properly. What is my right hon. Friend doing to make better use of the many life science companies in Kent, including those at Discovery Park in Sandwich and at the Kent Science Park in my constituency of Sittingbourne and Sheppey? Those companies have laboratories in which some of the tests taken in Kent could be analysed.

Matt Hancock: We are increasingly contracting with labs like the ones my hon. Friend mentions—as well as the Lighthouse labs, which have huge capacity—to make sure that we can both increase capacity and reduce the turnaround time. I am glad to say that the latest figures for the past week showed that the turnaround time is coming down, which is important in Kent and right throughout the country.

Mental Health Service Provision

Ian Lavery (Wansbeck) (Lab): What steps he is taking to equalise the provision of resources allocated to mental health services for (a) children and (b) young adults. [907112]

The Minister for Patient Safety, Mental Health and Suicide Prevention (Ms Nadine Dorries): As I said in an answer to the hon. Member for Tooting (Dr Allin-Khan), we are committed to spending on children and young people's mental health services, which is growing faster than the overall spend on mental health, and the overall spending itself is growing faster than the NHS budget.

Ian Lavery [V]: See, Hear, Respond, a new service managed by Barnardo's in response to covid-19, to provide early intervention support for families and children in crisis, has received more than 11,000 referrals since June. The majority of children and young people referred need support for their mental health and wellbeing. What early intervention measures have been introduced? Are they enough? Does the Minister agree that early intervention measures are key to tackling the increase in children and young people's mental health and wellbeing needs?

Ms Dorries: I could not agree with the hon. Gentleman more. The Government's £8 million Wellbeing for Education Return programme, which is to support staff to respond to the emotional, mental health and wellbeing pressures that some children have experienced during the pandemic, is in place. As I have said, the last train the trainer session took place last week and those trainers are ready to go into primary schools to assist both teachers and parents to recognise when children display early signs of emotional distress or mental health issues as a result of the pandemic. I have been working closely with the Under-Secretary of State for Education, my hon. Friend the Member for Chelmsford (Wicky Ford), to ensure that this programme is in place to address exactly the needs that he has highlighted.

Long Covid

Mr Alistair Carmichael (Orkney and Shetland) (LD): What steps he is taking to support people with long covid. [907116]

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): I am sure that the right hon. Gentleman would welcome yesterday's announcement that the National Institute for Health and Care Excellence and the Scottish Intercollegiate Guidelines Network will work with the Royal College of General Practitioners to develop guidelines to support patients and practitioners in the treatment of and recovery from the disease. This follows on from the NHS launch in July of the Your COVID Recovery service, which provides personalised support for individuals. In addition, we are funding research into covid-19, including a study of 10,000 patients who were admitted to hospital with covid, building our understanding of the long-term effects and helping direct those improved treatments that are needed.

Mr Carmichael: I thank the Minister for that helpful and comprehensive answer. If she has not already read it, may I commend to her the most recent edition of *The Doctor*, the British Medical Association magazine, which outlines several compelling case studies of GPs who are still suffering, some up to six months after they first contracted covid? There is a growing body of evidence that a number of people continue to suffer with this months after it has been contracted, in a quite

debilitating way. Will the Minister build on the work that she is already doing and make the case to the Treasury and the Department for Work and Pensions in particular to ensure that all those who suffer from long covid get the support that is necessary for them?

Jo Churchill: I thank the right hon. Gentleman for his question, and I will read the document that he mentions with interest. It is a new disease on which we are still gathering evidence and data, so that we know how we can best support individuals in their recovery and, arguably, in their new covid-tinged life. I assure him that that is precisely what I shall be doing—looking at the evidence base and making sure we work with the colleges and general practitioners to ensure that we get the right answers.

Adult Care: Covid-19

Miss Sarah Dines (Derbyshire Dales) (Con): What steps his Department is taking to support the adult care sector during the covid-19 outbreak. [907117]

Fiona Bruce (Congleton) (Con): What steps his Department is taking to support the adult care sector during the covid-19 outbreak. [907119]

Scott Mann (North Cornwall) (Con): What steps his Department is taking to support the adult care sector during the covid-19 outbreak. [907120]

Danny Kruger (Devizes) (Con): What steps his Department is taking to support the adult care sector during the covid-19 outbreak. [907127]

The Minister for Care (Helen Whately): We have sweated blood and tears to support the sector through this pandemic. Last month, we launched the adult social care winter plan, with regular testing for care home staff and residents, free personal protective equipment and mandatory infection prevention and control measures for care providers, supported by £546 million of Government funding. I am enormously grateful to all those on the frontline in social care. I recognise the challenges that they have faced and how many feel daunted by the winter ahead. I say to care workers: “I cannot thank you enough for what you do and I am with you every step of the way.”

Miss Dines: I have been contacted by Ann Penrose, who is 91, in good health and in a care home in Ashbourne, Derbyshire Dales. She asked her family to contact Boris, but sadly she got me. Does the Minister agree that the time has come to look very carefully at what is happening in care homes to review the existing measures, routines and guidelines, bearing in mind that we are testing so much now? We need to have a bit more humanity. We are in danger of throwing the baby out with the bathwater. These people need their families—yes, in a safe environment, but they do need to have access to families and, at times, to their pets.

Helen Whately: My hon. Friend makes an important point about the importance of visiting both to the individuals living in care homes, and to their families and friends. Achieving the balance between protecting care home residents from the risk that covid might be brought into the care home, where it is so hard to control, and giving them access to visitors has been one of the hardest areas to get right over the past few months.

That is why in the summer we issued guidance on safe visiting and gave more freedom on the decisions about visiting to local authorities, with directors of public health working with care homes. I want us to continue to support and enable safe visiting for care homes.

Mr Speaker: Order. We have to get through this grouped set of questions, and it is going to take us well into topicals time; the Minister really does need to speed up on the answers.

Fiona Bruce: I thank the Minister for the social care winter plan announced two weeks ago. Can she tell me when this half a billion pound infection control fund will be released to councils covering constituencies such as mine in Congleton, in order to help protect residents and staff over the winter?

Helen Whately: The infection control fund is being distributed in two equal instalments, the first of which has already been paid to local authorities. My hon. Friend’s local authority, Cheshire East Council, will be receiving £4.7 million in total, so it should already have received £2.35 million to go towards the extra costs for care providers and others in infection prevention and control.

Scott Mann: As always, I commend the Department and the Secretary of State on their work during the pandemic. Although not every part of the response has been perfect—and we never expected that it would be—I am convinced that the Department has done its utmost to protect the public. I do have some concerns, however, about the transmission of covid between care homes. What measures has the Department taken to prevent cross-contamination of covid between care homes, particularly from staff who work in multiple locations?

Helen Whately: I thank my hon. Friend for his comments, but most of the credit should go to those working in social care, who have been looking after some of the most vulnerable people in our society in such difficult circumstances. He is right that it is really important that we ensure that there is no transmission between one care home and another, which is why we are requiring care homes to make sure that their staff work in only one setting and are providing additional funding to enable them to do this.

Danny Kruger: Care homes are rightly the focus of our attention at the current time, but I know that the Minister is reviewing the future of social care. Does she agree that our focus in that regard should be on more community-based services, not solely on residential provision? Will she also set my mind at ease by ruling out the creation of a new national care service run from Whitehall?

Helen Whately: First, may I congratulate my hon. Friend on his recent report on levelling up our communities? As he said, care homes have indeed been the focus of our social care response to the pandemic, but I would not want anyone to think that that was the limit of our support for social care during the pandemic; the winter plan also includes support for domiciliary care and supported living, for instance. I agree with him that as we look to the future, we should support the aspiration that most people have to live independently, with their own front door, well into their old age. There are no plans to create a national care service run from Whitehall.

Liz Kendall (Leicester West) (Lab): Families with loved ones in care homes are desperate to start visiting again, but are banned from doing so in swathes of the country with extra restrictions. The Government's own carers advisory group says that visits are essential for residents' health, and that, to make them safe, relatives should be treated like key workers—with regular testing. Will the Minister now please put that testing in place and lift the blanket ban on care home visits in lockdown areas, so that we can help to bring all families back together again?

Helen Whately: The hon. Member makes an important point, as did my hon. Friend the Member for Derbyshire Dales (Miss Dines) a moment ago, about the importance of visiting for those in care homes, and for their relatives and loved ones. We are striking the difficult balance between protecting those in care homes and ensuring that they have visits wherever possible, but these visits must be done safely. I have heard from the sector about the aspiration for some family members to be treated as care workers—for instance, if they visit the care home regularly. As we expand testing, I very much intend that we should test some visitors—and am making the case for doing so—but it is all part of how we expand and use our testing resources.

Topical Questions

[907159] **Tonia Antoniazzi** (Gower) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health and Social Care (Matt Hancock): On Friday we confirmed the 40 hospitals we will build by 2030 as part of a package worth £3.7 billion, with a further eight new schemes also invited to bid, all to ensure that we protect the NHS long into the future.

Tonia Antoniazzi [V]: All I want from the Secretary of State today is a simple yes or no answer. It has come to light that the Northern Ireland authorities have taken unprecedented action and committed to pay for private prescriptions for medical cannabis for severely ill children. Will he do the right thing and follow the example set in Northern Ireland in supporting other children with intractable epilepsy by paying for their private prescriptions—yes or no?

Matt Hancock: The hon. Lady has long been a campaigner on this subject. We have made significant progress in terms of expanding access where it is clinically safe to do so. On this, as on so many things, I will make sure that I constantly follow the clinical evidence.

Jeremy Hunt (South West Surrey) (Con): My right hon. Friend knows that for every person who tragically dies from coronavirus, at least one other person has long-term symptoms lasting more than three months, meaning that they have breathlessness and chronic fatigue and often cannot go back to work normally. In his letter to me of 14 September, he said that clinics were going to be set up so that those people could get mental health support, face-to-face counselling and rehabilitation. Have those clinics been commissioned, and when will those long covid sufferers be able to access them throughout the country?

Matt Hancock: My right hon. Friend makes an incredibly important point. I know very well the impact of long covid; it is something that I understand deeply. We are in the process of setting up those clinics and there will be further information on this very shortly.

Jonathan Ashworth (Leicester South) (Lab/Co-op): Given that the Office for National Statistics has said today that deaths have increased three weeks in a row, and given the rising prevalence of the virus, can the Secretary of State understand the upset and the anger over the Excel spreadsheet blunder? Can he tell us today what he could not tell us yesterday: how many of the 48,000 contacts—not the index cases, the contacts—have been traced and how many are now isolating?

Matt Hancock: We have obviously been continuing to contact both the index cases and the contacts. The total number of contacts depends on how many contacts each index case has. That information will of course be made available in the normal way when it has been completed. However, we cannot know in advance how many contacts there are because the interviews with the index cases have to be done first.

Jonathan Ashworth: So essentially thousands of people who have been exposed to the virus could be wandering around not knowing they have been exposed and infecting people, and the Secretary of State cannot even tell us if they have been traced.

Let me move on to something else. I listened carefully to what the Secretary of State said about a vaccine yesterday in light of the news that the Government are aiming to vaccinate about 30 million people—just under 50% of the population. There has been an expectation that the whole of the population would be vaccinated, not least because he said at the Downing Street press conference that he “would hope, given the scale of the crisis, we would have the vaccine and everyone would be given the vaccine.” Those are his words. We accept the clinical guidance. However, can he tell us how long it will take, for the 50% of people who will not be vaccinated, for life to return to normal for them?

Matt Hancock: As the hon. Gentleman well knows, decisions on the distribution of any vaccine have not been taken. The Joint Committee on Vaccination and Immunisation is the body that advises the Government on the appropriate clinical prioritisation of vaccines. It has published an interim guide, which he well knows about and which we have discussed. That sets out the order of priority as an interim measure, but we await the data from the clinical trials of the vaccine before coming to a clinically validated full roll-out plan. We are putting in place the logistical plans now, but on the decisions as to the clinical order of priority, we will take the evidence from the Joint Committee.

Mr Speaker: Order. Can I just say to those on both Front Benches that these are meant to be short and punchy topical questions, not full debates?

[907160] **Jo Gideon** (Stoke-on-Trent Central) (Con): With many GPs adapting to coronavirus guidelines by holding surgeries outside, often in car parks, one of my constituents was left feeling embarrassed and upset by having to discuss a sensitive and personal health issue within

earshot of other patients waiting in line. Does my right hon. Friend agree that in times when alternative methods are replacing the usual privacy of face-to-face appointments behind closed doors, GPs must be sensitive to the whereabouts and comfort of their patients to ensure that others do not have the same experience as my constituent?

Matt Hancock: Yes, I wholeheartedly agree with my hon. Friend, who speaks well for her constituent. I am very sorry that her constituent had that experience, and of course GPs should be sensitive, as the large majority are.

[907161] **Colleen Fletcher** (Coventry North East) (Lab): The implications of coronavirus include rising levels of loneliness, which can impact on mental health and physical wellbeing while increasing pressure on the NHS. Last Friday, I visited Henley Green community centre in my constituency of Coventry North East and saw the work it is doing with health services to combat loneliness and deliver positive health and wellbeing outcomes. What resources can the Government provide to accelerate the spread of such social prescribing schemes so that community groups can deliver tailored local support to tackle this growing problem?

Matt Hancock: I pay tribute to the group that the hon. Lady mentions. I have put a huge amount of effort into supporting social prescribing, including with funding, and I encourage her CCG to engage with such bodies to make sure that we can get funding to support them on the frontline.

[907167] **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): At the start of this pandemic, in the first lockdown, abortion services were relaxed to allow women to access the service from home, but I am particularly worried about the effect that has had on those women who are particularly vulnerable, subject to abuse or in coercive relationships. Now that we know that the risk to women of childbearing age from attending a face-to-face appointment is extremely low, what assessment has my right hon. Friend made of the ongoing need to continue in this way?

Matt Hancock: The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Bury St Edmunds (Jo Churchill) has committed to consult on the subject to make sure we get to the right outcome.

[907162] **Kate Osamor** (Edmonton) (Lab/Co-op) [V]: This Government have repeatedly refused to meet the group representing covid-19 bereaved families. I met the group last week, and they confirmed that they are not in litigation with the Government and never have been. They simply want to put across the concerns of thousands of people who have lost loved ones to coronavirus, so will the Minister now commit to meeting the group and hearing their concerns at first hand?

Matt Hancock: Of course I have met and continue to meet the families of those bereaved through coronavirus. With this particular group, I am afraid that when I last looked into it, they were in legal action—in pre-action protocol—with the Government, so I am advised that I should not therefore meet them.

[907169] **Mr Simon Clarke** (Middlesbrough South and East Cleveland) (Con): It is important that communities, such as mine in Middlesbrough, can see a way out of the tighter local restrictions that have now been imposed. Notwithstanding my right hon. Friend's earlier, very reasonable answer to the hon. Member for Bradford South (Judith Cummins) about the impossibility of setting hard metrics for the release from lockdown, can he set out what would constitute a path out? Does it include, for example, a sustained fall in transmission rates?

Matt Hancock: The level of cases matters, but so too does the direction of travel, and when the number of cases is falling—especially if it is falling rapidly—that is the sort of indicator that we will look at. One example is the action we took in Leicester a few months ago now, where we removed some of the most restrictive measures as the numbers were coming down sharply.

[907163] **Ian Lavery** (Wansbeck) (Lab) [V]: Please, please, Secretary of State, my constituents need extra support. Despite the outstanding efforts of the staff at Northumberland County Council, covid-19 is running rife through our towns and villages. Since stricter local lockdown measures were introduced, we have seen a huge increase in transmission levels. Parts of Ashington, Bedlington, Morpeth and Newbiggin have seen rates of almost 500 per 100,000. Secretary of State, please help us.

Matt Hancock: I am very worried about the rates of transmission in the north-east, as I am about parts of the north-west of England. I look forward to working with the hon. Gentleman and colleagues from across the regions affected to take the action necessary to suppress this virus and to support the economy, education and the NHS right across this land.

[907168] **Suzanne Webb** (Stourbridge) (Con): I have first-hand experience of how effective the app has been, as it has kept my father covid-free before he goes into hospital tomorrow. Could my right hon. Friend update the House on the success of the app and advise me of what more Members can do to ensure that the covid-19 app continues to keep us all safe, including my father?

Matt Hancock: The covid-19 app has now been successfully downloaded by around 15 million people, including my hon. Friend's father. Every extra person who downloads it helps to keep themselves safe and keep others safe. I urge everybody in this House to download it—I hope you have, Mr Speaker. It is one of the tools in the armoury, and everybody can play their part in keeping this virus under control by downloading the app.

[907164] **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): As you can imagine, Mr Speaker, I was astounded to be told that people living in Devon were being advised to go to Inverness for a covid test. Can the Secretary of State reassure me that a truly collaborative effort is being made by Her Majesty's Government and the Scottish Government to beat this virus?

Matt Hancock: Yes, absolutely. The testing facilities are one example of that. Testing facilities across the UK work very closely with the Scottish NHS, to ensure that

people can get a test as close to them as possible. I think we have reduced the problem of people being sent to Inverness, but we continue to work to increase the capacity in Inverness and right across the country.

[907171] **Andrew Percy** (Brigg and Goole) (Con): Partly in response to large queues and hours-long waits for tests in Canada, Health Canada has followed the US Food and Drug Administration in approving rapid testing, such as the ID NOW test, which can give a result in 15 minutes. Can the Secretary of State update us on where we are with the roll-out of rapid testing?

Matt Hancock: We are making good progress in validating the tests and in doing what needs to be done to be able to use them effectively. I have seen some of these reports from around the world, and I talk regularly to my opposite numbers about how we can get this sort of next-generation testing going.

[907165] **Jessica Morden** (Newport East) (Lab): With Spina Bifida Awareness Week coming up, can the Secretary of State say when the Government will respond to the consultation on putting folic acid into flour? It is a move that could help to reduce the number of babies born with defects of the spine, and it is important to hear when that might happen.

Matt Hancock: I am a strong supporter of the work we have done to look at that approach. The hon. Lady is right to raise it, and I will write to her with a timetable for that response.

[907173] **Mary Robinson** (Cheadle) (Con) [V]: Positive outcomes are more likely when cancer is detected early through breast screening, and evidence suggests that take-up of screening is generally higher when mobile units are used, yet women in Heald Green have missed out on local screening and been directed out of Cheadle to Macclesfield. It is the second time that their three-yearly checks have been disrupted, potentially affecting uptake and risking cancers going undetected. Will the Secretary of State agree to meet me to discuss ways to address the situation in Stockport and give women in my constituency access to the local mobile screening units they need?

Matt Hancock: Yes, of course I would. I would underline some news announced by the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), which is that the breast screening backlog from the first peak,

which was 450,000, is now down to just over 50,000. I pay tribute to the NHS and all those involved in screening who have done so much work to bring that backlog down, and I am very happy to meet my hon. Friend to discuss this subject.

[907172] **Patrick Grady** (Glasgow North) (SNP): The pharmaceutical industry has highlighted supply difficulties due to covid-19 as a challenge to recreating stockpiles before the end of the transition period in December. How will the Secretary of State ensure that there are no drug shortages, particularly of medicines such as insulin, which is not produced in the UK?

Matt Hancock: A huge amount of work is under way to ensure that we are fully prepared for all eventualities this winter. It is an important piece of work across the Department.

[907174] **Anne-Marie Trevelyan** (Berwick-upon-Tweed) (Con): I would like to thank the Secretary of State for his commitment to Northumberland hospital investment, with the Northgate Hospital investment announced last week. Does he agree that rural hospitals such as Berwick Infirmary—one of the most rural English hospitals—are places to develop the technology to enable us to reach many more patients, without them having to travel long distances to get to hospital?

Matt Hancock: We have ended where we started this questions session: with my delight at a new hospital that has been funded and announced by the Prime Minister on Friday—Newgate in Northumberland. That is a very important development. My right hon. Friend makes a wider point about the importance of community hospitals, which are local to where people live. With modern advances in technology, we can deliver more services closer to people's homes and in people's homes, and then in community hospitals, while of course needing to build those superb hubs of science and care that our great hospitals are.

Mr Speaker: In order to allow the safe exit of 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.

12.35 pm

Sitting suspended.

Areas with Additional Public Health Restrictions: Economic Support

12.39 pm

Anneliese Dodds (Oxford East) (Lab/Co-op) (*Urgent Question*): To ask the Chancellor of the Exchequer if he will make a statement on economic support available to individuals and businesses in areas of the country subject to additional public health restrictions.

The Chief Secretary to the Treasury (Steve Barclay): The decision to extend tighter lockdown measures to the Liverpool city region, Warrington, Hartlepool and Middlesbrough was based on the latest health evidence, including advice from the chief medical officer and local public health authorities. The resurgence of the virus has demanded further action to minimise harm to health and wellbeing, while preserving the ability of people to work and businesses to trade in the areas affected. That is why, throughout this crisis, we have sought to strike a balance between minimising the burden faced by businesses and protecting public health. To that end, we have provided one of the most generous and comprehensive packages of support for people, businesses and public services, totalling £190 billion by July.

As the path of the virus and the threat to the economy have become clearer, we have taken further decisive action. Last month, the Chancellor announced the winter economic plan—a package of targeted measures to protect jobs and businesses, including the job support scheme to support the wages of employees in viable jobs and an extension of the self-employment income support scheme to the end of April 2021. We are also continuing the temporary reduction in VAT for hospitality until the end of March 2021 and the Government-backed loan schemes until the end of November this year. We are also providing an additional £100 million in surge funding to support the hardest-hit areas in containing covid-19. That is on top of the £300 million provided through the test and trace programme. We are offering grants to businesses that have been required to shut because of the new measures, worth up to £1,500 for each three weeks of closure.

Throughout this pandemic, we have prioritised a flexible and adaptable approach to economic support. We will continue in that spirit, and we stand ready to evolve our policies as required.

Anneliese Dodds: Thank you, Mr Speaker, for your courtesousness and patience, as always.

Seventeen million people—one in four of us—are living under additional covid-19 restrictions. That was not inevitable: experts agree that it is linked to the continuing failure to deliver a functioning test, trace and isolate system. That failure has profound economic consequences and puts businesses and jobs at risk. Today, nearly 1 million people are still on furlough in the areas of the country that are subject to local restrictions or are on the watch list.

Support for local areas has only ever come after restrictions have been imposed—for example, a month later in Leicester's case. There are leaked suggestions that the Treasury will be involved in decision making around restrictions, potentially to prevent such delays.

When will the Government finally be in a position to deliver support hand in hand with the imposition of restrictions, not trailing them?

The response has been inconsistent: £3 million for Leicester, £7 million for the Liverpool city region, an undefined funding package for the north-east of England and nothing for Greater Manchester or the west midlands. What criteria determine the allocation of support to areas under local restrictions? Will they be published? If not, why not? Do they truly reflect the needs of areas subject to restrictions? I note that the Chief Secretary did not talk at any point in his statement about support for areas with economic needs, not health needs. He referred to the local restrictions support grant, but can he confirm that no area currently qualifies for that grant because of current restrictions?

The millions of people living under local restrictions deserve better. When will the Government grasp the scale of the challenge and act to recover jobs, retrain workers and rebuild businesses?

Steve Barclay: The shadow Chancellor almost implies that the resurgence of the virus is unique to the United Kingdom, yet anyone who looks across the continent will see that many other countries, as we come out of the summer period, are seeing exactly the same trend and are dealing with it in many of the same ways as we are in the United Kingdom.

The hon. Lady says that support has not been offered to those suffering from economic harm, but that ignores, for example, the announcement that I made in the Chamber some weeks ago about the £1,500 of support for businesses for every three weeks of closure as the result of a local lockdown—[*Interruption.*] Hon. Members should let me answer, rather than chuntering from a sedentary position.

The hon. Lady also ignores the fact that my right hon. Friend the Chancellor has extended many of the measures that we introduced in our initial response, including the package of loans, the tax deferrals and pay as you grow. Those are universal offers to support businesses, irrespective of whether they are in areas of acute lockdown or otherwise.

As I said at the start, and as my right hon. Friend the Chancellor said yesterday, we will keep listening, and we will keep striving to be creative in response to the challenges that we face. Where we can, he will act. That shows our willingness to adapt. The package of measures that my right hon. Friend the Chancellor brought to the Chamber just a few days ago, with the winter plan, illustrates that willingness to listen, to evolve and to respond to the virus, as the economic needs of the country dictate.

Mel Stride (Central Devon) (Con): [V] Local restrictions are inevitably impairing many thousands of businesses in those areas, but some businesses are not just being impaired: because of the regulations, they are simply unable to trade. I am thinking about many companies in the hospitality sector—events companies, hotels, nightclubs and many more. Would my right hon. Friend recognise that and come forward with a specific set of support packages for those businesses, which the regulations basically stop dead in their tracks? In that way, the many thousands of jobs in those businesses, which are otherwise entirely viable, can be saved.

Steve Barclay: The Chair of the Treasury Committee raises an extremely pertinent point, which I know my right hon. Friend the Chancellor has heard loud and clear. That is why we have seen repeatedly in the measures that the Chancellor has brought forward a targeting—particularly, as the Chair of the Select Committee says, in areas such as the hospitality sector, which, as my right hon. Friend says, have been acutely hit—with a package of measures, such as the cut in VAT and the package over the summer. For specific areas such as the independent cinema sector, there has been the £30 million of funding for the British Film Institute. That is an individual measure, but it does not address the much wider part of the cinema sector and the major chains. It is about looking at targeted measures of support in response to the issue that the my right hon. Friend as raised.

Alison Thewliss (Glasgow Central) (SNP): Local lockdown is a reality, and there is a potential for a national lockdown of some kind as we go into the months ahead. Livelihoods have been disrupted once again and the viability of businesses is being threatened by these restrictions, which are necessary to protect public health.

Kate Nicholls of UKHospitality told the Treasury Committee this morning that sector-specific restrictions require sector-specific support. What sector-specific support is the Minister going to bring forward for sectors such as hospitality, events, tourism, funfairs, culture and the arts? The Chancellor earlier seemed to suggest that people should just go and get another job, which is deeply offensive to many in those sectors.

Failing to support and sustain businesses right now risks putting those businesses over the edge so that they will not be there for a recovery in the future. The Minister must speak to the Chancellor today, extend the furlough in the self-employment support scheme and fill the gaps for those who have not had a single penny from the Government since lockdown began. People are depending on this UK Government, with the economic levers that they have. The Government are failing in their duty to protect those jobs and livelihoods right now. They are letting millions of people down and accepting the harm of mass unemployment that will follow.

The Scottish Government are limited in how much they can spend and in how much they can borrow, which is very limited. They do not even have the certainty of a UK Budget to know how much they will receive in the months ahead. If Scotland needs to lock down on public health grounds, how much money will come in support?

Steve Barclay: The hon. Lady says that she seeks targeted measures, but then seems to ignore the £1.57 billion that the Chancellor announced for the arts—exactly the sort of targeted package that she was referring to. She then says that that is not enough, but it is unclear how long the SNP would want to extend schemes such as the furlough, how targeted that would be on specific sectors and what that would mean for the supply chains for those sectors. We think that it is right to be honest with the British public and ensure that we target support beyond the eight months of the furlough, in the way that the Chancellor set out, with the job support scheme and the extension of the self-employment income support scheme.

On certainty of funding for the Scottish Government, I have had regular discussions with the Scottish Finance Secretary. I would have welcomed the hon. Lady's acknowledgement that we had done something unprecedented in guaranteeing the Barnett consequentials in order—as the Scottish Government had requested, and responding to their wishes—to give them confidence in the funding pipeline. That had not been done before. The Government did it to give the Scottish Government confidence on the Barnett consequentials. An acknowledgement by the hon. Lady of that point would have been welcome.

Chris Grayling (Epsom and Ewell) (Con): Although I am clear that my right hon. Friend and his colleagues in the Treasury have done a Herculean job in bringing forward schemes to support jobs in the economy, I, like the Chair of the Treasury Committee, remain concerned about those sectors that are unable to operate because of Government restrictions. I cite particularly the events industry and our aviation sector—I think especially of the regional airports, which will be affected by regional restrictions. May I ask my right hon. Friend to look with colleagues across Government at ways in which we can get those sectors at least partially working again, with proper social distancing rules? I cannot believe that it is not possible to do that. If it is possible to go to a supermarket, surely it is possible to have airport testing, and socially distanced trade shows and the like to get some of those sectors moving again.

Steve Barclay: My right hon. Friend is right that it is important, as we live with the virus and accept that it will be with us for longer, that we constantly learn from that and see what lessons there can be, not just in terms of, for example, regional air travel, but how that reads across into other matters such as non-pharmaceutical interventions. My right hon. Friend's point is exactly why the Chancellor said yesterday that he will keep listening and striving to be creative. His track record has demonstrated that. I look forward to working with my right hon. Friend as we learn those lessons.

Cat Smith (Lancaster and Fleetwood) (Lab): Many businesses may not have to close because of local restrictions, but they have seen a drop in footfall and a decline in their business. I am thinking of many small family-run businesses that have approached me in Lancaster and Fleetwood. Will the Chief Secretary outline what support will be available for those businesses and what they can expect when local restrictions are put in place?

Steve Barclay: For exactly that reason, the Chancellor set out the package of measures in the winter plan. We recognise that there is a balance, and we have sought to strike one that enables many of those businesses still to trade—so restrictions have not led to the closure of certain businesses, as full lockdown did. However, we acknowledge that there has been an impact, particularly on cash flow. That is why the Chancellor set out the furlough bonus and the job support scheme and extended what is, by international comparisons, one of the most generous self-employment income support schemes. We recognise that there is a balance between the health measures that we are taking and the hon. Lady's legitimate concern about the impact on businesses, particularly their cash flow.

Jane Stevenson (Wolverhampton North East) (Con): There is no crystal ball that will tell us how bad the virus will be in various areas. I thank the Chief Secretary for his assurance that the Government will be flexible and continue to offer targeted support in areas of high coronavirus rates. Will he also assure my constituents in Wolverhampton North East and people in the Black Country that the Government's levelling-up agenda will not be forgotten in the coming months?

Steve Barclay: I am happy to give my hon. Friend that assurance about levelling up. It is at the core of the Government's mission. It is a key priority of the Prime Minister and consequentially of all Ministers. We are actively working in the Treasury to accelerate under Project Speed our infrastructure investment to ensure that it is better targeted in terms of place as well as scheme.

Dr Rupa Huq (Ealing Central and Acton) (Lab): London, which is now on a watch list, is not only our financial centre but our cultural capital. *[Interruption.]* I believe so. It is the nation's beating heart. Despite the £1.57 billion arts rescue package, freelancers and the self-employed in the sector in my constituency have not seen a penny since March. Established venues such as The Questors in Ealing face a record loss this year because the panto is off—oh yes it is! Will the Chief Secretary not be a villain, and sort this out now?

Steve Barclay: I shall resist pursuing the panto theme, although I am not sure too many villains have allocated £1.57 billion to the industry in addition to the other package of support that the Chancellor has announced. The hon. Lady speaks of a real concern, which we are acutely aware of. The House has debated at length the issue of that subset of the self-employed who were beyond the date of the initial package and I do not think we need to rehearse that argument, but I recognise that it is an issue of ongoing concern. By international standards, the self-employment income support package that we have put in place is extremely generous, and my right hon. Friend the Chancellor extended it further in the winter plan.

Sara Britcliffe (Hyndburn) (Con): Hyndburn and Haslingden have been in local restrictions since 31 July, and were only removed for a short period beforehand. My local authorities are playing a huge part in supporting my community, to support the most vulnerable people and keep vital services running. Will my right hon. Friend outline what steps the Government are taking to support them and what further support is being considered if further restrictions are imposed?

Steve Barclay: My hon. Friend is quite right to single out the huge amount of work being done by local authorities up and down the country to assist us in our response to the pandemic, and I am sure that I join many hon. Members in paying tribute to that work. She will be aware that my right hon. Friend the Chancellor announced £3.7 billion of grant support for councils, an extra £1.1 billion of support for social care providers, and on top of that £300 million as part of our enhanced track and trace. In addition, £100 million was announced for the surge, in our response to local authorities. It is an important point; we work very closely with local authorities as part of our response.

Christine Jardine (Edinburgh West) (LD) [V]: We now have local lockdowns on top of the threat of further national restrictions, warnings daily from various sectors, and the threat of mass unemployment. Many companies are under threat because they are being responsible and following restrictions, so, bearing in mind what the Secretary of State has said about flexibility, will the Government now accept that an extension to furlough into June 2021, which experts say could protect more than 1 million jobs, is absolutely vital to those companies?

Steve Barclay: I am very proud that, as a result of our ability to act as one UK, the broad shoulders of the United Kingdom have enabled us to protect almost a million jobs in Scotland, supporting nearly half a million through the furlough scheme, and 65,000 businesses in Scotland have benefited from the UK Government loan scheme. The ability of the Treasury and the Government to act and support businesses and jobs in Scotland has been enhanced by our ability to act as one United Kingdom.

On what further measures are taken, I do not agree with the hon. Lady that the solution would be to extend the furlough scheme indefinitely, because I think that would hold out to people the expectation of a job that may never return, and do so at very significant cost. That is why we need to support those jobs that are viable, and, in addition we need a training package to enable people to get the skills to re-enter the labour market when they are needed.

Dr Kieran Mullan (Crewe and Nantwich) (Con): Does my right hon. Friend agree that while some parts of the Labour party see this as a good crisis to exploit, we have actually managed to ensure that our response has helped the least well-off the most, proportionately?

Steve Barclay: It has been a time when most people have come together and worked together to respond to the very legitimate concerns that we all have on behalf of our constituents. The more we can work together across the United Kingdom and with local authorities and other stakeholders, the stronger will be the Government's response to the pandemic.

Kim Johnson (Liverpool, Riverside) (Lab): The further restrictions announced on 1 October will have a huge impact on the Liverpool city region's retail, hospitality and leisure sector—a sector that accounts for 20% of the city region's economy. The end of the furlough scheme and the 20% below the self-employment income support scheme will impact thousands of jobs and hundreds of businesses. The £7 million to be shared with other areas is not enough. The city region has therefore called for a support package totalling £710 million, in order to ensure that we have an economy to revive. Will the Chancellor make a statement on what financial support will be made available to the Liverpool city region?

Steve Barclay: The hon. Lady says that there should be a package for the Liverpool city region of £700 million of additional funding. That would equate to over £23 billion if applied evenly on a per head basis across England. It is important that we are proportionate. Of course, the £7 million is not in isolation; it sits alongside the many other things that have been announced, including

[*Steve Barclay*]

£130 million of un-ring-fenced funding to the Liverpool city region in March; but I am happy to continue to work with colleagues across the House in considering our wider response.

Nigel Mills (Amber Valley) (Con): May I return to the sectors that are effectively closed by the lockdown rules? Will my right hon. Friend ensure that when the Chancellor is looking at what support he can give, he thinks about companies in the supply chains to those sectors, which have lost all their orders but so far have not had the benefit of some of the help, such as the business rate reliefs?

Steve Barclay: One of the difficulties when people talk about extending the furlough is that those supplying particular sectors do not simply supply one sector; they usually supply across sectors. In the wider discussion about extending the furlough, not only is there the question of how long, because we do not know how long it will be until a vaccine arrives, but it is often unclear from those seeking an extension which sectors it would apply to and how it would apply to the supply chains of those sectors. The reality is that people do not simply supply one sector; supply chains reach across many sectors.

Chris Bryant (Rhondda) (Lab): The Minister knows that the Rhondda has not just had to contend with coronavirus this year; we have had the worst flooding of any area in the whole of the UK—nearly a quarter of it was in one constituency—and we have had a major landslide from a coal tip. In February, the Prime Minister promised this House that the money would be “passport” from Westminster to Rhondda Cynon Taf to pay for the repair work. In June, the Prime Minister told me that the work had to be done and that he would be looking at making sure it happened. The Minister wrote to me in July to say that we should be applying to the reserve fund. I cannot underline more strongly how serious this is for the local community. We are one of the poorest communities in the whole of Europe. The local authority will be bankrupted if we do not get the money. There are families who are fearful that they are going to be flooded all over again, and many more who are even more worried that there will be another Aberfan. Please, please, please, just say the money is going to come.

Steve Barclay: The hon. Gentleman has raised this before and I discussed it with the Secretary of State for Wales. As a result of the hon. Gentleman’s question, I will ask for an urgent update to clarify with the Secretary of State what the latest is on that. Because of the emotion that I think everyone feels around the national tragedy of Aberfan, we recognise the specific issue in that regard, and I know that the Prime Minister is very sighted on it. To be fair, I think the issue has more aspects to it than simply the individual site that is of most concern; there is a wider discussion with the Welsh Government around flood protection and where that funding is, but I am very happy to follow this up. Given that the hon. Gentleman has raised the issue before, let me follow it up, and I will write to him following today’s exchange.

Mr David Jones (Clwyd West) (Con): The Welsh Government have imposed movement restrictions in four north Wales counties, an area where tourism and hospitality are the mainstay of the economy. That has had an immediate adverse effect on local businesses, some of which have closed, maybe never to open again. Can my right hon. Friend say whether the Welsh Government have been in touch with the Treasury to outline what financial measures they intend to put in place to compensate the businesses that have been so badly affected by this action?

Steve Barclay: I am not aware of any specific representations in respect of the individual case that my right hon. Friend refers to. The wider point I would make is that it is important across the United Kingdom as a whole that decisions on local lockdowns are shaped by the Joint Biosecurity Centre so that we have a consistency of approach that is led by the medical science, and then, on the basis of that, the Treasury can have discussions about any individual issues that arise from that advice from the Joint Biosecurity Centre.

Claire Hanna (Belfast South) (SDLP): Last Friday, in an interview with the BBC, the Prime Minister said that additional resources would be available for Northern Ireland in the light of restrictions due to alarming covid numbers, which are now twice the UK average. There are local restrictions in place, hundreds of students are isolating, and businesses are struggling but have to keep the doors open to pay the bills. With furlough ending and an extra 89,000 universal credit claimants just in the second quarter of this year, people cannot afford to wait and see. When asked whether extra funds would be available, the Prime Minister said, “Absolutely.” When will those funds come?

Steve Barclay: We have provided significant funds to Northern Ireland—an additional £2.2 billion—to cope with the pressures of the pandemic, and that has enabled 300,000 jobs in Northern Ireland to be protected through the furlough scheme, along with an additional 78,000 jobs through the self-employment income support scheme. Indeed, the package of measures that my right hon. Friend the Chancellor announced in his winter plan applies in terms of additional support for Northern Ireland as it shapes its response to the pandemic.

Sir Edward Leigh (Gainsborough) (Con): Does the Chief Secretary agree that the best way to help business is to let business get on with the job, as free as possible from Government control? Will he note that when the Treasury argues against further lockdowns for business, scores of Tory MPs and tens of thousands of businesses cheer it on? After all, to quote the Chancellor, is it not our “sacred” duty to “balance the books”? What is the point of solving this problem by borrowing money? Is that not the socialist way? What would be the point of a Conservative Government if we did that?

Steve Barclay: As a former Chair of the Public Accounts Committee, my right hon. Friend is quite right to focus on the importance of value for money and protecting the interests of the taxpayer. He knows me well enough to know that I share that sentiment. On our wider response, it is important that we get the right balance between responding to the virus and doing so in a way that is supportive to the economy. It is a false perception

to see this as a choice between health and economics; they are clearly intertwined and we need to work together in shaping our response.

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a horrific irony that while we risk 1980s levels of unemployment, the Chancellor was busy reminding his party conference that Tory values are old and timeless. I appreciate that not every job can be saved, but many more jobs can be saved by a proper extension of the furlough scheme and targeted support for aerospace, aviation, travel, tourism, hospitality, the night-time economy and those excluded to date. If the Treasury is not going to step up, does the Minister agree that the Scottish Government need borrowing powers so that they can provide targeted sector support and localised support where local restrictions might be needed for public health measures?

Steve Barclay: The slightly puzzling thing is that the hon. Gentleman does not seem to accept yes for an answer. When I was asked by the Scottish Government Finance Minister whether I would give further guarantees on Barnett consequentials, we agreed that, thereby enabling the Scottish Government to make spending commitments with that guarantee, yet that point is not recognised at all. The reality is that it is because of our broad shoulders and ability to act across the United Kingdom that we have been able to protect 930,000 jobs in Scotland at the peak in July, and 65,000 businesses in Scotland have benefited from our loan schemes. Our ability to act across the United Kingdom enables us to better protect jobs.

Robert Largan (High Peak) (Con): I urge my right hon. Friend not to forget areas like the High Peak which, although not under local restrictions themselves, are impacted economically by the local restrictions next door in Greater Manchester. I wish to highlight specifically the events industry, which, if it is allowed to trade again, could be a crucible for economic recovery. The situation is imminent—the organisers of lots of fantastic events, such as Buxton International Festival, are having to make decisions now about when their events can go ahead next year—so I urge my right hon. Friend to look urgently at measures for the industry.

Steve Barclay: My hon. Friend is quite right that the impact on business is not confined to those areas most acutely affected by the virus; there is a wider displacement effect on businesses, including in neighbouring constituencies. We very much recognise that issue, which very much shaped the approach that the Chancellor set out in the winter plan, particularly in respect of the cash-flow pressures faced by those businesses. Together with the job support that he introduced, the package recognises the very real pressures businesses face and will provide comfort as we go through the winter period.

Sir George Howarth (Knowsley) (Lab) [V]: In his response to my hon. Friend the Member for Liverpool, Riverside (Kim Johnson), the right hon. Gentleman suggested that he would be willing to work with MPs from all parties because of our concerns about the vulnerability of the hospitality, retail and live entertainment industry. In the light of that invitation, may I suggest that he agrees to meet local MPs from our city region, together with council leaders and the Metro Mayor, for

a constructive discussion about how a comprehensive package for those sectors and others can be put in place as a matter of urgency?

Steve Barclay: As I think colleagues across the House would recognise, I have always been open to meeting MPs from all parties, and I am happy to give an undertaking to the right hon. Gentleman to meet MPs to discuss these issues. On the Liverpool city region, the point I was making in response to the previous question is that the request for £700 million that has come in will equate to an additional funding commitment of £23 billion. There is a responsibility on all of us, not just on Government, to have a view of the wider value for money of schemes, because £23 billion, in addition to the other packages, is a very significant amount.

Ben Bradley (Mansfield) (Con) [V]: Some of those worst affected by local lockdown measures will be our young people, who are left isolated or, worse still, trapped in unhealthy home environments, and there will be long-term implications for local services that stem from that. Youth groups and organisations that can offer support need help, and the youth investment fund is vital to their sustainability. Will my right hon. Friend use his influence to end the delay to that funding and get that help to the young people who need it?

Steve Barclay: My hon. Friend is right that the youth investment fund is a very important allocation—£500 million was allocated in September 2019 under the fund. However, he speaks to a more fundamental point, which is that many of those most affected by covid's economic consequences are the young, who tend to congregate in areas such as hospitality that are most impacted. That is why the Chancellor has set out measures such as the £2 billion for the kickstart scheme, the tripling of traineeships, the £2,000 for apprentices and the doubling of work coaches. We recognise that it is not just the number of young people whose jobs go, but the length of time that they are out of the labour market that is absolutely crucial. Both of those are key areas of focus and I look forward to working with him in our response on them.

Ben Lake (Ceredigion) (PC) [V]: Further to the question asked by the hon. Member for High Peak (Robert Largan), what consideration have the Government given to the impact of local lockdowns on businesses and supply chains located beyond the lockdown areas? What support will be made available to businesses that are materially impacted by restrictions imposed elsewhere?

Steve Barclay: As I said to my hon. Friend the Member for High Peak (Robert Largan), it is absolutely valid for colleagues across the House to raise the wider impact. That is partly why we gave the guarantee on Barnett consequentials, which has meant that the Welsh Government have benefited to the tune of £4 billion. It is why we are engaging very closely with the Welsh Government, among others, on shaping our response, and why the Chancellor set out, through the winter plan, the package of additional measures, building on his plan for jobs—the £30 billion that was announced in July. We recognise that it is not only the areas most affected by lockdown that have pressures in terms of retaining jobs or cash flow challenges; the winter plan spoke to the issue much more widely across all parts of the United Kingdom.

Mr Speaker: I call Antony Higginbotham—not here.

Steve McCabe (Birmingham, Selly Oak) (Lab): There are 660 closed and shuttered nightclubs and live entertainment venues across the west midlands. I understand that they are not eligible for any help from the local restrictions support grant. Why not?

Steve Barclay: First, all businesses are able to benefit from the universal elements of the support package put in place by the Chancellor, whether that means loans, tax referrals or schemes such as the furlough. However, the hon. Gentleman is right that the nightclub sector is affected acutely, among all businesses affected. That is not just because it has been shut down from the start of the lockdown, but because it is very unclear when the end will be in sight, in terms of that sector and our ability to reopen. That is why the Chancellor has said, extremely reluctantly, that we are not in a position to save every single job. I think that around a third of nightclubs have repurposed by becoming pubs or reshaping their offer, but I absolutely accept that not all nightclubs will be able to do that. We are trying to target the very comprehensive measures of support on areas where jobs can be saved, but we recognise that not every single job will be saved.

Jo Gideon (Stoke-on-Trent Central) (Con): In my constituency, more than 11,600 jobs have been protected so far through the furlough scheme and more than £50 million has been made available to businesses to bounce back through various loans and grants. Recently, Stoke-on-Trent was removed from the watchlist and avoided a local lockdown, thanks to prompt local action; however, we are geographically close to many local lockdown areas. I ask my right hon. Friend for reassurance that those businesses in Stoke-on-Trent most economically vulnerable to any local lockdown will continue to be able to access financial support.

Steve Barclay: I am very happy to reassure my hon. Friend that the package of support that the Chancellor set out in his winter plan will assist businesses in Stoke and elsewhere, bringing back jobs that are viable and supporting them in terms of their cash flow. Furlough has already seen more than half the jobs—from a peak of 8.9 million—come back, so it has served a key part of its purpose. I know that my hon. Friend is also a keen champion of the wider levelling-up agenda, so as those businesses bounce back, it will also be important that we work together on that agenda, which I know areas such as Stoke should benefit from very strongly.

Mr Clive Betts (Sheffield South East) (Lab): In the leisure and entertainment industry in my constituency, Cineworld shut its cinema, Hollywood Bowl has written to me about the problems that it has, wanting a further cut in VAT because of the impact of additional restrictions, Peller Agency has had virtually no work for any of its artists in live entertainment venues since March, and Central Travel and Linburg Travel were offered no help by the Government at all because, perversely, coach companies are not seen as part of the leisure industry. Those are effects on the constituency without additional restrictions; it can only get worse if additional restrictions come into play. Will the Government introduce a comprehensive range of measures to help the leisure and entertainment industry? Ultimately, if measures are

not brought in, such products and offerings will not be available for all of us to enjoy once the restrictions are lifted.

Steve Barclay: I gently take issue with the point about coaches not having support. One of the areas where coach firms have been able to benefit hugely from our response, and to work with the Government, has been school transport. We were able to secure the additional capacity that we needed in part through the willingness of coach companies to adapt as part of our response. It is not the case that coach companies have been unable to get any business during the pandemic.

On more comprehensive measures, the hon. Member is right that the cinema industry has been hit hard. We were all concerned to see the announcement from Cineworld at the weekend. Together with Odeon and Vue, that is 75% of the market, but as he knows it is not simply down to one issue. With cinemas, there is the supply of films—the delay of some of the blockbuster films has had an impact—and consumer confidence. Attendance is significantly down compared with last year, and there is also the impact of the non-pharmaceutical interventions. There is not one single factor, but we continue to work with the cinema industry in shaping our response.

Justin Madders (Ellesmere Port and Neston) (Lab): Dominic Harrison, the director of public health for Blackburn and Darwen said that some of the more economically challenged boroughs are

“being placed into more restrictive control measures at an earlier point in their...case rate trajectory. This has the effect of exacerbating the economic inequality impacts of the virus in those areas.”

Why are some areas being treated differently from other areas, and can the Minister not see the need to have greater transparency and equity across the board?

Steve Barclay: The pace of those medically driven decisions is more, perhaps, a matter for my right hon. Friend the Secretary of State for Health and Social Care, who I know has been to the Chamber and answered such questions. I am willing to flag the hon. Gentleman's concern about the transparency of that process.

Robin Millar (Aberconwy) (Con): I thank the Minister for the generous and timely support that businesses and workers across Aberconwy have received during this pandemic. Sadly, the same businesses and workers, mainly in tourism, are struggling now under fresh local restrictions that have been brought in by the Welsh Government. I noted the Minister's response to my right hon. Friend the Member for Clwyd West (Mr Jones). Will he press the Welsh Government, when they introduce local restrictions that are stricter than those in other parts of the UK, and do so at lower thresholds than in other parts of the UK, to also provide the funding that the businesses and workers struggling under them need?

Steve Barclay: As I said in reply to my right hon. Friend the Member for Clwyd West (Mr Jones), it is important that these decisions are shaped by the Joint Biosecurity Centre and that it takes a consistent approach throughout the United Kingdom. That helps not only with the consistency of support that can be offered to businesses across the UK, but with communication to constituents and the clarity of that message.

Ms Angela Eagle (Wallasey) (Lab): I welcome the Minister's agreeing with my right hon. Friend the Member for Knowsley (Sir George Howarth) to meet local MPs, local leaders and the Mayor to talk about what is happening in the Liverpool city region. The Minister will know that £7 million between nine different local authorities as extra money for the much more severe restrictions being imposed is not nearly enough, so will he promise to keep an open mind about the extra support we need in a region where 20% of our economy is the visitor offer, hospitality and tourism, and where 50,000 jobs and 4,000 businesses are at stake?

Steve Barclay: As I said to colleagues earlier, I am happy to meet Members of Parliament across the House, and I am happy to meet the hon. Lady, who brings considerable experience to these issues from her time in government. However, as I pointed out earlier, it is not the case that it is only £7 million of support. It is important to look at the wider package of support that has been offered, but of course we can discuss that in due course.

Gary Sambrook (Birmingham, Northfield) (Con): There is no doubt that a number of businesses in, Northfield and across Birmingham, especially in hospitality, would not exist now if it was not for the support packages put in place by the Government over the past several months. Will my right hon. Friend please commit to looking at as many ways as possible of supporting businesses, especially those affected by the local restrictions and the 10 pm curfew?

Steve Barclay: As I said in an earlier reply, the Chancellor was very clear yesterday that he continues to listen and to strive to be creative in our response. I refer my hon. Friend to the comprehensive package that has already been announced, including the winter plan that the Chancellor has announced, which provides considerable support to businesses through the furlough bonus, the job support scheme, the self-employment income support scheme, the tax deferrals, the loans and so on, all of which support businesses in his constituency.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) [V]: The fact is that more and more people are struggling just to put food on the table, as the Trussell Trust and others have highlighted, so with furlough being wound down, will the Government end the five-week wait for universal credit? Will they also make the £20 uplift permanent and extend it to legacy benefits? These measures are desperately needed.

Steve Barclay: We always keep these things under review. That was a temporary set of measures brought in by my right hon. Friend the Chancellor, but the hon. Member is right to point to the wider package of support that the Government offer. Following the package of support that was set out in March for individuals, public services and businesses, he will recall that the Chancellor has continued to revise that, with the most recent iteration being the winter plan that he announced in the Chamber a week or so ago.

Mr Mark Harper (Forest of Dean) (Con): A theme of many of the questions, and of some of the Chief Secretary to the Treasury's answers, is predicated on the assumption that some of these economic support measures

will be needed only for a short period. My right hon. Friend referred to the potential for a vaccine to solve the problem. Is it the Treasury's assumption that these measures will be needed only for a short period and that a vaccine will come along and solve everything, or is it more likely, as I believe, that we will see permanent changes to our economy that will require us to accept that a significant economic transformation is required?

Steve Barclay: The significant fiscal measures that we have put in place will clearly have longer-term consequences for the public finances. The Chancellor has been quite clear about that in terms of our response to the future fiscal event. In terms of the timing of a vaccine, as the Prime Minister and the Chancellor have set out, things have changed since March, when there was perhaps a sense initially that these measures would be needed for a shorter period, and it is now clear that we will be living with the virus for a longer period—at least for a further six months. I know, however, that through the work of the Secretary of State for Business, Energy and Industrial Strategy, a huge amount of work is going on in the vaccines taskforce, because that is clearly the best way to limit the longer-term damage. However, we cannot guarantee the timing of when any vaccine would arrive.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab) [V]: The Minister will no doubt appreciate just how precarious the future of many businesses is and how desperately worried they are that they could face further restrictions and more local lockdowns. Further to the question from my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith), will the Minister please outline the additional and specific support that businesses that do not have to close but are facing significantly lower demand can expect to receive?

Steve Barclay: One of the most important areas of support is avoiding, if at all possible, businesses closing in the first place. That is why, in response to the measures brought forward by the Secretary of State for Health, we have drawn the balance between businesses being open for the majority of the evening and addressing the risk—outlined by the chief medical officer and others—that social distancing tends to be weaker later in the evening. This addresses the concerns of the Department of Health about the increased risk, while protecting the ability of businesses to stay open. It is important that we keep this measure under review and ensure that the modelling and the data evolve so that we get the balance right for businesses.

Jack Brereton (Stoke-on-Trent South) (Con): Many of the areas that have been hit hardest by covid are those that relate most to the Government's levelling-up agenda and that, like Stoke-on-Trent, will be vital for unlocking productivity. Will my right hon. Friend prioritise ensuring that we continue to see a refocusing of investment into these areas as we build a stronger recovery, so that no part of our country is left behind again?

Steve Barclay: There are few stronger champions of the levelling-up agenda in this House than my hon. Friend, and rightly so. I share his determination to ensure that our levelling-up agenda speaks to the people of Stoke and to many other places across the United Kingdom. I look forward to continuing conversations with him as we take that important work forward.

Rachel Hopkins (Luton South) (Lab): From 1 November, the job support scheme will only be available to firms that can offer their staff at least a third of their usual working hours. For businesses forced to close as a result of local restrictions, that will not be possible. What do the Government suggest such businesses do in these circumstances to retain their staff who are skilled and who have been trained by these businesses?

Steve Barclay: As we covered earlier, there are specific measures for areas with local lockdowns, such as the £1,500 support for businesses that are closed for three weeks or more. The Chancellor announced a package of measures in the winter plan, including tax deferrals, loans and other cash-flow support, alongside the self-employment income support and job support that he announced in the same statement.

Mr Speaker: Let us head up to Harrow so that Bob Blackman can glide his question in.

Bob Blackman (Harrow East) (Con) [V]: Thank you, ground control.

I thank my right hon. Friend for explaining the current position. He will know that we are currently experiencing an increase in the infection rate in virtually every borough in London. What we do not know is whether lockdowns or further restrictions will take place covering the whole of London or on a borough-by-borough basis. In either case, there will be a huge impact on business, so will my right hon. Friend set out what measures will be in place to support London and each London borough in the event of local lockdowns or a London-wide lockdown?

Steve Barclay: As I have said in reply to a number of colleagues, we will continue to listen and evaluate the circumstances, including what applies to London. The Chancellor has set out a comprehensive package of support that applies to businesses within the London community, assisting them in their ability to retain what is most prized within a business, which is the talent of its own staff, and in addressing particular cash-flow pressure. We responded very much to the feedback that we have received from business leaders, including business leaders in London, as the winter package was shaped.

Catherine West (Hornsey and Wood Green) (Lab): The International Monetary Fund has encouraged Governments to spend on infrastructure. In London, the infrastructure is the west end and the suburban theatres. What urgent plan will the Government put in place to protect the workers—whether the technicians, the actors, the divas or the stars—to keep our desperately loved theatre going?

Steve Barclay: On the specific point about the theatre, it is a sector championed by my right hon. Friend the Secretary of State for Digital Culture, Media and Sport, and I referred earlier to the £1.57 billion package that the Chancellor has set out. I agree with the hon. Lady about the importance of infrastructure as a whole. Theatre is one aspect, but there is a much wider piece that includes Crossrail, High Speed 2, the acceleration of our road schemes, and broadband in particular in areas of poor connectivity. There is a huge agenda for infrastructure, and delivering that at pace is a key focus of the Chancellor and the Treasury team.

Matt Vickers (Stockton South) (Con): The hospitality sector has benefited from an incredible and innovative package of support, and I hope that will continue in a targeted way to mitigate the impact of local lockdown. But if we do not rethink the 10 pm curfew, we could see bars, pubs, restaurants and breweries call last orders for the final time. Will the Government back Britain's boozers and breweries and reconsider their approach to the 10 pm curfew?

Steve Barclay: My hon. Friend is absolutely right that it is important that we act in a targeted way both in terms of our economic measures and in our health response to the pandemic. It is about getting that balance right.

On the 10 pm curfew, it is worth reflecting on the fact that we are not alone in that. The Netherlands and parts of Spain, such as Madrid, have taken a similar approach, but it is all about getting the balance right and ensuring that we act in a targeted way, as my hon. Friend suggests.

Vicky Foxcroft (Lewisham, Deptford) (Lab): Live music professionals in my constituency saw an average income drop of 97.5% during the initial lockdown. If further local restrictions come into force, the situation is likely to become even bleaker. Given that the sector employs 589,000 people nationally and that their skills are in demand worldwide, will the Chief Secretary extend the remit of the £1.57 billion arts support package to cover live music?

Steve Barclay: We keep all packages under review but, to address the very legitimate point that the hon. Lady raises about particular impacts within the economy, we have extended the self-employment income support scheme as one of the vehicles of assisting many of her constituents and those affected particularly in the arts. It is the case that certain sectors have been acutely hit and where we are not able to save every job in a sector, it is extremely important that we are able to get the support, the skills and the training package in place to people from such sectors in the wider economy.

Dehenna Davison (Bishop Auckland) (Con): We can all agree that the Government's economic support has been a lifeline for millions of hard-working people, but in local lockdown areas, such as those across the north-east, hospitality businesses are really struggling with restrictions such as the 10 pm curfew and households not being able to meet for a meal and a pint across Bishop Auckland. May I urge my right hon. Friend to look at how he can offer additional economic and financial support? Some of these businesses have seen their takings drop through no fault of their own.

Steve Barclay: I know that the 10 pm curfew is an issue that a number of colleagues across the House have raised. As I said a moment ago, it is about getting the balance right. We have striven to ensure that venues are able to continue to be open most of the evening rather than, as we saw in the initial lockdown, having to close. It is about protecting the majority of the evening and getting the balance right with the later night socialising that the chief medical officer and others are most concerned about in terms of the risk to public health. It is something that we continue to keep under review and learn from other countries around the world. As I have said, other countries are addressing similar issues.

Mary Kelly Foy (City of Durham) (Lab): Last week, one of my constituents who owns a bridal store contacted me in desperation. Because of the coronavirus restrictions in the north-east, brides-to-be can no longer take a relative or friend to their dress-fitting appointments, a special time for any bride. Ultimately, this has led to numerous cancellations. To echo my hon. Friends, will the Minister commit to providing support for businesses, like my constituent's, or will the Government allow them to fail through no fault of the owner?

Steve Barclay: This is one of those sectors that have been hit hard both emotionally and economically. One can see the human distress and the impact of the virus in such cases, at what is a pivotal moment in people's lives, and also the economic distress. It is certainly not the case that this is about the Government letting businesses fail in that regard. The consequences of the pandemic hit particular sectors more acutely than others. We have put in place, as I said earlier, a comprehensive package of support, but it is also the case that not every single job will be protected. Where that is the case, we need to work with people to ensure that we are able to support them back into the labour market.

Stephen Hammond (Wimbledon) (Con): I listened very carefully to my right hon. Friend's response to the question from my hon. Friend the Member for Harrow East (Bob Blackman) about restrictions in London. I have heard from a lot of small and medium-sized enterprises in Wimbledon that the business rate support grant—the relief that the Government made available—was the lifeline that has kept them going. If there are further restrictions to be imposed, may I ask him to look again at that as the way to help SMEs, a vital part of our economy, to keep going?

Steve Barclay: My hon. Friend speaks with great authority when it comes to the business community. I know that he engages extensively with it and understands the issues closely. I am very happy to relay the issue that he raises to my right hon. Friend the Business Secretary. As I have said on a number of occasions, we have put in place a comprehensive package of support. It will not address every job, and the Chancellor has been honest with the public in that regard, but it is right that we keep the situation under review. I will take my hon. Friend's representations on that issue.

Judith Cummins (Bradford South) (Lab): With the Health Secretary reportedly considering further restrictions on hospitality in areas of local restrictions and with 19,000 people in Bradford still on the furlough scheme that comes to an end in just 25 days, will the Treasury bring in a local furlough scheme to save those very viable jobs, which are now under threat as a direct result of this Government's decisions?

Steve Barclay: The hon. Lady raises a legitimate concern, but I do not see the panacea for that being an extended furlough for an indefinite period. What has never been clear to me from those who seek to extend the furlough indefinitely is for how long they would extend it, and how many sectors would be included. We have taken a different approach, as the Chancellor has set out, through the winter plan, the job support scheme and the self-employment income support scheme to

support those jobs that we are able to support. I say respectfully to the hon. Lady that I do not agree that the panacea for this would be an open-ended furlough.

Stephen Crabb (Preseli Pembrokeshire) (Con): I think there is a growing understanding that we will be wrestling with this crisis for perhaps many more months to come—far longer than any of us had perhaps hoped at the beginning of the pandemic. Does my right hon. Friend agree that it is essential we have a longer-term framework in place—a framework of support for families and for businesses through periods of rolling on-off lockdowns and through periods of self-isolation and sickness—and that, underneath that framework of support for society and for business, we need a strong safety net of social security, which is the hallmark of a decent society?

Steve Barclay: My right hon. Friend is absolutely right that our response to the pandemic needs to evolve as our understanding of the disease improves but also as we get a better understanding of how long we will live with the consequences of the pandemic. That is at the heart of the Chancellor's strategy. In the initial phase in March, we locked down to protect the NHS and to build our capacity. There was a shift to the second phase in July, with the plan for jobs and more recently with the winter plan as we look to move people from being furloughed at home to being brought back into the workplace. The more tailored approach of which my right hon. Friend speaks is shaped by things such as track and trace and the significant funding that the Treasury has put into that programme in order, as he rightly says, that we can be very targeted as we deal with this in the months ahead.

Katherine Fletcher (South Ribble) (Con): In areas of Lancashire—in South Ribble, Chorley and West Lancashire—that I represent, I speak to businesses and they get that we are trying to save lives. The businesses they are in are people businesses—they are in events, weddings and bands—and they will put people first, but they are looking at three winters. They would not be here without the coronavirus business interruption loans, the bounce back loans and the furlough. But can the Minister assure me that he is giving every consideration to ensure that those businesses are still here when we are past this awful virus?

Steve Barclay: The Chancellor, through measures such as the extension of the loans to which my hon. Friend refers, and other cash-flow measures such as tax deferrals, is seeking to support those businesses, but we do face living with the virus for a longer period. That is why, as our approach evolves, it needs to be targeted, so that we get the balance right, not just between the health measures and the economy, but within the economy, where we need to get the balance right between wider fiscal sustainability and the support we are able to offer specific sectors.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The speculation in the media today that the Scottish Government are about to introduce greater restrictions in Scotland just as we go into the October school holiday is causing tremendous concern to businesses in my constituency, especially those working in the visitor economy. What comfort is the Chief Secretary able to give them that, at this last opportunity they have for a

[Mr Alistair Carmichael]

bit of a boost before the third winter comes, they will be protected and that he will work with the Scottish Government to ensure that they get the support they need?

Steve Barclay: The right hon. Gentleman raises an important point. The response to the pandemic is helped if across the UK we take a co-ordinated approach. For example, Scotland's chief medical officer sits alongside the CMOs from the rest of the UK; a huge amount of joint work is undertaken through the Joint Biosecurity Centre; and I engage regularly with counterparts in the Scottish Government. The right hon. Gentleman raises the important point that there is concern in the business community and it is important that a consistent message across the UK, followed by the CMOs, is applied.

Points of Order

1.41 pm

Layla Moran (Oxford West and Abingdon) (LD): On a point of order, Mr Speaker. As you may be aware, I am chair of the all-party group on coronavirus. On 22 July, in Prime Minister's questions, we were given a welcome assurance by the Prime Minister that he would "look at" the recommendations we would send him very seriously. During the recess, we wrote to him and sent him the recommendations, but we never received a response. I then tabled a named day question on 17 September asking whether the Prime Minister had acknowledged the all-party group's recommendations. That was then transferred from No. 10 to the Department of Health and Social Care. The named day, when the reply was meant to come back to us, was 22 September—two weeks later, we have still heard nothing. Our group has been looking at this in order to try to save lives before a second wave. That second wave is now upon us. We have heard moving evidence from those suffering from long covid, from bereaved families and from frontline staff, who deserve to know that the promise is kept to them and the Prime Minister looks at these recommendations seriously. Can you please advise me on what further action remains open to me to seek a substantive and timely response from the Prime Minister on whether he has met the recommendations and whether he has looked at them?

Mr Speaker: First, I am grateful to the hon. Lady for giving me notice of her intention to raise this matter. As Speaker, I have expressed my concerns on several occasions about the delays in answering written questions, particularly delays within the Department of Health and Social Care, none more so than in the case referred to in the text I received yesterday from the hon. Member for Chatham and Aylesford (Tracey Crouch)—she said that she had been waiting since April and had finally got a reply last week. The Ministers on the Treasury Bench will have heard the instance that has been raised and I hope that they will also take action. The hon. Member for Oxford West and Abingdon (Layla Moran) may also wish to consider raising her concerns with the Procedure Committee, which keeps a watching brief on the timeliness and adequacy of answers to parliamentary questions. I am disappointed on her behalf and, although this does not make it better, she is certainly not on her own.

Mr Alistair Carmichael (Orkney and Shetland) (LD): On a point of order, Mr Speaker. You are aware that there are a number of reports in the Scottish media today regarding the possibility of increased restrictions in Scotland. It was suggested earlier today that we might in fact be heading for some sort of circuit-break lockdown. As things stand, it is my intention to go home on Thursday to return on Sunday for business on Monday. I am not, at present, sure if that is actually going to be possible. What guidance can you give to Members, especially from Scottish constituencies, who want to be here to carry out their duties in the House, especially in the light of the reluctance of the Leader of the House to allow us the continuation of digital participation to its full extent?

Mr Speaker: I thank the right hon. Gentleman for giving me notice of his point of order. While being grateful, I would also remind him that he knows very well that it is not a point for the Chair. The decision on the scope of virtual participation is for the House itself, but his views, I am sure, have been heard by hon. Members across the House. I express his concern myself, as well, in saying that we do have alternatives. It will depend on what news comes in the future, I am sure.

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.

1.45 pm

Sitting suspended.

Marriage and Civil Partnership (Minimum Age)

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

1.49 pm

Mrs Pauline Latham (Mid Derbyshire) (Con): I beg to move,

That leave be given to bring in a Bill to revoke parental or judicial consent which permits the marriage or civil partnership of a child and to criminalise child marriage or civil partnership under the age of 18; and for connected purposes.

Madam Deputy Speaker, imagine that you are 16 years old, looking forward to your sixth-form education or going into an apprenticeship, and enjoying life, as 16-year-olds should, when all that comes to an abrupt end because your parents tell you that you are going to be married to a man you have never met who is more than 30 years old. You are taken out of school and unlikely to ever return. You are taken to choose your wedding dress and then later taken to the wedding ceremony. Many families, friends and acquaintances are there, but no one—from your teachers to the registrar—asks if you are happy with this. Why would they? A child has no rights, and the parents have given permission, so it is okay.

Anyone who watched the recent drama “Honour”, based on the true story of a girl who was married at 17 to an abusive husband against her will, will understand how shocking this can be. She divorced him, which shamed her family, and her father and other family members and friends killed her. Her sister was also married at 16 against her will to somebody much older than her in this country. She was abused by her husband and now campaigns against child marriage.

Jasvinder Sanghera from Derby set up Karma Nirvana over 25 years ago to provide help to young women, and some men, who have been forced to marry. It has helped thousands of girls over the years, but the sadness is that this charity is still needed. Jasvinder’s sister poured petrol over herself after her unhappy forced marriage and set light to herself in the streets of Derby. Jasvinder has campaigned over many years to stop forced marriage, and we now have a Bill. We need to go further, because so many people are coerced into marrying at 16, and they dare not say anything to the authorities because they are children and frightened. This is what happens to thousands of girls. It is not exclusively girls—some boys are married at this age too, but they are minority.

Following the first Girl Summit in 2014, the Department for International Development allocated up to £39 million to support global efforts to prevent child marriages. By that proactive contribution, the UK recognised that child marriages result in early pregnancy, social isolation, interrupted or stopped education, limited career and vocational opportunities and a risk of increased domestic violence. Why are we allowing the marriage of children in this country when the recognised age of adulthood is 18? The Government have signed two international human rights conventions which demand that signatories end child marriage in their jurisdictions. We are violating those conventions and allowing child sex abuse.

The law allowing marriage with parental consent dates back to 1929, when parents were most concerned about property rights. Since then, our understanding of

[Mrs Pauline Latham]

childhood and marriage has changed significantly. The United Kingdom now requires everyone to be in education or training until the age of 18, and then they are encouraged to pursue a university education. Social aspirations have increased, especially for girls and women. A 2012 YouGov poll on the ideal age of marriage found that only 2% thought that under 20 is the ideal age for marriage, and 49% considered 25 to 29 to be the ideal age. Many young people do not marry until after 30 these days.

Decreasing numbers take advantage of this opportunity every year, or at least those who are registered. In 2017, 43 men and 140 women were married under the age of 18, contrasting with 228 men and 3,486 women in 1929. There is an argument used by Ministers that numbers are so small that it is not worth the legislative time to make this change. However, preventing the harm to those who are married more than justifies the time and effort.

We must remember that many marriages happen outside Britain, and young women and some men are brought back to this country already married. The data underestimates the scale of the problem. Religious and cultural child marriages may not be reported, and the forced marriage unit cannot act where the child does not understand marriage or has been groomed to appear willing. The British legal system is respected and followed throughout the world. UK laws therefore have international consequences.

Let us consider Bangladesh. Having raised the legal age of marriage to 18, with no exceptions, Bangladesh introduced an exception in 2017 allowing girls younger than 18 to marry in special circumstances. One Bangladeshi Government official stated, “Child marriage is legal in the UK, so why shouldn’t it be allowed here?” According to *Girls Not Brides*, 59% of Bangladeshi girls are married before they are 18. *Save the Children*, in its “Global Childhood Report 2020”, estimates that half a million young girls are at risk of child marriage because of the economic impact of today’s pandemic.

The UK’s influence is more important than ever, and we should set a high standard. The current law fails to safeguard children in England and Wales, and it undermines the UK’s international efforts to prevent child marriage elsewhere. By abolishing the exception and criminalising child marriage, this Bill would remove an anachronism in marriage law and protect children worldwide, as well as the integrity of the institution of marriage.

We have young people staying in education and training, and they should not be leaving school, education and training to be married, so that they can never have an economic future of independence. They should not be having children too young, and they should not be forced into this situation. At 16, very few young people are

able to fight against their parents; by the time they get to 18, there is much more opportunity because they can see a future of going off to university or further training and having some independence.

Apart from the pandemic, life is much better now than in 1929, and girls in particular have many more opportunities than young people brought up at that time. In 1929 there was nothing to do but to leave school at 14 and go to work, and the work was pretty menial for most girls. Life has changed, and girls can do anything they wish: they can become barristers or doctors; they can work and live abroad; they can travel. They have so many opportunities. They can even become MPs now, which is quite a relief. They will not be able to do any of those things if they miss out on education and training because they have left school to get married.

It is time this country came into the 21st century and changed it completely so that girls, and some boys, are protected while they are still children. We need to safeguard these children. We need to look after them and provide them with a future, which is what most of them want.

Question put and agreed to.

That Mrs Pauline Latham, Sarah Champion, Sir Graham Brady, Mr Virendra Sharma, Henry Smith, Philip Davies, Sir Roger Gale, Dr Dan Poulter, Mrs Sheryll Murray, Mrs Heather Wheeler, Ms Nusrat Ghani and Fiona Bruce present the Bill.

Mrs Pauline Latham accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 13 November, and to be printed (Bill 192).

PRISONERS (DISCLOSURE OF INFORMATION ABOUT VICTIMS) BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Prisoners (Disclosure of Information About Victims) Bill for the purpose of supplementing the Order of 11 February 2020 (Prisoners (Disclosure of Information About Victims) Bill (Programme)):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

(2) Any further Message from the Lords may be considered forthwith without any Question being put.

(3) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(*Tom Pursglove.*)

Question agreed to.

Prisoners (Disclosure of Information About Victims) Bill

Consideration of Lords amendments

After Clause 2

PAROLE BOARD DATABASE

2 pm

The Parliamentary Under-Secretary of State for Justice (Chris Philp): I beg to move, That this House disagrees with Lords amendment 1.

This Bill—Helen’s law, as we have come to know it—amends the release provisions that apply to offenders who do not disclose information relating to cases of murder, manslaughter, or taking or making indecent images of children. As Members are aware, it places existing Parole Board guidance on a statutory footing to ensure that Parole Board members must consider, when making release assessments, any non-disclosure of information relating to a victim’s remains if they were murdered, or the identity of the victims of child sexual abuse.

I once again pay tribute to the tremendous work done by the hon. Member for St Helens North (Conor McGinn) in campaigning for this Bill. He was inspired by his constituent Marie McCourt, whose daughter, Helen, was tragically murdered. I also pay tribute to the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), many of whose constituents were abused by Vanessa George. Without their tireless work, this Bill would not be progressing through Parliament. I extend to them, once again, my congratulations and thanks.

The Government agree entirely with the spirit and intent behind Baroness Kennedy’s amendment but have some issues with its practicality. Essentially, what it seeks to achieve is already achieved by other means. The first part of Baroness Kennedy’s amendment requires the Parole Board to take responsibility for contacting the victim, but there is of course already a victim contact service as part of the National Probation Service, which has responsibility for precisely that. We think it would create duplication and possibly confusion if two different bodies had the same responsibility for contacting victims.

Their lordships expressed some concern about the effectiveness of the current operation of the victim contact service. In particular, their amendment calls for communications with victims and their families to be done on an opt-out basis so that the family is contacted automatically, and the contact ceases only if the family or victim says, “No, we don’t want to hear anything further.” A pilot of doing exactly that has been running across many parts of the country, although—in response to an inquiry from the hon. Member for Plymouth, Sutton and Devonport—not currently in Devon and Cornwall.

I am pleased to tell the House that, subsequent to the House of Lords’ consideration of this matter, a decision has been taken to roll out that programme nationally as part of the new victims code, which we expect will come into operation in early 2021. We intend to lay before Parliament a negative statutory instrument before long to give effect to that. That is precisely what the other place called for in its amendment. Subsequent to their

lordships’ debate, it has been decided to progress and do that, so that part of the amendment is being done already. Their lordships might take some credit for prompting us, but it was something that we had been trialling previously, and we intended to do that. I hope that assurance that it will be done gives Members on both sides of the House a great deal of reassurance, happiness and contentment.

Sir Robert Neill (Bromley and Chislehurst) (Con): My hon. Friend will know that when the Justice Committee looked at these issues after a great deal of publicity and some court cases, our inquiry shared many of the concerns of the other House about the effectiveness of the victim contact scheme. Can he assure us that appropriate organisational changes, and additional resources where necessary, have been put in to ensure that the scheme can discharge these important duties adequately?

Chris Philp: I thank the Chairman of the Justice Committee for the work that he and his Committee have done in this area, which has been very thorough and useful. I think we do accept the point that he has made, as have the hon. Member for Plymouth, Sutton and Devonport and others, that the victim contact scheme can be improved.

I have had discussions with the Minister of State, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), who has responsibility for prisons and probation. She has asked me to pass on to the House her undertaking to meet and speak to the Victims’ Commissioner about improving the victim contact scheme. We will also be happy, either in the same meeting or a separate one, for Labour Front Benchers, including the hon. Member for Hove (Peter Kyle) and, if he wishes, the right hon. Member for Tottenham (Mr Lammy), as well as the hon. Members for Plymouth, Sutton and Devonport and for St Helens North—and their constituents—if they wish to join the meeting—to discuss any concerns they may have and any ideas they may have for further improvements to the victim contact scheme. I am happy to put that commitment by the Minister of State on the record this afternoon.

This Bill has progressed thus far with cross-party support. It has been worked on very constructively by those on the Government Front Bench and the Opposition Front Bench, as well as by those on the Back Benches. Indeed, it would not have got here without their work, as I said earlier. I hope we can continue in that spirit of cross-party unity on this topic.

Given that the victim contact scheme exists already and the opt-out changes will be made shortly, and given our commitment to work with the Victims’ Commissioner and others to further improve the victim contact scheme, I hope the House will join me in respectfully rebuffing—perhaps that is the word, or perhaps gently pushing back—the amendments that their lordships have sent in our direction.

Peter Kyle (Hove) (Lab): May I start by thanking the Minister for his comments and the tone in which he has conducted this debate? It is much appreciated by those of us on the Opposition Benches, I can assure him.

I start by paying tribute to the tireless campaigning of victims’ families, and in particular the campaigning of Marie McCourt and the families of those abused by Vanessa George. They have begged successive Governments

[Peter Kyle]

to time the release of serious offenders in a way that is more responsive to victim circumstance. Supported by my hon. Friends the Members for St Helens North (Conor McGinn) and for Plymouth, Sutton and Devonport (Luke Pollard), they have changed the law for the better.

Observers of this House from the outside may think it is quite normal for people to bring forward legislation from the Back Benches and get it all the way through both Houses, but it is very unusual. In fact, I think I am right in saying that both the Minister and I have attempted in the past to introduce legislation from the Back Benches. In his case, it was to tackle industrial relations in utility companies and in mine it was to extend the franchise to 16 and 17-year-olds, and both of us met with undignified failure. Those families have succeeded where we unfortunately failed. They will make a significant difference to the lives of victims' families for generations to come. They did so knowing that it would not materially impact their own situation. They did it to save others from the torment they have endured, and we are grateful to them.

As the House is aware, the first part of the Bill implements Helen's law. Motivated by the case of Ian Simms, it forces the Parole Board to consider the non-disclosure of key information during the release decisions of people convicted of murder or manslaughter. The unwillingness of murderers to disclose such details is a source of merciless and unrelenting anguish. That is equally true of the young victims of Vanessa George, who was convicted of sexual assault and making and distributing indecent photographs of children. She was released from prison last year, despite never naming the children she abused. The second part of the Bill guarantees the same protections for victims in such cases.

It is unforgivable that our system has not better reflected the needs of those bereaved by such horrific crimes over previous decades. For far too long, victims and their families have been treated as an afterthought in the criminal justice system. They were described as such by the victims' commissioner for London, Claire Waxman, in a recent interview. The Bill delivers two new key statutory rights to victims and their families. I hope the Government will continue with this direction of travel apace, because, despite repeated pledges, they have still failed to bring forward the long-promised victims law, which would offer a comprehensive set of rights and protections to the victims who so desperately need them. Such a law is desperately needed now more than ever, given the increasing rate of offences for which no one is ever brought to justice because of the victim and witnesses dropping out due to various different issues. We have pledges aplenty from the Government; we need more action.

There is far more left to do to address the systemic challenges facing victims in the criminal justice system. We on the Opposition Benches will continue to press the Government on this issue and work constructively with them when the opportunity arises, as we have done today. We will campaign unfailingly until comprehensive rights are guaranteed by law for those victims who need them the most. This Bill marks one very positive step forward, and the Opposition proudly support it on its convoluted pathway from the Back Benches to the Front Bench and through both Houses of Parliament. We now look forward to the difference it will make for victims and their families.

Lords amendment 1 was proposed in the other place by Baroness Kennedy of Cradley and seeks to address the asymmetry in offender and victim rights, wherein offenders receive regular communication from the authorities—a luxury that most victims will only ever dream of. This cannot continue, and Baroness Kennedy's amendment represents an effort to tackle the injustice. However, we are happy to have agreed with the Minister, over the course of recent weeks, commitments regarding the future of the victim contact scheme. As a result, we will not seek to divide the House on the amendment.

I want to thank the Minister and put on the record the open-spirited way in which he has engaged with me and Members from all parties as we have approached today's debate. First, we accept his argument that the creation of a victim database would replicate the work of the victim contact scheme. Victim liaison officers perform a vital role in keeping victims and their families up to date on the release process. That extends to those affected by the shocking crimes under discussion in respect of the Bill. There is scope to improve the scheme further, and the Government have pledged to review it as part of a broader reform of probation. It is vital that the tragic cases to which the Bill applies are given substantial consideration in any such review.

Secondly, we welcome the Government's intention to introduce an opt-out system as part of the victim contact scheme. That will help to ensure that families of victims are empowered throughout the criminal justice process, extending support to more of those in need while protecting the right to withdraw from the contact process should that be desired.

Finally, we welcome the commitment to involving the Victims' Commissioner in any review of the victim contact scheme. In her letter dated 7 August, the commissioner laid out her thoughts on how to make the scheme more responsive to victims' needs, including by changing it from a transactional service into a package of end-to-end support and considering the benefits of co-location with victims' services. The Government must work closely with the commissioner to consider the viability of her proposed changes.

I thank the Minister for inviting us on the Opposition Benches to contribute to any future review; it is generous of him and welcomed by us. We look forward to working with him on this issue and finding solutions to the challenges of how we ensure that families can easily update contact details over time. It is important that our political system, and those who work within it, come together when broad agreement can be found. Not only is this how politics can better reflect most people's experiences in their daily lives, but it is a way that we in this House can demonstrate our respect for the suffering of victims and their families by coming together and putting their needs ahead of any others.

Sir Robert Neill: May I join the Minister and shadow Minister in paying tribute to the victims who have worked so hard to have an appalling wrong righted, and to the hon. Members of this House who have campaigned so steadfastly for that to be achieved? I welcome, too, the spirit in which the Minister has approached this issue throughout; I think we will all end up in the same position.

When the Select Committee heard evidence relating to these matters of disclosure—I am grateful again to those members of the public who assisted us while

sometimes having to relive painful experiences, as hon. Members can imagine—we had concerns about the effectiveness of the victims service at that time. I am glad to hear that those changes have been made. I hope that the Minister will ensure that it continues to have the resources needed to provide what I think we all accept needs to be a more holistic support service for victims in such circumstances.

2.15 pm

We also have to bear in mind the new and perfectly proper responsibilities placed on the Parole Board, ensuring that it is resourced in terms of both money and suitably qualified personnel. I would submit that the chairs of the panels dealing with such sensitive cases should always be legally qualified. I hope and anticipate that the Minister will be prepared to take those suggestions on board. The Select Committee looks forward to keeping an eye on how the review progresses, and I hope that it will not take too long. I also hope that we will, as our party pledge, move towards a victims law in due course, although we appreciate the work that has been done to strengthen the victims code; that is important.

When the Victims' Commissioner last gave evidence before the Select Committee, she expressed some ongoing concern at the variability of support for victims in general across various parts of the country. Much of the funding comes from police and crime commissioners, and the level of priority can vary—if I can put it that way—from place to place. It is probably not acceptable to have that degree of postcode lottery. I hope that we can engage constructively with the Government to find ways in which we can even out the imbalances to ensure that, wherever victims are in the country, they get the same and proper levels of support.

This Bill is an important and valuable step forward. It does credit to the parliamentary process that it has been improved and taken forward in the way in which it has. It is in that spirit that we should say to their lordships that, with respect, we regard the amendment to the Bill as now unnecessary. I am grateful to the Minister and to all concerned for this important piece of work.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I thank the Minister for his remarks, which will go a long way towards helping the families involved in the case of Vanessa George. I speak today on behalf of the families of the children who were abused by Vanessa George. Those babies and toddlers—as they were when they were abused—are still children and young adults, so they cannot be named; nor can I place on record the names of the family members who have done so much campaigning and hard work, and who have shared so many painful experiences in order to get this far. They know who they are and Plymouth is grateful to them, and I am grateful to them for their work in this respect.

Our campaign started when the news of Vanessa George's release was made public. At first, its key objective was to prevent her early release, as someone who still held a power over the families and the victims: the names of the children who were abused. We do not believe that every child at Little Ted's nursery in Laira was abused by Vanessa George, but we do not know which child was. That means that every single family who sent their most precious gift in the world—their child—to the nursery is living with the uncertainty over

whether it is their child who was abused, and whether it is an image of the abuse of their child that is festering in some dark corner of the web somewhere. That is a cancer that eats away at people, and the courage and determination of the families throughout this process has been a real source of strength for me.

When it was announced that Vanessa George was released, the campaign then moved to strengthen the law. I want to pay tribute to the Government. As a member of the Opposition Front-Bench team, that is not something I find myself doing often, but in this respect, party politics has been put to one side. The Minister, his predecessor, who is now the Secretary of State, their Justice team colleagues and the officials went out of their way to listen to the family's concerns and bring forward a measure that enacts the campaigns of two Labour MPs. That is testament to the importance of the issues and the sense that, despite the contested nature of our politics, there are things that we can all agree on and work together on to make our country better.

The campaign had two parts. One was tightening the law to make refusal to name children who have been abused a material consideration for the Parole Board in determining whether to release a prisoner. That legislative change is needed and I am grateful that it remains in the Bill. The second part relates to the amendment that was passed in the Lords. That was the softer side—communication and how the victims' families felt involved in the process.

Jane Hunt (Loughborough) (Con): Does the hon. Member agree that it is extremely important that the contact database or the contact scheme that the Parole Board has lists each family member? So often in these instances, the trauma of what has happened leads to families breaking up. It is therefore important for each family member to know what is happening.

Luke Pollard: The hon. Member is exactly right. That point is an important part of the softer side of communication that needs to be built into the system. The majority of the families found out about the release not via communication from the authorities but through Facebook and our local media. That is an enormous tragedy for those families who were unable to prepare themselves or their children for what was coming.

The children Vanessa George abused and those we think she may have abused and their classmates are now young adults of secondary school age. They are digital natives. They were born with the internet. They know the issues in their community and they have followed this issue, sometimes with greater awareness than their parents. Schools have done a tremendous job in ensuring that they are supported through the process, but we need to build that into a system to make sure that there is proper communication.

I am therefore pleased that the Minister has said that the pilot schemes that were put in place with the probation service will be rolled out nationally, including in Devon and Cornwall. That is a huge improvement on the current situation. I am also glad that they are “opt out” rather than “opt in”. Opting in when the crime or the trial takes place is an enormously difficult decision. As has been said, only one member of a family normally makes that decision to take the lead on liaison with the

[*Luke Pollard*]

authorities. For most people, liaison with the police and the criminal justice system is not something that they go through every day, and it is a difficult decision. The ability to have a system, whereby families can adjust their details over time, when email addresses change and families break up, is important. The enormous stress of this case has led to families breaking up. It is right and proper that both parents—the mum and the dad—have the opportunity to know what is happening.

I am also pleased that the Minister has set out the involvement of the Victims' Commissioner. I have met her in relation to this case and I have found her as compassionate and skilled in her current role as she was when she was in this House. I know that her involvement will strengthen the system that flows from the Bill.

The roll-out of the victim contact scheme is important. I am glad that the Minister has made that commitment. I would be pleased to take him up on his offer of being involved with that and to feed in the families' experiences. I have been sharing not just the communication but the whole process with Ministers. In a meeting with one of the Minister's Justice colleagues, I spoke about the experience of one family member who gave evidence at the Parole Board hearing. It was a still a requirement to attend in person at that point, in the prison where the offender was held, to read out a statement. I could not understand why, in the 21st century, that could not be done by video link from a local court, sparing the family member the pressure of travelling. That applies particularly in the case of a female offender because we do not have as many female prisons as male prisons and that means travelling long distances, especially from the south-west, to give evidence. Coronavirus has speeded up the giving of video evidence, but I know that the Government were looking at a pilot, which was held in London, and that they are considering rolling it out nationwide. I hope that the importance of doing that can be reinforced.

On the basis of the reassurances that the Minister has provided today—I am grateful to him for doing so—I echo the words of my hon. Friend the Member for Hove (Peter Kyle) in saying that we will not be pressing this amendment. I think that is a good thing because, in my mind, child abuse should not be party political: it should be something where we find common ground and work together. I am grateful to Baroness Kennedy in the other place for tabling the amendment and for pressing it, because in doing so she has listened to the campaign of the victims in Plymouth and has helped to achieve movement, which is very welcome. Vanessa George robbed these children of their innocence. She robbed the families of the trust that they could place in their local nursery, which has now closed. Each of the families I have spoken to has said, "This can't change what happened, but it can stop it happening to someone else." That is a really important part of where we are going.

I pay tribute to my hon. Friend the Member for St Helens North (Conor McGinn) for his championing of the first part of this Bill in relation to Helen's law. It is enormously difficult to make a case consistently for as long as he has done, but he has done so proudly, professionally and with great courtesy. I know he will

continue to support Marie and the family. Notwithstanding the personal pain that she feels at the release of Helen's killer, she was pleased to see that this law will come into force soon and hopes that no other family will have to go through what she has gone through. That is a lasting tribute to her campaigning.

I must admit that I was ill prepared to deal with the scale of child abuse that this case presented me with. We need to equip people in public life better for that. Dealing with one case of child abuse is awful, but I was ill prepared for the scale of challenge in dealing, as in this case, with dozens of babies and toddlers who had been abused and the uncertainty around that. I am very glad that, with the support of Labour Front Benchers and of Ministers and their officials, we are getting to a point where the victims will be able to see a form of justice done in improving the system, with better communication on what is taking place.

My final remark is to Vanessa George herself. She maintains a power over the victims by withholding their names. She will know the names of some of the children she abused and photographed and whose images she shared. Wherever she is in Britain at this point, she could help the families and relieve a part of their suffering and uncertainty by naming some of the children she abused. She must know the names. She must know that naming the kids would enormously help the healing process. I appeal to her to do that, because for as long as she holds on to those names, those families will not have peace. That is a really important of this issue.

I thank the Minister for the concessions and the announcements that he has made today. They go an enormous way towards delivering on the campaign on behalf of the families from Plymouth. This is a good Bill. I hope that it can be passed into law by Christmas so that all the families of the children who were abused in Plymouth will know that there is strengthened legislation and better communication as a result of their campaign.

Jane Hunt: I would first like to express my support for this Bill as a whole. We absolutely must do everything we can to return the bodies of victims to their loved ones to ensure that they are afforded a proper burial and an opportunity to say goodbye. The death of any loved one can have a profound impact on family members and friends. From the testimony of the McCourt family, who have been the driving force behind this Bill, and that of many others, it is clear that that is magnified in cases of murder, and further still when an offender refuses to disclose where they have left the body of their victim. It is also right that the measures in this Bill extend to those who have been convicted of abusing children and making indecent images of their victims. That is a heinous crime, and families of potential victims deserve answers.

Turning to the amendment, I doubt that anyone would dispute the need to ensure that victims and their families are kept apprised of any parole applications and, indeed, of every stage of the parole process thereafter. Over the past few years as a caseworker for my predecessor and now as the Member of Parliament, I have supported constituents of mine such as the Weedon family, whose daughter Amanda was subjected to a frenzied attack by a complete stranger when walking home from her job as a nurse at a local hospital. She sustained 37 knife wounds. Even more shockingly, it was reported that the

attack happened while the perpetrator was visiting the grave of his first victim. The perpetrator of these horrific crimes was sentenced to life imprisonment in the 1980s but made a parole application earlier this year. The family were subsequently informed of this and were able to make a victim personal statement and challenge the Parole Board's decision in the necessary timeframe. Unfortunately, in this case, the prisoner was released, but the families were at least given the opportunity to make their views known.

2.30 pm

It is crucial that victims and their families are given a voice and treated on a level playing field with the offender. Indeed, Amanda's father, Horace Weedon, who sadly passed away earlier this year, played an active role in the years following Amanda's murder in improving the support afforded to victims' families, even delivering a talk at HMP Gartree to prisoners serving life sentences. I would like to take this opportunity to pay tribute to his work.

I welcome the fact that, as the Minister highlighted, there is already a well-established process in place, delivered through the victim contact scheme, which keeps victims and their families up to date with parole applications. Sadly, however, there are still too many cases in which victims and their families are not provided with that information and find out that an offender has been released only when it is reported in the media. That is wrong. Even if the Government consider that creating a database is not the right solution, we need to look again at the process and how it can be improved, not just in the specific instances covered by the Bill but more widely.

Wera Hobhouse (Bath) (LD): I shall keep my remarks very short, but I want to say a few things in the cross-party spirit of the Bill. My remarks became even shorter after the Minister contacted me this morning and explained exactly the concessions that the Government are making. I am very grateful for that. I also pay tribute to the campaigners and Members of this House who have ensured that this important change in the law will hopefully come into force very soon, making life a lot better and more bearable for victims' families, who have gone through traumatic experiences already.

The Liberal Democrats welcome the Bill, which will hopefully bring much needed justice for the families of victims. I sincerely hope that this legislation will mean that far fewer families find themselves in the awful position of not knowing what has happened after a loved one becomes a victim of a heinous crime.

The most important issue, which is at the core of the Bill, is improving communication, disclosure and open decision making. The parole function needs to make sure that the views of victims' families are an essential part of that function. As we just heard, there are too many examples of a victim's family finding out the result of a parole hearing only through media reports or online. I do not doubt that everyone in the House wants to ensure that our justice system does better to support victims. Parole Board cases are of great significance to victims' families. They must have the right to know what is happening and to have their say—a meaningful say.

The issue we are debating, which arises from the Lords amendment—much of that has already been discussed—is effective communication with victims' families. That is currently done through the probation service. The Lords amendment would require the Parole Board to provide the essential and meaningful communication with victims' families. I understand that the Government are offering not to amend this essential part of the Bill, but to improve the probation service to a point where justice is done for the families of victims.

The Government do, however, agree with part of the Lords amendment and have already been running a pilot for opt-out systems so that families can have regular updates, and they intend to lay a statutory instrument under the negative resolution procedure at the beginning of the new year, in line with the new victims code. All that is very welcome. We have also heard that the Government are committing to more contact between the Prisons Minister and the Victims' Commissioner. Again, that is very welcome.

The proof of those concessions, however, will be in their effectiveness, and we will need to see how effective the system is once it is up and running. My main request is for a proper review of whether the new arrangements have the required outcome of giving the families of victims of terrible crimes the justice that they deserve, and minimising the trauma that families go through.

Chris Philp: With the leave of the House, let me say a word or two in conclusion. I once again thank the hon. Members for St Helens North (Conor McGinn) and for Plymouth, Sutton and Devonport (Luke Pollard) for their campaigning on this topic, and I thank the Opposition Front Bench and the Liberal Democrat Front Bench for the constructive cross-party spirit in which they have approached it.

This is an example of Parliament working at its best on an issue of profound importance to victims whose lives have been destroyed by either murderers or child abusers who seek to further torment their victims, even after the offence and their trial and conviction, by intentionally and maliciously withholding information about the whereabouts of the body or the identities of the children who have been abused. It is wicked and unacceptable, and this House, in passing this legislation, sends a clear message to those people that their behaviour is abhorrent and unacceptable, and we stand united against it.

Lords amendment 1 disagreed to.

Ordered, That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendment 1;

That Chris Philp, Tom Pursglove, Neil O'Brien, Julie Marson, Bambos Charalambous and Peter Kyle be members of the Committee;

That Chris Philp be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—*(Rebecca Harris.)*

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Madam Deputy Speaker (Dame Eleanor Laing): In order to observe social distancing, the Reasons Committee will meet not as usual in the Reasons Room but in Committee Room 12.

In order to allow Members to safely leave the Chamber and Members who are going to speak on the next item of business to enter, I suspend the sitting for three minutes.

2.37 pm

Sitting suspended.

Private International Law (Implementation of Agreements) Bill [*Lords*]

Considered in Committee

[DAME ELEANOR LAING *in the Chair*]

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

Clause 1

IMPLEMENTATION OF THE 1996, 2005 AND 2007
HAGUE CONVENTIONS

2.41 pm

Mr Jonathan Djanogly (Huntingdon) (Con): I beg to move amendment 2, page 2, line 20, at end insert—

“**3F The 2007 Lugano Convention to have the force of law**

(1) The 2007 Lugano Convention shall have the force of law in the United Kingdom.

(2) For the purposes of this Act the 2007 Lugano Convention is to be read together with any reservations or declarations made by the United Kingdom at the time of the approval of the Convention.

(3) For convenience of reference the English text of the 2007 Lugano Convention is set out in Schedule 3H.”

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

Amendment 3, page 2, line 21, leave out “3G” and insert “3H”.

Amendment 4, page 2, line 22, leave out “4” and insert

“(Schedule to be inserted as Schedule 3H to the Civil Jurisdiction and Judgments Act 1982)”.

Amendment 1, page 2, line 24, at end insert—

“(5) The 2007 Lugano Convention on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial Matters shall have the force of law in the United Kingdom, conditional upon the United Kingdom accession to such Convention.”

Clause 1 stand part.

Government amendment 5.

This amendment provides that regulations made under NC5 may make provision binding the Crown.

Clause 2 stand part.

Government amendment 6.

This amendment inserts a new subsection into Clause 3. This allows Her Majesty by Order in Council to extend to the Isle of Man NC5 (including NS4) and subsections (2) and (3) of Clause 2 inserted by Amendment 5.

Clause 3 stand part.

Government new clause 5—*Implementation of other agreements on private international law (No. 3)*—

“(1) The appropriate national authority may make regulations for the purpose of, or in connection with, implementing any international agreement, as it has effect from time to time, so far as relating to private international law (a ‘relevant international agreement’).

(2) The appropriate national authority may make regulations for the purpose of, or in connection with, applying a relevant international agreement, with or without modifications, as between different jurisdictions within the United Kingdom.

(3) The appropriate national authority may make regulations for the purpose of, or in connection with, giving effect to any arrangements made between—

- (a) Her Majesty's government in the United Kingdom, and
- (b) the government of a relevant territory,

for applying a relevant international agreement, with or without modifications, as between the United Kingdom, or a jurisdiction within the United Kingdom, and that territory.

(4) Regulations under this section may make—

- (a) consequential, supplementary, incidental, transitional or saving provision;
- (b) different provision for different purposes or for different parts of the United Kingdom.

(5) Regulations under this section may include provision about—

- (a) enforcement of obligations arising under or by virtue of the regulations;
- (b) sharing of information;
- (c) legal aid.

(6) Schedule (*Regulations under section (Implementation of other agreements on private international law (No. 3))*) makes further provision about regulations under this section.

(7) In this section—

'appropriate national authority' means—

- (a) in relation to England and Wales, the Secretary of State;
- (b) in relation to Scotland—
 - (i) the Scottish Ministers, or
 - (ii) the Secretary of State acting with the consent of the Scottish Ministers;
- (c) in relation to Northern Ireland—
 - (i) a Northern Ireland department, or
 - (ii) the Secretary of State acting with the consent of a Northern Ireland department

'international agreement' means a convention, treaty or other agreement to which the United Kingdom is, or is expected to become, a party;

'private international law' includes rules and other provisions about—

- (a) jurisdiction and applicable law;
- (b) recognition and enforcement in one country or territory of any of the following that originate in another country or territory—
 - (i) a judgment, order or arbitral award;
 - (ii) an agreement, decision or authentic instrument determining or otherwise relating to rights and obligations;
- (c) co-operation between judicial or other authorities in different countries or territories in relation to—
 - (i) service of documents, taking of evidence and other procedures, or
 - (ii) anything within paragraph (a) or (b);

'relevant international agreement' has the meaning given in subsection (1);

'relevant territory' means—

- (a) the Isle of Man;
- (b) any of the Channel Islands;
- (c) a British overseas territory.

(8) This section and Schedule (*Regulations under section (Implementation of other agreements on private international law (No. 3))*) have effect, with the following modifications, in relation to a model law adopted by an international organisation

of which the United Kingdom is a member as it has effect in relation to an international agreement to which the United Kingdom is, or is expected to become, a party.

The modifications are—

- (a) a reference in this section or that Schedule to implementing or applying a relevant international agreement is to be read as a reference to giving effect to the model law (with or without modifications);
- (b) subsection (1) is to be read as if the words 'as revised from time to time' were substituted for the words 'as it has effect from time to time'."

This new clause contains a power to implement international agreements relating to private international law.

Amendment (a) to Government new clause 5, in subsection (1), leave out from "implementing" to "relevant" and insert "the".

This amendment together with amendments (c), (d) and (g) is intended to ensure the powers in Government NC5 may be used only to implement the 2007 Lugano Convention.

Amendment (b) to Government new clause 5, in subsection (1), leave out "any" and insert "an".

This amendment with Amendment (f) is intended to ensure that order making powers are confined to the international treaties set out in clause 1 only.

Amendment (c) to Government new clause 5, in subsection (2), leave out "a" and insert "the".

See explanatory statement for Amendment (a).

Amendment (d) to Government new clause 5, in subsection (3), leave out "a" and insert "the".

See explanatory statement for Amendment (a).

Amendment (e) to Government new clause 5, in subsection (6), leave out

"Schedule (*Regulations under section (Implementation of other agreements on private international law (Amendment3))*)"

and insert

"Schedule (*Regulations under section (Implementation of other Agreements on Private International Law (Amendment2))*)".

This amendment would provide for super-affirmative procedure to be applied in accordance with NS3 to regulations made under Government NC5.

Amendment (f) to Government new clause 5, in subsection (7), after "party", insert

"and which is set out in section 1."

This amendment with Amendment (b) is intended to ensure that order making powers are confined to the international treaties set out in clause 1 only.

Amendment (g) to Government new clause 5, in subsection (7), leave out

"has the meaning given in subsection (1)"

and insert

"means the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters signed at Lugano on 30th October 2007 (the '2007 Lugano Convention');".

See explanatory statement for Amendment (a).

New clause 1—*Implementation of other agreements on private international law*—

"(1) The appropriate national authority may make regulations for the purpose of, or in connection with, implementing an international agreement, as it has effect from time to time, so far as relating to private international law (a 'relevant international agreement').

(2) The appropriate national authority may make regulations for the purpose of, or in connection with, applying a relevant international agreement, with or without modifications, as between different jurisdictions within the United Kingdom.

(3) The appropriate national authority may make regulations for the purpose of, or in connection with, giving effect to any arrangements made between—

- (a) Her Majesty's government in the United Kingdom, and
- (b) the government of a relevant territory,

for applying a relevant international agreement, with or without modifications, as between the United Kingdom, or a jurisdiction within the United Kingdom, and that territory.

(4) This section applies (subject to subsection (5)) where the United Kingdom has authenticated a relevant international agreement.

(5) This section applies only if the proposed agreement is not binding on the United Kingdom as a matter of international law unless it is ratified by the United Kingdom.

(6) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of the proposed agreement.

(7) In this section a reference to authenticating a relevant international agreement is a reference to doing an act which establishes the text of the agreement as authentic and definitive as a matter of international law.

(8) This section applies where a Minister of the Crown proposes to make regulations under subsections (1), (2) or (3) for the purpose of implementing a relevant international agreement to which the United Kingdom and another signatory (or other signatories) are signatories.

(9) A draft of the statutory instrument containing the regulations may not be laid before Parliament unless, at least 10 Commons sitting days before the draft is laid, a Minister of the Crown has laid before Parliament a report which gives details of, and explains the reasons for, the relevant international agreement.

(10) In this section 'Commons sitting day' means a day on which the House of Commons begins to sit.

(11) Regulations under this section may make—

- (a) consequential, supplementary, incidental, transitional or saving provision;
- (b) different provision for different purposes or for different parts of the United Kingdom.

(12) Regulations under this section may include provision about—

- (a) enforcement of obligations arising under or by virtue of the regulations;
- (b) sharing of information;
- (c) legal aid.

(13) No regulations may be made under subsections (1), (2) or (3) after the end of the period of 2 years beginning with the date of enactment of this Act.

(14) In this section—

'appropriate national authority' means—

- (a) in relation to England and Wales, the Secretary of State;
- (b) in relation to Scotland—
- (c) in relation to Northern Ireland—

'international agreement' means a convention, treaty or other agreement to which the United Kingdom is, or is expected to become, a party and which is set out in section 1 of this Act;

'private international law' includes rules and other provisions about—

- (a) jurisdiction and applicable law;
- (b) recognition and enforcement in one country or territory of any of the following that originate in another country or territory—
- (c) co-operation between judicial or other authorities in different countries or territories in relation to—

'relevant international agreement' has the meaning given in subsection (1);

'relevant territory' means—

- (a) the Isle of Man;
- (b) any of the Channel Islands;
- (c) a British overseas territory.

(15) This section has effect, with the following modifications, in relation to a model law adopted by an international organisation of which the United Kingdom is a member as it has effect in relation to an international agreement to which the United Kingdom is, or is expected to become, a party.

The modifications are—

- (a) a reference in this section or that Schedule to implementing or applying a relevant international agreement is to be read as a reference to giving effect to the model law (with or without modifications);
- (b) subsection (1) is to be read as if the words 'as revised from time to time' were substituted for the words 'as it has effect from time to time'."

This new clause is a modified version of clause 2 removed from the Bill by the House of Lords. This new clause requires a Minister to lay a report before Parliament at least 10 Commons sitting days before regulations implementing a relevant international agreement are laid in draft under subsections (1), (2) and (3) requires a Minister to lay a report before Parliament before the UK ratifies a private international law agreement with another country and contains a sunset provision.

New clause 2—Implementation of the 2007 Lugano Convention—

"(1) The Secretary of State may make regulations for the purpose of, or in connection with, implementing the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters signed at Lugano on 30th October 2007 (the '2007 Lugano Convention'), in the event that the United Kingdom becomes a party to the Convention in its own right.

(2) The Secretary of State must consult the Scottish Ministers, the Welsh Ministers and a Northern Ireland Department before making regulations under subsection (1).

(3) Regulations under subsection (1) are subject to super-affirmative resolution procedure (see Schedule (*Super-affirmative resolution procedure*))."

This new clause would enable the Secretary of State to make regulations implementing the Lugano Convention in the UK, subject to the super-affirmative resolution procedure in NS2.

New clause 6—Report on relevant international agreement—

"(1) This section applies (subject to subsection (2)) where the United Kingdom has authenticated a relevant international agreement in accordance with section (*Implementation of other agreements on private international law (No. 3)*).

(2) This section applies only if the proposed agreement is not binding on the United Kingdom as a matter of international law unless it is ratified by the United Kingdom.

(3) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of the proposed agreement.

(4) In this section a reference to authenticating a relevant international agreement is a reference to doing an act which establishes the text of the agreement as authentic and definitive as a matter of international law."

This new clause requires a Minister to lay a report before Parliament before the UK ratifies a private international law agreement with another country.

New clause 7—Report to be laid with regulations under section 2(1), (2) or (3)—

"(1) This section applies where a Minister of the Crown proposes to make regulations under section (*Implementation of other agreements on private international law (No. 3)*) (1), (2) or (3) for the purpose of implementing a relevant international agreement to which the United Kingdom and another signatory (or other signatories) are signatories.

(2) A draft of the statutory instrument containing the regulations may not be laid before Parliament unless, at least 10 Commons sitting days before the draft is laid, a Minister of the Crown has laid before Parliament a report which gives details of, and explains the reasons for, the relevant international agreement.

(3) In this section, ‘Commons sitting day’ means a day on which the House of Commons begins to sit.”

This new clause requires a Minister to lay a report before Parliament at least ten Commons sitting days before regulations implementing a relevant international agreement are laid in draft under subsections (1), (2) and (3) of Government NC5.

New clause 8—*Sunset Provisions*—

“No regulations may be made under subsections (1),(2) and (3) of section (*Implementation of other agreements on private international law (No. 3)*) after the end of the period of 2 years beginning with the date on which this Act is passed.”

That schedule 1 be the First schedule to the Bill.

That schedule 2 be the Second schedule to the Bill.

That schedule 3 be the Third schedule to the Bill.

That schedule 4 be the Fourth schedule to the Bill.

That schedule 5 be the Fifth schedule to the Bill.

Government new schedule 4—*Regulations under section (Implementation of other agreements on private international law (No. 3))*.

New schedule 1—*Schedule 4A*—

“SCHEDULE TO BE INSERTED AS SCHEDULE 3H TO THE
CIVIL JURISDICTION AND JUDGMENTS ACT 1982

SCHEDULE 3H

TEXT OF THE 2007 LUGANO CONVENTION CONVENTION ON JURISDICTION AND THE RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

(Concluded on 30 October 2007)

The High Contracting Parties to this Convention,

Determined to strengthen in their territories the legal protection of persons therein established,

Considering that it is necessary for this purpose to determine the international jurisdiction of the courts, to facilitate recognition, and to introduce an expeditious procedure for securing the enforcement of judgments, authentic instruments and court settlements,

Aware of the links between them, which have been sanctioned in the economic field by the free trade agreements concluded between the European Community and certain States members of the European Free Trade Association,

the Brussels Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters, as amended by the Accession Conventions under the successive enlargements of the European Union,

the Lugano Convention of 16 September 1988 on jurisdiction and the enforcement of judgments in civil and commercial matters, which extends the application of the rules of the 1968 Brussels Convention to certain States members of the European Free Trade Association,

Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, which has replaced the abovementioned Brussels Convention,

the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, signed at Brussels on 19 October 2005,

Persuaded that the extension of the principles laid down in Regulation (EC) No 44/2001 to the Contracting Parties to this instrument will strengthen legal and economic cooperation,

Desiring to ensure as uniform an interpretation as possible of this instrument,

Have in this spirit decided to conclude this Convention, and have agreed as follows—

TITLE I

SCOPE

Article 1

(1) This Convention shall apply in civil and commercial matters whatever the nature of the court or tribunal. It shall not extend, in particular, to revenue, customs or administrative matters.

(2) The Convention shall not apply to—

- (a) the status or legal capacity of natural persons, rights in property arising out of a matrimonial relationship, wills and succession;
- (b) bankruptcy, proceedings relating to the winding-up of insolvent companies or other legal persons, judicial arrangements, compositions and analogous proceedings;
- (c) social security;
- (d) arbitration.

(3) In this Convention, the term ‘State bound by this Convention’ shall mean any State that is a Contracting Party to this Convention or a Member State of the European Community. It may also mean the European Community.

TITLE II

JURISDICTION

SECTION 1

General provision

Article 2

(1) Subject to the provisions of this Convention, persons domiciled in a State bound by this Convention shall, whatever their nationality, be sued in the courts of that State.

(2) Persons who are not nationals of the State bound by this Convention in which they are domiciled shall be governed by the rules of jurisdiction applicable to nationals of that State.

Article 3

(1) Persons domiciled in a State bound by this Convention may be sued in the courts of another State bound by this Convention only by virtue of the rules set out in Sections 2 to 7 of this Title.

(2) In particular the rules of national jurisdiction set out in Annex I shall not be applicable as against them.

Article 4

(1) If the defendant is not domiciled in a State bound by this Convention, the jurisdiction of the courts of each State bound by this Convention shall, subject to the provisions of Articles 22 and 23, be determined by the law of that State.

(2) As against such a defendant, any person domiciled in a State bound by this Convention may, whatever his nationality, avail himself in that State of the rules of jurisdiction there in force, and in particular those specified in Annex I, in the same way as the nationals of that State.

SECTION 2

Special jurisdiction

Article 5

A person domiciled in a State bound by this Convention may, in another State bound by this Convention, be sued—

- (1) (a) in matters relating to a contract, in the courts for the place of performance of the obligation in question;
- (b) for the purpose of this provision and unless otherwise agreed, the place of performance of the obligation in question shall be—

- in the case of the sale of goods, the place in a State bound by this Convention where, under the contract, the goods were delivered or should have been delivered;
- in the case of the provision of services, the place in a State bound by this Convention where, under the contract, the services were provided or should have been provided;
- (c) if (b) does not apply then subparagraph (a) applies;
- in the case of the sale of goods, the place in a State bound by this Convention where, under the contract, the goods were delivered or should have been delivered;
- in the case of the provision of services, the place in a State bound by this Convention where, under the contract, the services were provided or should have been provided;
- (2) in matters relating to maintenance—
- (a) in the courts for the place where the maintenance creditor is domiciled or habitually resident; or
- (b) in the court which, according to its own law, has jurisdiction to entertain proceedings concerning the status of a person if the matter relating to maintenance is ancillary to those proceedings, unless that jurisdiction is based solely on the nationality of one of the parties; or
- (c) in the court which, according to its own law, has jurisdiction to entertain proceedings concerning parental responsibility, if the matter relating to maintenance is ancillary to those proceedings, unless that jurisdiction is based solely on the nationality of one of the parties.
- (3) in matters relating to tort, delict or quasi-delict, in the courts for the place where the harmful event occurred or may occur;
- (4) as regards a civil claim for damages or restitution which is based on an act giving rise to criminal proceedings, in the court seized of those proceedings, to the extent that that court has jurisdiction under its own law to entertain civil proceedings;
- (5) as regards a dispute arising out of the operations of a branch, agency or other establishment, in the courts for the place in which the branch, agency or other establishment is situated;
- (6) as settlor, trustee or beneficiary of a trust created by the operation of a statute, or by a written instrument, or created orally and evidenced in writing, in the courts of the State bound by this Convention in which the trust is domiciled;
- (7) as regards a dispute concerning the payment of remuneration claimed in respect of the salvage of a cargo or freight, in the court under the authority of which the cargo or freight in question—
- (a) has been arrested to secure such payment; or
- (b) could have been so arrested, but bail or other security has been given;

provided that this provision shall apply only if it is claimed that the defendant has an interest in the cargo or freight or had such an interest at the time of salvage.

Article 6

A person domiciled in a State bound by this Convention may also be sued—

- (1) where he is one of a number of defendants, in the courts for the place where any one of them is domiciled, provided the claims are so closely connected that it is expedient to hear and determine them together to avoid the risk of irreconcilable judgments resulting from separate proceedings;
- (2) as a third party in an action on a warranty or guarantee, or in any other third party proceedings, in the court seized of the original proceedings, unless these were

- instituted solely with the object of removing him from the jurisdiction of the court which would be competent in his case;
- (3) on a counter-claim arising from the same contract or facts on which the original claim was based, in the court in which the original claim is pending;
- (4) in matters relating to a contract, if the action may be combined with an action against the same defendant in matters relating to rights in rem in immovable property, in the court of the State bound by this Convention in which the property is situated.

Article 7

Where by virtue of this Convention a court of a State bound by this Convention has jurisdiction in actions relating to liability from the use or operation of a ship, that court, or any other court substituted for this purpose by the internal law of that State, shall also have jurisdiction over claims for limitation of such liability.

SECTION 3

Jurisdiction in matters relating to insurance

Article 8

In matters relating to insurance, jurisdiction shall be determined by this Section, without prejudice to Articles 4 and 5(5).

Article 9

(1) An insurer domiciled in a State bound by this Convention may be sued—

- (a) in the courts of the State where he is domiciled; or
- (b) in another State bound by this Convention, in the case of actions brought by the policyholder, the insured or a beneficiary, in the courts for the place where the plaintiff is domiciled; or
- (c) if he is a co-insurer, in the courts of a State bound by this Convention in which proceedings are brought against the leading insurer.

(2) An insurer who is not domiciled in a State bound by this Convention but has a branch, agency or other establishment in one of the States bound by this Convention shall, in disputes arising out of the operations of the branch, agency or establishment, be deemed to be domiciled in that State.

Article 10

In respect of liability insurance or insurance of immovable property, the insurer may in addition be sued in the courts for the place where the harmful event occurred. The same applies if movable and immovable property are covered by the same insurance policy and both are adversely affected by the same contingency.

Article 11

(1) In respect of liability insurance, the insurer may also, if the law of the court permits it, be joined in proceedings which the injured party has brought against the insured.

(2) Articles 8, 9 and 10 shall apply to actions brought by the injured party directly against the insurer, where such direct actions are permitted.

(3) If the law governing such direct actions provides that the policyholder or the insured may be joined as a party to the action, the same court shall have jurisdiction over them.

Article 12

(1) Without prejudice to Article 11(3), an insurer may bring proceedings only in the courts of the State bound by this Convention in which the defendant is domiciled, irrespective of whether he is the policyholder, the insured or a beneficiary.

(2) The provisions of this Section shall not affect the right to bring a counter-claim in the court in which, in accordance with this Section, the original claim is pending.

Article 13

The provisions of this Section may be departed from only by an agreement—

- (1) which is entered into after the dispute has arisen; or

- (2) which allows the policyholder, the insured or a beneficiary to bring proceedings in courts other than those indicated in this Section; or
- (3) which is concluded between a policyholder and an insurer, both of whom are at the time of conclusion of the contract domiciled or habitually resident in the same State bound by this Convention, and which has the effect of conferring jurisdiction on the courts of that State even if the harmful event were to occur abroad, provided that such an agreement is not contrary to the law of that State; or
- (4) which is concluded with a policyholder who is not domiciled in a State bound by this Convention, except insofar as the insurance is compulsory or relates to immovable property in a State bound by this Convention; or
- (5) which relates to a contract of insurance insofar as it covers one or more of the risks set out in Article 14.

Article 14

The following are the risks referred to in Article 13(5)—

- (1) any loss of or damage to—
 - (a) seagoing ships, installations situated offshore or on the high seas, or aircraft, arising from perils which relate to their use for commercial purposes;
 - (b) goods in transit, other than passengers' baggage, where the transit consists of or includes carriage by such ships or aircraft;
- (2) any liability, other than for bodily injury to passengers or loss of or damage to their baggage—
 - (a) arising out of the use or operation of ships, installations or aircraft as referred to in point 1(a) insofar as, in respect of the latter, the law of the State bound by this Convention in which such aircraft are registered does not prohibit agreements on jurisdiction regarding insurance of such risks;
 - (b) for loss or damage caused by goods in transit as described in point 1(b);
- (3) any financial loss connected with the use or operation of ships, installations or aircraft as referred to in point 1(a), in particular loss of freight or charter-hire;
- (4) any risk or interest connected with any of those referred to in points 1 to 3;
- (5) notwithstanding points 1 to 4, all large risks.

SECTION 4

Jurisdiction over consumer contracts

Article 15

(1) In matters relating to a contract concluded by a person, the consumer, for a purpose which can be regarded as being outside his trade or profession, jurisdiction shall be determined by this Section, without prejudice to Articles 4 and 5(5), if:

- (a) it is a contract for the sale of goods on instalment credit terms; or
- (b) it is a contract for a loan repayable by instalments, or for any other form of credit, made to finance the sale of goods; or
- (c) in all other cases, the contract has been concluded with a person who pursues commercial or professional activities in the State bound by this Convention of the consumer's domicile or, by any means, directs such activities to that State or to several States including that State, and the contract falls within the scope of such activities.

(2) Where a consumer enters into a contract with a party who is not domiciled in the State bound by this Convention but has a branch, agency or other establishment in one of the States bound by this Convention, that party shall, in disputes arising out of the operations of the branch, agency or establishment, be deemed to be domiciled in that State.

(3) This section shall not apply to a contract of transport other than a contract which, for an inclusive price, provides for a combination of travel and accommodation.

Article 16

(1) A consumer may bring proceedings against the other party to a contract either in the courts of the State bound by this Convention in which that party is domiciled or in the courts for the place where the consumer is domiciled.

(2) Proceedings may be brought against a consumer by the other party to the contract only in the courts of the State bound by this Convention in which the consumer is domiciled.

(3) This Article shall not affect the right to bring a counter-claim in the court in which, in accordance with this Section, the original claim is pending.

Article 17

The provisions of this Section may be departed from only by an agreement—

- (1) which is entered into after the dispute has arisen; or
- (2) which allows the consumer to bring proceedings in courts other than those indicated in this Section; or
- (3) which is entered into by the consumer and the other party to the contract, both of whom are at the time of conclusion of the contract domiciled or habitually resident in the same State bound by this Convention, and which confers jurisdiction on the courts of that State, provided that such an agreement is not contrary to the law of that State.

SECTION 5

Jurisdiction over individual contracts of employment

Article 18

(1) In matters relating to individual contracts of employment, jurisdiction shall be determined by this Section, without prejudice to Articles 4 and 5(5).

(2) Where an employee enters into an individual contract of employment with an employer who is not domiciled in a State bound by this Convention but has a branch, agency or other establishment in one of the States bound by this Convention, the employer shall, in disputes arising out of the operations of the branch, agency or establishment, be deemed to be domiciled in that State.

Article 19

An employer domiciled in a State bound by this Convention may be sued—

- (1) in the courts of the State where he is domiciled; or
- (2) in another State bound by this Convention—
 - (a) in the courts for the place where the employee habitually carries out his work or in the courts for the last place where he did so; or
 - (b) if the employee does not or did not habitually carry out his work in any one country, in the courts for the place where the business which engaged the employee is or was situated.

Article 20

(1) An employer may bring proceedings only in the courts of the State bound by this Convention in which the employee is domiciled.

(2) The provisions of this Section shall not affect the right to bring a counter-claim in the court in which, in accordance with this Section, the original claim is pending.

Article 21

The provisions of this Section may be departed from only by an agreement on jurisdiction—

- (1) which is entered into after the dispute has arisen; or
- (2) which allows the employee to bring proceedings in courts other than those indicated in this Section.

SECTION 6

Exclusive jurisdiction

Article 22

The following courts shall have exclusive jurisdiction, regardless of domicile—

- (1) in proceedings which have as their object rights in rem in immovable property or tenancies of immovable property, the courts of the State bound by this Convention in which the property is situated.
 - (a) However, in proceedings which have as their object tenancies of immovable property concluded for temporary private use for a maximum period of six consecutive months, the courts of the State bound by this Convention in which the defendant is domiciled shall also have jurisdiction, provided that the tenant is a natural person and that the landlord and the tenant are domiciled in the same State bound by this Convention;
- (2) in proceedings which have as their object the validity of the constitution, the nullity or the dissolution of companies or other legal persons or associations of natural or legal persons, or of the validity of the decisions of their organs, the courts of the State bound by this Convention in which the company, legal person or association has its seat. In order to determine that seat, the court shall apply its rules of private international law;
- (3) in proceedings which have as their object the validity of entries in public registers, the courts of the State bound by this Convention in which the register is kept;
- (4) in proceedings concerned with the registration or validity of patents, trade marks, designs, or other similar rights required to be deposited or registered, irrespective of whether the issue is raised by way of an action or as a defence, the courts of the State bound by this Convention in which the deposit or registration has been applied for, has taken place or is, under the terms of a Community instrument or an international convention, deemed to have taken place.
- (5) in proceedings concerned with the enforcement of judgments, the courts of the State bound by this Convention in which the judgment has been or is to be enforced.

SECTION 7

Prorogation of jurisdiction

Article 23

(1) If the parties, one or more of whom is domiciled in a State bound by this Convention, have agreed that a court or the courts of a State bound by this Convention are to have jurisdiction to settle any disputes which have arisen or which may arise in connection with a particular legal relationship, that court or those courts shall have jurisdiction. Such jurisdiction shall be exclusive unless the parties have agreed otherwise. Such an agreement conferring jurisdiction shall be either—

- (a) in writing or evidenced in writing; or
- (b) in a form which accords with practices which the parties have established between themselves; or
- (c) in international trade or commerce, in a form which accords with a usage of which the parties are or ought to have been aware and which in such trade or commerce is widely known to, and regularly observed by, parties to contracts of the type involved in the particular trade or commerce concerned.

(2) Any communication by electronic means which provides a durable record of the agreement shall be equivalent to 'writing'.

(3) Where such an agreement is concluded by parties, none of whom is domiciled in a State bound by this Convention, the courts of other States bound by this Convention shall have no jurisdiction over their disputes unless the court or courts chosen have declined jurisdiction.

(4) The court or courts of a State bound by this Convention on which a trust instrument has conferred jurisdiction shall have exclusive jurisdiction in any proceedings brought against a settlor, trustee or beneficiary, if relations between these persons or their rights or obligations under the trust are involved.

(5) Agreements or provisions of a trust instrument conferring jurisdiction shall have no legal force if they are contrary to the provisions of Articles 13, 17 or 21, or if the courts whose jurisdiction they purport to exclude have exclusive jurisdiction by virtue of Article 22.

Article 24

Apart from jurisdiction derived from other provisions of this Convention, a court of a State bound by this Convention before which a defendant enters an appearance shall have jurisdiction. This rule shall not apply where appearance was entered to contest the jurisdiction, or where another court has exclusive jurisdiction by virtue of Article 22.

SECTION 8

Examination as to jurisdiction and admissibility

Article 25

Where a court of a State bound by this Convention is seized of a claim which is principally concerned with a matter over which the courts of another State bound by this Convention have exclusive jurisdiction by virtue of Article 22, it shall declare of its own motion that it has no jurisdiction.

Article 26

(1) Where a defendant domiciled in one State bound by this Convention is sued in a court of another State bound by this Convention and does not enter an appearance, the court shall declare of its own motion that it has no jurisdiction unless its jurisdiction is derived from the provisions of this Convention.

(2) The court shall stay the proceedings so long as it is not shown that the defendant has been able to receive the document instituting the proceedings or an equivalent document in sufficient time to enable him to arrange for his defence, or that all necessary steps have been taken to this end.

(3) Instead of the provisions of paragraph 2, Article 15 of the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial matters shall apply if the document instituting the proceedings or an equivalent document had to be transmitted pursuant to that Convention.

(4) Member States of the European Community bound by Council Regulation (EC) No 1348/2000 of 29 May 2000 or by the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters, signed at Brussels on 19 October 2005, shall apply in their mutual relations the provision in Article 19 of that Regulation if the document instituting the proceedings or an equivalent document had to be transmitted pursuant to that Regulation or that Agreement.

SECTION 9

Lis pendens—related actions

Article 27

(1) Where proceedings involving the same cause of action and between the same parties are brought in the courts of different States bound by this Convention, any court other than the court first seized shall of its own motion stay its proceedings until such time as the jurisdiction of the court first seized is established.

(2) Where the jurisdiction of the court first seized is established, any court other than the court first seized shall decline jurisdiction in favour of that court.

Article 28

(1) Where related actions are pending in the courts of different States bound by this Convention, any court other than the court first seized may stay its proceedings.

(2) Where these actions are pending at first instance, any court other than the court first seized may also, on the application of one of the parties, decline jurisdiction if the court first seized has jurisdiction over the actions in question and its law permits the consolidation thereof.

(3) For the purposes of this Article, actions are deemed to be related where they are so closely connected that it is expedient to hear and determine them together to avoid the risk of irreconcilable judgments resulting from separate proceedings.

Article 29

Where actions come within the exclusive jurisdiction of several courts, any court other than the court first seized shall decline jurisdiction in favour of that court.

Article 30

For the purposes of this Section, a court shall be deemed to be seized—

- (1) at the time when the document instituting the proceedings or an equivalent document is lodged with the court, provided that the plaintiff has not subsequently failed to take the steps he was required to take to have service effected on the defendant; or
- (2) if the document has to be served before being lodged with the court at the time when it is received by the authority responsible for service, provided that the plaintiff has not subsequently failed to take the steps he was required to take to have the document lodged with the court.

SECTION 10

Provisional, including protective, measures

Article 31

Application may be made to the courts of a State bound by this Convention for such provisional, including protective, measures as may be available under the law of that State, even if, under this Convention, the courts of another State bound by this Convention have jurisdiction as to the substance of the matter.

TITLE III

RECOGNITION AND ENFORCEMENT

Article 32

For the purposes of this Convention, 'judgment' means any judgment given by a court or tribunal of a State bound by this Convention, whatever the judgment may be called, including a decree, order, decision or writ of execution, as well as the determination of costs or expenses by an officer of the court.

SECTION 1

Recognition

Article 33

(1) A judgment given in a State bound by this Convention shall be recognised in the other States bound by this Convention without any special procedure being required.

(2) Any interested party who raises the recognition of a judgment as the principal issue in a dispute may, in accordance with the procedures provided for in Sections 2 and 3 of this Title, apply for a decision that the judgment be recognised.

(3) If the outcome of proceedings in a court of a State bound by this Convention depends on the determination of an incidental question of recognition that court shall have jurisdiction over that question.

Article 34

A judgment shall not be recognised—

- (1) if such recognition is manifestly contrary to public policy in the State in which recognition is sought;
- (2) where it was given in default of appearance, if the defendant was not served with the document which instituted the proceedings or with an equivalent document in sufficient time and in such a way as to enable him to arrange for his defence, unless the defendant failed to commence proceedings to challenge the judgment when it was possible for him to do so;
- (3) if it is irreconcilable with a judgment given in a dispute between the same parties in the State in which recognition is sought;

- (4) if it is irreconcilable with an earlier judgment given in another State bound by this Convention or in a third State involving the same cause of action and between the same parties, provided that the earlier judgment fulfils the conditions necessary for its recognition in the State addressed.

Article 35

(1) Moreover, a judgment shall not be recognised if it conflicts with Sections 3, 4 or 6 of Title II, or in a case provided for in Article 68. A judgment may furthermore be refused recognition in any case provided for in Article 64(3) or 67(4).

(2) In its examination of the grounds of jurisdiction referred to in the foregoing paragraph, the court or authority applied to shall be bound by the findings of fact on which the court of the State of origin based its jurisdiction.

(3) Subject to the provisions of paragraph 1, the jurisdiction of the court of the State of origin may not be reviewed. The test of public policy referred to in Article 34(1) may not be applied to the rules relating to jurisdiction.

Article 36

Under no circumstances may a foreign judgment be reviewed as to its substance.

Article 37

(1) A court of a State bound by this Convention in which recognition is sought of a judgment given in another State bound by this Convention may stay the proceedings if an ordinary appeal against the judgment has been lodged.

(2) A court of a State bound by this Convention in which recognition is sought of a judgment given in Ireland or the United Kingdom may stay the proceedings if enforcement is suspended in the State of origin, by reason of an appeal.

SECTION 2

Enforcement

Article 38

(1) A judgment given in a State bound by this Convention and enforceable in that State shall be enforced in another State bound by this Convention when, on the application of any interested party, it has been declared enforceable there.

(2) However, in the United Kingdom, such a judgment shall be enforced in England and Wales, in Scotland, or in Northern Ireland when, on the application of any interested party, it has been registered for enforcement in that part of the United Kingdom.

Article 39

(1) The application shall be submitted to the court or competent authority indicated in the list in Annex II.

(2) The local jurisdiction shall be determined by reference to the place of domicile of the party against whom enforcement is sought, or to the place of enforcement.

Article 40

(1) The procedure for making the application shall be governed by the law of the State in which enforcement is sought.

(2) The applicant must give an address for service of process within the area of jurisdiction of the court applied to. However, if the law of the State in which enforcement is sought does not provide for the furnishing of such an address, the applicant shall appoint a representative ad litem.

(3) The documents referred to in Article 53 shall be attached to the application.

Article 41

The judgment shall be declared enforceable immediately on completion of the formalities in Article 53 without any review under Articles 34 and 35. The party against whom enforcement is sought shall not at this stage of the proceedings be entitled to make any submissions on the application.

Article 42

(1) The decision on the application for a declaration of enforceability shall forthwith be brought to the notice of the applicant in accordance with the procedure laid down by the law of the State in which enforcement is sought.

(2) The declaration of enforceability shall be served on the party against whom enforcement is sought, accompanied by the judgment, if not already served on that party.

Article 43

(1) The decision on the application for a declaration of enforceability may be appealed against by either party.

(2) The appeal is to be lodged with the court indicated in the list in Annex III.

(3) The appeal shall be dealt with in accordance with the rules governing procedure in contradictory matters.

(4) If the party against whom enforcement is sought fails to appear before the appellate court in proceedings concerning an appeal brought by the applicant, Article 26(2) to (4) shall apply even where the party against whom enforcement is sought is not domiciled in any of the States bound by this Convention.

(5) An appeal against the declaration of enforceability is to be lodged within one month of service thereof. If the party against whom enforcement is sought is domiciled in a State bound by this Convention other than that in which the declaration of enforceability was given, the time for appealing shall be two months and shall run from the date of service, either on him in person or at his residence. No extension of time may be granted on account of distance.

Article 44

The judgment given on the appeal may be contested only by the appeal referred to in Annex IV.

Article 45

(1) The court with which an appeal is lodged under Article 43 or Article 44 shall refuse or revoke a declaration of enforceability only on one of the grounds specified in Articles 34 and 35. It shall give its decision without delay.

(2) Under no circumstances may the foreign judgment be reviewed as to its substance.

Article 46

(1) The court with which an appeal is lodged under Article 43 or Article 44 may, on the application of the party against whom enforcement is sought, stay the proceedings if an ordinary appeal has been lodged against the judgment in the State of origin or if the time for such an appeal has not yet expired; in the latter case, the court may specify the time within which such an appeal is to be lodged.

(2) Where the judgment was given in Ireland or the United Kingdom, any form of appeal available in the State of origin shall be treated as an ordinary appeal for the purposes of paragraph 1.

(3) The court may also make enforcement conditional on the provision of such security as it shall determine.

Article 47

(1) When a judgment must be recognised in accordance with this Convention, nothing shall prevent the applicant from availing himself of provisional, including protective, measures in accordance with the law of the State requested without a declaration of enforceability under Article 41 being required.

(2) The declaration of enforceability shall carry with it the power to proceed to any protective measures.

(3) During the time specified for an appeal pursuant to Article 43(5) against the declaration of enforceability and until any such appeal has been determined, no measures of enforcement may be taken other than protective measures against the property of the party against whom enforcement is sought.

Article 48

(1) Where a foreign judgment has been given in respect of several matters and the declaration of enforceability cannot be given for all of them, the court or competent authority shall give it for one or more of them.

(2) An applicant may request a declaration of enforceability limited to parts of a judgment.

Article 49

A foreign judgment which orders a periodic payment by way of a penalty shall be enforceable in the State in which enforcement is sought only if the amount of the payment has been finally determined by the courts of the State of origin.

Article 50

(1) An applicant who in the State of origin has benefited from complete or partial legal aid or exemption from costs or expenses shall be entitled, in the procedure provided for in this Section, to benefit from the most favourable legal aid or the most extensive exemption from costs or expenses provided for by the law of the State addressed.

(2) However, an applicant who requests the enforcement of a decision given by an administrative authority in Denmark, in Iceland or in Norway in respect of maintenance may, in the State addressed, claim the benefits referred to in paragraph 1 if he presents a statement from the Danish, Icelandic, or Norwegian Ministry of Justice to the effect that he fulfils the economic requirements to qualify for the grant of complete or partial legal aid or exemption from costs or expenses.

Article 51

No security, bond or deposit, however described, shall be required of a party who in one State bound by this Convention, applies for enforcement of a judgment given in another State bound by this Convention on the ground that he is a foreign national or that he is not domiciled or resident in the State in which enforcement is sought.

Article 52

In proceedings for the issue of a declaration of enforceability, no charge, duty or fee calculated by reference to the value of the matter at issue may be levied in the State in which enforcement is sought.

SECTION 3

Common provisions

Article 53

(1) A party seeking recognition or applying for a declaration of enforceability shall produce a copy of the judgment which satisfies the conditions necessary to establish its authenticity.

(2) A party applying for a declaration of enforceability shall also produce the certificate referred to in Article 54, without prejudice to Article 55.

Article 54

The court or competent authority of a State bound by this Convention where a judgment was given shall issue, at the request of any interested party, a certificate using the standard form in Annex V to this Convention.

Article 55

(1) If the certificate referred to in Article 54 is not produced, the court or competent authority may specify a time for its production or accept an equivalent document or, if it considers that it has sufficient information before it, dispense with its production.

(2) If the court or competent authority so requires, a translation of the documents shall be produced. The translation shall be certified by a person qualified to do so in one of the States bound by this Convention.

Article 56

No legalisation or other similar formality shall be required in respect of the documents referred to in Article 53 or Article 55(2), or in respect of a document appointing a representative *ad litem*.

TITLE IV

AUTHENTIC INSTRUMENTS AND COURT SETTLEMENTS

Article 57

(1) A document which has been formally drawn up or registered as an authentic instrument and is enforceable in one State bound by this Convention shall, in another State bound by this Convention, be declared enforceable there, on application made in accordance with the procedures provided for in Article 38, et seq. The court with which an appeal is lodged under Article 43 or Article 44 shall refuse or revoke a declaration of enforceability only if enforcement of the instrument is manifestly contrary to public policy in the State addressed.

(2) Arrangements relating to maintenance obligations concluded with administrative authorities or authenticated by them shall also be regarded as authentic instruments within the meaning of paragraph 1.

(3) The instrument produced must satisfy the conditions necessary to establish its authenticity in the State of origin.

(4) Section 3 of Title III shall apply as appropriate. The competent authority of a State bound by this Convention where an authentic instrument was drawn up or registered shall issue, at the request of any interested party, a certificate using the standard form in Annex VI to this Convention.

Article 58

A settlement which has been approved by a court in the course of proceedings and is enforceable in the State bound by this Convention in which it was concluded shall be enforceable in the State addressed under the same conditions as authentic instruments. The court or competent authority of a State bound by this Convention where a court settlement was approved shall issue, at the request of any interested party, a certificate using the standard form in Annex V to this Convention.

TITLE V

GENERAL PROVISIONS

Article 59

(1) In order to determine whether a party is domiciled in the State bound by this Convention whose courts are seised of a matter, the court shall apply its internal law.

(2) If a party is not domiciled in the State whose courts are seised of the matter, then, in order to determine whether the party is domiciled in another State bound by this Convention, the court shall apply the law of that State.

Article 60

(1) For the purposes of this Convention, a company or other legal person or association of natural or legal persons is domiciled at the place where it has its—

- (a) statutory seat; or
- (b) central administration; or
- (c) principal place of business.

(2) For the purposes of the United Kingdom and Ireland ‘statutory seat’ means the registered office or, where there is no such office anywhere, the place of incorporation or, where there is no such place anywhere, the place under the law of which the formation took place.

(3) In order to determine whether a trust is domiciled in the State bound by this Convention whose courts are seized of the matter, the court shall apply its rules of private international law.

Article 61

Without prejudice to any more favourable provisions of national laws, persons domiciled in a State bound by this Convention who are being prosecuted in the criminal courts of another State bound by this Convention of which they are not nationals for an offence which was not intentionally committed may be defended by persons qualified to do so, even if they do not appear in person. However, the court seized of the matter may order appearance in person; in the case of failure to appear, a judgment given in the civil action without the person concerned having had the opportunity to arrange for his defence need not be recognised or enforced in the other States bound by this Convention.

Article 62

For the purposes of this Convention, the expression ‘court’ shall include any authorities designated by a State bound by this Convention as having jurisdiction in the matters falling within the scope of this Convention.

TITLE VI

TRANSITIONAL PROVISIONS

Article 63

(1) This Convention shall apply only to legal proceedings instituted and to documents formally drawn up or registered as authentic instruments after its entry into force in the State of origin and, where recognition or enforcement of a judgment or authentic instruments is sought, in the State addressed.

(2) However, if the proceedings in the State of origin were instituted before the entry into force of this Convention, judgments given after that date shall be recognised and enforced in accordance with Title III—

- (a) if the proceedings in the State of origin were instituted after the entry into force of the Lugano Convention of 16 September 1988 both in the State of origin and in the State;
- (b) in all other cases, if jurisdiction was founded upon rules which accorded with those provided for either in Title II or in a convention concluded between the State of origin and the State addressed which was in force when the proceedings were instituted.

TITLE VII

RELATIONSHIP TO COUNCIL REGULATION (EC) No 44/2001
AND OTHER INSTRUMENTS

Article 64

(1) This Convention shall not prejudice the application by the Member States of the European Community of the Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, as well as any amendments thereof, of the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, signed at Brussels on 27 September 1968, and of the Protocol on interpretation of that Convention by the Court of Justice of the European Communities, signed at Luxembourg on 3 June 1971, as amended by the Conventions of Accession to the said Convention and the said Protocol by the States acceding to the European Communities, as well as of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, signed at Brussels on 19 October 2005.

(2) However, this Convention shall in any event be applied—

- (a) in matters of jurisdiction, where the defendant is domiciled in the territory of a State where this Convention but not an instrument referred to in paragraph 1 of this Article applies, or where Articles 22 or 23 of this Convention confer jurisdiction on the courts of such a State;
- (b) in relation to *lis pendens* or to related actions as provided for in Articles 27 and 28, when proceedings are instituted in a State where the Convention but not an instrument referred to in paragraph 1 of this Article applies and in a State where this Convention as well as an instrument referred to in paragraph 1 of this Article apply;
- (c) in matters of recognition and enforcement, where either the State of origin or the State addressed is not applying an instrument referred to in paragraph 1 of this Article.

(3) In addition to the grounds provided for in Title III, recognition or enforcement may be refused if the ground of jurisdiction on which the judgment has been based differs from that resulting from this Convention and recognition or enforcement is sought against a party who is domiciled in a State

where this Convention but not an instrument referred to in paragraph 1 of this Article applies, unless the judgment may otherwise be recognised or enforced under any rule of law in the State addressed.

Article 65

Subject to the provisions of Articles 63(2), 66 and 67, this Convention shall, as between the States bound by this Convention, supersede the conventions concluded between two or more of them that cover the same matters as those to which this Convention applies. In particular, the conventions mentioned in Annex VII shall be superseded.

Article 66

(1) The conventions referred to in Article 65 shall continue to have effect in relation to matters to which this Convention does not apply.

(2) They shall continue to have effect in respect of judgments given and documents formally drawn up or registered as authentic instruments before the entry into force of this Convention.

Article 67

(1) This Convention shall not affect any conventions by which the Contracting Parties and/or the States bound by this Convention are bound and which in relation to particular matters, govern jurisdiction or the recognition or enforcement of judgments. Without prejudice to obligations resulting from other agreements between certain Contracting Parties, this Convention shall not prevent Contracting Parties from entering into such conventions.

(2) This Convention shall not prevent a court of a State bound by this Convention and by a convention on a particular matter from assuming jurisdiction in accordance with that convention, even where the defendant is domiciled in another State bound by this Convention which is not a party to that convention. The court hearing the action shall, in any event, apply Article 26 of this Convention.

(3) Judgments given in a State bound by this Convention by a court in the exercise of jurisdiction provided for in a convention on a particular matter shall be recognised and enforced in the other States bound by this Convention in accordance with Title III of this Convention.

(4) In addition to the grounds provided for in Title III, recognition or enforcement may be refused if the State addressed is not bound by the convention on a particular matter and the person against whom recognition or enforcement is sought is domiciled in that State, or, if the State addressed is a Member State of the European Community and in respect of conventions which would have to be concluded by the European Community, in any of its Member States, unless the judgment may otherwise be recognised or enforced under any rule of law in the State addressed.

(5) Where a convention on a particular matter to which both the State of origin and the State addressed are parties lays down conditions for the recognition or enforcement of judgments, those conditions shall apply. In any event, the provisions of this Convention which concern the procedures for recognition and enforcement of judgments may be applied.

Article 68

(1) This Convention shall not affect agreements by which States bound by this Convention undertook, prior to the entry into force of this Convention, not to recognise judgments given in other States bound by this Convention against defendants domiciled or habitually resident in a third State where, in cases provided for in Article 4, the judgment could only be founded on a ground of jurisdiction as specified in Article 3(2). Without prejudice to obligations resulting from other agreements between certain Contracting Parties, this Convention shall not prevent Contracting Parties from entering into such conventions.

(2) However, a Contracting Party may not assume an obligation towards a third State not to recognise a judgment given in another State bound by this Convention by a court basing its jurisdiction on the presence within that State of property belonging to the defendant, or the seizure by the plaintiff of property situated there—

(a) if the action is brought to assert or declare proprietary or possessory rights in that property, seeks to obtain authority to dispose of it, or arises from another issue relating to such property; or

(b) if the property constitutes the security for a debt which is the subject-matter of the action.

TITLE VIII

FINAL PROVISIONS

Article 69

(1) The Convention shall be open for signature by the European Community, Denmark, and States which, at the time of the opening for signature, are Members of the European Free Trade Association.

(2) This Convention shall be subject to ratification by the Signatories. The instruments of ratification shall be deposited with the Swiss Federal Council, which shall act as Depositary of this Convention.

(3) At the time of the ratification, the Contracting Parties may submit declarations in accordance with Articles I, II and III of Protocol 1.

(4) The Convention shall enter into force on the first day of the sixth month following the date on which the European Community and a Member of the European Free Trade Association deposit their instruments of ratification.

(5) The Convention shall enter into force in relation to any other Party on the first day of the third month following the deposit of its instrument of ratification.

(6) Without prejudice to Article 3(3) of Protocol 2, this Convention shall replace the Convention on jurisdiction and the enforcement of judgments in civil and commercial matters done at Lugano on 16 September 1988 as of the date of its entry into force in accordance with paragraphs 4 and 5 above. Any reference to the 1988 Lugano Convention in other instruments shall be understood as a reference to this Convention.

(7) Insofar as the relations between the Member States of the European Community and the non-European territories referred to in Article 70(1)(b) are concerned, this Convention shall replace the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, signed at Brussels on 27 September 1968, and of the Protocol on interpretation of that Convention by the Court of Justice of the European Communities, signed at Luxembourg on 3 June 1971, as amended by the Conventions of Accession to the said Convention and the said Protocol by the States acceding to the European Communities, as of the date of the entry into force of this Convention with respect to these territories in accordance with Article 73(2).

Article 70

(1) After entering into force this Convention shall be open for accession by—

(a) the States which, after the opening of this Convention for signature, become Members of the European Free Trade Association, under the conditions laid down in Article 71;

(b) Member States of the European Community acting on behalf of certain non-European territories that are part of the territory of that Member State or for whose external relations that Member State is responsible, under the conditions laid down in Article 71;

(c) any other State, under the conditions laid down in Article 72.

(2) States referred to in paragraph 1, which wish to become a Contracting Party to this Convention, shall address their application to the Depositary. The application, including the information referred to in Articles 71 and 72 shall be accompanied by a translation into English and French.

Article 71

(1) Any State referred to in Article 70(1)(a) and (b) wishing to become a Contracting Party to this Convention—

- (a) shall communicate the information required for the application of this Convention;
- (b) may submit declarations in accordance with Articles I and III of Protocol 1.

(2) The Depositary shall transmit any information received pursuant to paragraph 1 to the other Contracting Parties prior to the deposit of the instrument of accession by the State concerned.

Article 72

(1) Any State referred to in Article 70(1)(c) wishing to become a Contracting Party to this Convention—

- (a) shall communicate the information required for the application of this Convention;
- (b) may submit declarations in accordance with Articles I and III of Protocol 1; and
- (c) shall provide the Depositary with information on, in particular—
 - (i) their judicial system, including information on the appointment and independence of judges;
 - (ii) their internal law concerning civil procedure and enforcement of judgments; and
 - (iii) their private international law relating to civil procedure.

(2) The Depositary shall transmit any information received pursuant to paragraph 1 to the other Contracting Parties prior to inviting the State concerned to accede in accordance with paragraph 3 of this Article.

(3) Without prejudice to paragraph 4, the Depositary shall invite the State concerned to accede only if it has obtained the unanimous agreement of the Contracting Parties. The Contracting Parties shall endeavour to give their consent at the latest within one year after the invitation by the Depositary.

(4) The Convention shall enter into force only in relations between the acceding State and the Contracting Parties which have not made any objections to the accession before the first day of the third month following the deposit of the instrument of accession.

Article 73

(1) The instruments of accession shall be deposited with the Depositary.

(2) In respect of an acceding State referred to in Article 70, the Convention shall enter into force on the first day of the third month following the deposit of its instrument of accession. As of that moment, the acceding State shall be considered a Contracting Party to the Convention.

(3) Any Contracting Party may submit to the Depositary a text of this Convention in the language or languages of the Contracting Party concerned, which shall be authentic if so agreed by the Contracting Parties in accordance with Article 4 of Protocol 2.

Article 74

(1) This Convention is concluded for an unlimited period.

(2) Any Contracting Party may, at any time, denounce the Convention by sending a notification to the Depositary.

(3) The denunciation shall take effect at the end of the calendar year following the expiry of a period of six months from the date of receipt by the Depositary of the notification of denunciation.

Article 75

The following are annexed to this Convention—

- a Protocol 1, on certain questions of jurisdiction, procedure and enforcement,
- a Protocol 2, on the uniform interpretation of this Convention and on the Standing Committee,
- a Protocol 3, on the application of Article 67 of this Convention,
- Annexes I through IV and Annex VII, with information related to the application of this Convention,

- Annexes V and VI, containing the certificates referred to in Articles 54, 58 and 57 of this Convention,
- Annex VIII, containing the authentic languages referred to in Article 79 of this Convention, and
- Annex IX, concerning the application of Article II of Protocol 1.

These Protocols and Annexes shall form an integral part of this Convention.

Article 76

Without prejudice to Article 77, any Contracting Party may request the revision of this Convention. To that end, the Depositary shall convene the Standing Committee as laid down in Article 4 of Protocol 2.

Article 77

(1) The Contracting Parties shall communicate to the Depositary the text of any provisions of the laws which amend the lists set out in Annexes I through IV as well as any deletions in or additions to the list set out in Annex VII and the date of their entry into force. Such communication shall be made within reasonable time before the entry into force and be accompanied by a translation into English and French. The Depositary shall adapt the Annexes concerned accordingly, after having consulted the Standing Committee in accordance with Article 4 of Protocol 2. For that purpose, the Contracting Parties shall provide a translation of the adaptations into their languages.

(2) Any amendment of Annexes V through VI and VIII through IX to this Convention shall be adopted by the Standing Committee in accordance with Article 4 of Protocol 2.

Article 78

(1) The Depositary shall notify the Contracting Parties of—

- (a) the deposit of each instrument of ratification or accession;
- (b) the dates of entry into force of this Convention in respect of the Contracting Parties;
- (c) any declaration received pursuant to Articles I to IV of Protocol 1;
- (d) any communication made pursuant to Article 74(2), Article 77(1) and paragraph 4 of Protocol 3.

(2) The notifications will be accompanied by translations into English and French.

Article 79

This Convention, drawn up in a single original in the languages listed in Annex VIII, all texts being equally authentic, shall be deposited in the Swiss Federal Archives. The Swiss Federal Council shall transmit a certified copy to each Contracting Party.

In witness whereof, the undersigned Plenipotentiaries, have signed this Convention.

Done at Lugano, on 30 October 2007.”

New schedule 2—Super-affirmative resolution procedure—

“1 If the Secretary of State considers it appropriate to make regulations for the purpose of, or in connection with, implementing any international agreement, the Secretary of State Minister may lay before Parliament—

- (a) draft regulations, and
- (b) an explanatory document.

2 The explanatory document must introduce and give reasons for implementing the international agreement.

3 Subject as follows, if after the expiry of the 40-day period the draft regulations laid under subsection (1) are approved by a resolution of each House of Parliament, the Minister may make regulations in the terms of the draft regulations.

4 The procedure in paragraphs (5) to (8) shall apply to the draft regulations instead of the procedure in paragraph (3) if—

- (a) either House of Parliament so resolves within the 30-day period, or

- (b) a committee of either House charged with reporting on the draft regulations so recommends within the 30-day period and the House to which the recommendation is made does not by resolution reject the recommendation within that period.

5 The Secretary of State must have regard to—

- (a) any representations,
(b) any resolution of either House of Parliament, and
(c) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations, made during the 60-day period with regard to the draft regulations.

6 If, after the expiry of the 60-day period, the draft regulations are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the draft regulations.

7 If, after the expiry of the 60-day period, the Secretary of State wishes to proceed with the draft regulations but with material changes, the Secretary of State may lay before Parliament—

- (a) a revised draft of the regulations, and
(b) a statement giving a summary of the changes proposed.

8 If the revised draft regulations are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the revised draft regulations.

9 For the purposes of this Schedule regulations are made in the terms of draft regulations or revised draft regulations if they contain no material changes to their provisions.

10 In this paragraph, references to the ‘30-day’, ‘40-day’ and ‘60-day’ periods in relation to any draft regulations are to the periods of 30, 40 and 60 days beginning with the day on which the draft regulations were laid before Parliament.

11 For the purposes of paragraph 10 no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than four days.”

This new Schedule would apply the super-affirmative resolution procedure to regulations implementing the Lugano Convention in the UK (see NC2).

Newschedule 3—Regulations under section (Implementation of other agreements on private international law (No. 2))—

“Restrictions on power to make regulations

1 (1) Regulations under section (Implementation of other agreements on private international law (No. 2)) may not include—

- (a) provision that confers power to legislate by means of regulations, orders, rules or other subordinate instrument (other than rules of procedure for courts or tribunals);
(b) provision that creates an offence for which an individual who has reached the age of 18 (or, in relation to Scotland or Northern Ireland, 21) is capable of being sentenced to imprisonment for a term of more than two years (ignoring any enactment prohibiting or restricting the imprisonment of individuals who have no previous convictions).

(2) Sub-paragraph (1)(a) does not prevent the modification of a power to legislate conferred otherwise than under section (Implementation of other agreements on private international law (No. 2)), or the extension of any such power to purposes of a similar kind to those for which it was conferred.

(3) A power to give practice directions or other directions regarding matters of administration is not a power to legislate for the purposes of sub-paragraph (1)(a).

Regulations to be made by statutory instrument or statutory rule

2 The power to make regulations under section (Implementation of other agreements on private international law (No. 2))—

- (a) is exercisable by statutory instrument, in the case of regulations made by the Secretary of State;
(b) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)), in the case of regulations made by a Northern Ireland department.

Parliamentary or assembly procedure

3 (1) This paragraph applies to a statutory instrument containing regulations made by the Secretary of State under section (Implementation of other agreements on private international law (No. 2)).

(2) If the instrument contains (whether alone or with other provision)—

- (a) provision made for the purpose of implementing or applying, in relation to the United Kingdom or a particular part of the United Kingdom, any relevant international agreement that has not previously been the subject of any such provision (whether made by regulations under section (Implementation of other agreements on private international law (No. 2)) or otherwise),
(b) provision made for the purpose of giving effect, in relation to the United Kingdom or a particular part of the United Kingdom, to any relevant arrangements that relate to a particular territory and have not previously been the subject of any such provision (whether made by regulations under that section or otherwise),
(c) provision that creates or extends, or increases the penalty for, a criminal offence, or
(d) provision that amends primary legislation,

it may not be made unless it has been approved under the super-affirmative procedure (see paragraph 4).

(3) In this Schedule ‘relevant arrangements’ means arrangements of the kind mentioned in section (Implementation of other agreements on private international law (No. 2)) (3).

(4) If sub-paragraph (2) does not apply to the instrument, it may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.

Super-affirmative procedure

4 (1) If the Secretary of State considers it appropriate to make regulations for the purpose of, or in connection with, implementing any international agreement, the Secretary of State may lay before Parliament—

- (a) draft regulations, and
(b) an explanatory document.

(2) The explanatory document must introduce and give reasons for implementing the international agreement.

(3) Subject as follows, if after the expiry of the 40-day period the draft regulations laid under sub-paragraph (1) are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the draft regulations.

(4) The procedure in sub-paragraphs (5) to (8) shall apply to the draft regulations instead of the procedure in sub-paragraph (3) if—

- (a) either House of Parliament so resolves within the 30-day period, or
(b) a committee of either House charged with reporting on the draft regulations so recommends within the 30-day period and the House to which the recommendation is made does not by resolution reject the recommendation within that period.

(5) The Secretary of State must have regard to—

- (a) any representations,
(b) any resolution of either House of Parliament, and
(c) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations, made during the 60-day period with regard to the draft regulations.

(6) If after the expiry of the 60-day period the draft regulations are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the draft regulations.

(7) If after the expiry of the 60-day period the Secretary of State wishes to proceed with the draft regulations but with material changes, the Secretary of State may lay before Parliament—

- (a) a revised draft of the regulations, and
- (b) a statement giving a summary of the changes proposed.

(8) If the revised draft regulations are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the revised draft regulations.

(9) For the purposes of this paragraph regulations are made in the terms of draft regulations or revised draft regulations if they contain no material changes to their provisions.

(10) In this paragraph, references to the ‘30-day’, ‘40-day’ and ‘60-day’ periods in relation to any draft regulations are to the periods of 30, 40 and 60 days beginning with the day on which the draft regulations were laid before Parliament.

(11) For the purposes of sub-paragraph (10) no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than four days.

Scottish affirmative procedure

5 (1) This paragraph applies to regulations made by the Scottish Ministers under section (Implementation of other agreements on private international law (No. 2)).

(2) The regulations are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010).

Northern Ireland affirmative procedure

6 (1) A Northern Ireland department may not make regulations under section (Implementation of other agreements on private international law (No. 2)) unless a draft of the regulations has been laid before the Northern Ireland Assembly and approved by a resolution of the Assembly.

(2) Section 41(3) of that Act applies for the purposes of sub-paragraph (1) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.

Interpretation

7 In this Schedule—

- ‘amend’ includes repeal or revoke;
- ‘primary legislation’ means any provision of—
 - (a) an Act of Parliament,
 - (b) an Act of the Scottish Parliament,
 - (c) an Act or Measure of Senedd Cymru, or
 - (d) Northern Ireland legislation;
- ‘relevant arrangements’ has the meaning given in paragraph 3(3);
- ‘relevant international agreement’ has the same meaning as in section (Implementation of other agreements on private international law (No. 2)).”

This new schedule is linked to Amendment (e) to Government NC5 and makes provision for regulations made by the Secretary of State under Government NC5 to be subject to super-affirmative procedure, and for all regulations made under that section by Scottish Ministers or Northern Ireland departments to be subject to the relevant affirmative procedure.

Government amendment 7.

Amendment 8, in title, line 1, at end add

“and the Lugano Convention of 2007;”

This amendment is consequential on either Amendment 1 or on Amendments 2 to 4 and NS1.

Amendment 9, line 1, at end add

“and to provide for the implementation of other international agreements on private international law, subject to certain conditions.”

This amendment is consequential on NC1.

Amendment 10, line 1, at end add

“and to provide, subject to a super-affirmative procedure, for the implementation of the Lugano Convention of 2007.”

This amendment is consequential on NC2 and NS2.

Amendment 11, line 1, at end add

“and the Lugano Convention of 2007; and to provide, subject to consultation and a super-affirmative procedure, for the implementation of other international agreements on private international law.”

This amendment is consequential on Amendment (e) to Government NC5 and NS3.

Mr Djanogly: The main outstanding issue with the Bill concerns parliamentary scrutiny—that is, of the UK’s accession to a private international law treaty itself, and then concerning orders made pursuant to that treaty. To those Members who may have been mesmerised by the complexity of the amendments today, I should say that this was not helped by the Government tabling their amendments only late last week, which required an element of guesswork for everyone else. Having said that, I should add that this belies a high level of consistency in the approach taken with tabled amendments by those who remain concerned at the Government’s position, as I shall explain.

Following Second Reading, the Government have unfortunately decided to re-table, almost unamended, the order-making powers as new clause 5, which was so decisively rejected in the other place. Despite multiple meetings with Ministers—where, I have to say, they have only been polite and listening—I am not much the wiser about the Government’s reasons for what can only be seen as a significant proposed extension of the power of the Executive.

The Government’s hinted amendment to remove criminal sanctions of more than two years’ sentencing from the order-making powers would be a good start but would not be nearly enough. I have therefore tabled amendment 2 and others, in my and others’ names. Those amendments need to be put into the context of the Bill as a whole. That is because the Bill only deals with the UK’s entering specific existing PIL treaties. It does not look at how we approve, or scrutinise entering, other future PIL treaties in the first place. Then it goes on to give the broad order-making powers for any unnamed future PIL treaties. I would suggest that, by focusing on future order-making powers, rather than the initial treaties themselves, it is effectively putting the cart before the horse.

2.45 pm

Let us look at the initial treaty scrutiny in more detail. What is clear—and it is between both Houses—is that there is not a demand for approval by Parliament prior to signing of PIL treaties, in the same way, for instance, as exists, and is being argued for in the Trade Bill, for free trade agreements, so it is surely even more important that we have in place a modern, efficient and fair system for scrutinising PIL treaties before their ratification. The current system for doing so is via the Constitutional Reform and Governance Act 2010—CRaG—but no fewer than three Lords Committee reports over the past two years have described that legislation, based as it is on the 1924 Ponsonby convention, as outdated, inadequate, flawed and in urgent need of reform. In practice, a

system designed a century ago to debate relatively simple trade deals was hidden behind the scrutiny and legislator approval afforded by our membership of the EU. Post Brexit, we now need a modern system that equates to those being used by our negotiating partners.

Different Departments of State are giving varying support to reform of CRaG, but none seems to wish to take ownership of it. It would be really good to hear the Minister say today that the CRaG legislation does need reform and that his Department will take responsibility for that reform process. The issue is important, and intrinsic to our attitude to order-making powers in the Bill; because if, as those Lords Committees have been suggesting, there were to be a specific treaty Committee, and such a Committee could insist on a debate in Government time within a set period, with specific guidelines on access to information, the scrutiny of amendments, mandates, devolved Administration consultation and calls for evidence, then attitudes to order-making under these treaties would surely be somewhat more understanding.

When pointing out our lack of scrutiny compared with other countries, Ministers have said that although, yes, they admit it is true for the United States, Japan and the European Union, it is not true for Commonwealth countries such as Australia. I took that somewhat at face value, but a month ago there was a report by Emily Jones and Anna Sands of Oxford University, and they looked at the Australian equivalent system. In some ways, technically, it is similar to that of the UK; the power to enter treaties is a prerogative power. However, in practice, in the Australian system, once a treaty has been signed it is laid before Parliament for at least 15 joint sitting days before a binding treaty action is taken—20 days for major treaties—and the Government provides a national interest analysis to inform the Committee scrutiny work. There is also a very well established Joint Standing Committee system, which was set up as far back as 1996. The point being that, yes, I have heard Ministers say that we have the same system as in Australia, and technically we could say that; but in practice, they have a very much further developed scrutiny process than we have, and actually in both Australia and Canada, there are significant demands to move to a more United States-type system.

With that in mind, and as a first step, I tabled, in new clause 1 and as a stand-alone provision in new clause 6, a requirement that a Minister should lay a report before Parliament before the UK ratifies a PIL agreement with another country. I do not suggest that as an alternative to general reform of the CRaG Act, or as a move to the superior Australian system, but I move it as a reminder that the Justice Department should be adopting better practice, whatever happens with CRaG.

As things stand, however, these order-making powers attach to any PIL treaty made at any time in the future. That is much too broad. For instance, it treats laws on signing international business contracts or international financial bond issues as bundled together with the laws dealing with international divorces or child contact, which is surely wrong. That is the purpose behind amendment 2 and subsection (13) of new clause 1. A similar approach is adopted in Opposition amendments (a) and (b) to Government new clause 5. On the one hand, clause 1 is extended to include other treaties that we want to join; I have inserted Lugano, but there may be others. On the other hand, the new clause 5 order-making

powers are restricted only to those treaties mentioned in clause 1, and not all PIL treaties now or at any time in the future, as provided in Government new clause 5.

Given the Government's possible rejection of amendments 1 and 2, I think it important that, as a fall-back alternative, those Government new clause 5 order-making powers should be subject to a sunset provision. Although I do not agree with the arguments that these broad powers are needed in every case to sort things out in the aftermath of Brexit, at least with the sunset provision we would have a prospective return to normality. That is why there is a two-year sunset provision for the order-making powers in my new clause 1 and as a stand-alone in my new clause 8. Just as an improved scrutiny process is needed for initially entering these PIL treaties, it is also important when it comes to the orders made in respect of those PIL treaties. To be frank, I am currently not satisfied that Ministers have these important processes in place.

I have mentioned the CRaG Act, but also important is how Committees of the House are given a strong and ordered scrutiny role for future PIL treaties. I note that the Justice Committee, chaired by my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), was not even mentioned on Second Reading when the Minister spoke about consulting with Committees in the other place. My hon. Friend may well wish to address that in his comments later, but to me it was a somewhat stark reminder of how our scrutiny processes here are far from what they should be.

In an attempt to help the scrutiny process, new clauses 1 and 7 contain a further proposal that orders to implement a relevant international agreement can be laid only if a report is issued at least 10 Commons sitting days before the laying of such regulations—less than they have in Australia, I note. Such a report would give details of, and the reasons for, the agreement.

The official Opposition and the Scottish National party have taken a slightly different approach by proposing super-affirmative procedures, which seem to me to be also a reasonable way to improve scrutiny and which deserve the Minister's consideration. As I said initially, the various parties' amendments today are remarkably similar despite their quantity. I hope that that has not gone unnoticed by the Government.

In conclusion, we are talking about private international treaties that normally take many years to gestate. They are important for cross-border commerce and social issues, but are very rarely party political. There is rarely, if ever, anything fast moving about their formation—that is something of an understatement, I think—and there should be plenty of time for proper scrutiny of both their adoption and orders made in relation to them.

Whatever happens here today, the Bill needs to go back to the other place. I hope that that will provide a breathing space for Ministers to take stock of the issues at hand and agree a compromise position that should, frankly, have been reached by now.

Sir Robert Neill (Bromley and Chislehurst) (Con): I rise in support of the amendments in my name and that of my hon. Friend the Member for Huntingdon (Mr Djanogly). I agree with and adopt the arguments that he has made—in particular, in relation to scrutiny and the inadequacy of the current arrangements under

the CRaG Act. That is not satisfactory, and we are going to have to address it sooner or later. As a consequence of leaving the European Union, we will be signing a great number of international treaties and other important international obligations, too—free trade agreements of many kinds. We do have to put in place a fit-for-purpose system, and relying on the Ponsonby convention really is not sustainable at the current time.

I had the pleasure, funnily enough, of knowing the third Lord Ponsonby of Shulbrede—now no longer with us—who was very active in London government, and it was his grandfather who was responsible for this. That is itself indicative of the passage of time. It was in 1924, at the time of the Zinoviev letter, when this convention was put in place, so we really do have to have something—with every respect to the memory of the Lords Ponsonby—that is more fit for purpose for the modern time, particularly because this deals with very important issues and because international treaties have themselves become much more complex and very frequently now have implications for domestic law, as well as international treaty law obligations. Therefore, a new system, as set out by my hon. Friend, for scrutinising these issues is something we have to do at some point.

The one issue that does need to be dealt with quickly—my hon. Friend is right about how long such treaties take—is that we should sign up to the Lugano convention as a matter of absolute urgency. It is one of the unfortunate consequences of our departing from the European Union that we will leave one of the most sophisticated and effective means of civil justice co-operation that exist. That was not probably something very much debated during the referendum, and it is perhaps collateral damage in that sense of the broader decision that was taken, which I have to respect, but it is an important potential loss for British legal services and British business.

That can be made good if we swiftly joined Lugano, and a number of other international conventions, including the various Hague conventions, that go with it. That is why our amendment would in fact place joining Lugano in the Bill, although I will not read out new schedule 1 in detail. There is a real concern among businesses, as well as among lawyers, about a lacuna. At the moment, any British company or individual contracting with someone in the EU, or the European Free Trade Association for that matter, would, by virtue of our membership of the EU, be part of the Brussels I and Brussels II recast conventions and also of the Rome conventions in relation to domestic family law. Those enable contracts to be recognised and enforced, and judgments of the courts on those contracts to be recognised and enforced automatically in any of the member states. We have that advantage at the moment by virtue of our membership of the EU, carried over in the transition period, but that will go.

Obviously, for any contract to be worth its weight, it has to be enforceable—there is no point in having it otherwise—and that runs across every type of business. There is the significant and highly lucrative development of derivatives and other financial instruments, in which the City of London remains a world leader, and they have to be enforceable should they ever be called upon, as do contracts for manufacturers or the supply of agricultural produce. Contracts for any type of good or

service that have an international dimension have to be effectively enforceable, and the same applies for the rights of individuals.

For example, if a British tourist or business person abroad is injured in a road accident and the defendant—the driver at fault—is resident in one of the continental states, at the moment they can pursue their action in Bromley county court if need be or in the High Court to get a judgment and then have it enforced in France, Germany or elsewhere. Without getting into Lugano, there will be a gap in that person's ability to seek justice and redress. It would be unconscionable if we should get ourselves into that state of affairs.

There is also the position of the single parent if the father, perhaps, of a child has moved to one of the EU jurisdictions. At the moment, the mother can enforce the judgment of the British family courts for maintenance payments, access arrangements and so on. They can be enforced in the place where the father is domiciled, and she can get her money. Again, it would be unconscionable if we were to have a gap. I know that that is not what the Minister wants, and I know that the Government are striving earnestly to achieve this, but at the moment we do not have it. If I get the chance, I may say more about that on Third Reading, but that is why we think giving statutory provision for Lugano in the Bill demonstrates its importance.

As the negotiations go forward, it is obviously important that we get a deal on free trade in relation to goods and tariffs, but absolutely as important is that we get a deal on judicial co-operation—whether criminal and police co-operation, but also civil co-operation. I hope that our negotiators will be saying, “If we get a deal with the EU, part of that must include the Commission dropping its current objections to the UK joining Lugano.” I hope that that is a negotiating gambit at the moment. The EFTA members are happy for us to join. The EU members at the moment, on the advice of the Commission, are not. This may not be easy, because France and Germany, in particular, have a history of being highly protective towards their jurisdictions in matters of legal services, so it is not something that is to be a footnote for Mr Frost's agenda—the full Frost agenda, if I can put it that way. It should be central. That is why we think it is sufficiently important to flag it up on the face of the Bill. The Minister knows that, and I think it needs to be stated and put out there, right across Government.

3 pm

My other points relate to scrutiny matters and the need for us to move forward, because there will be other important treaties that we will need to sign up to. I am grateful for the briefings given by the Law Society and the Bar Council in that regard, and I ought to refer to my entries in the Register of Members' Financial Interests. It is important, for example, that, as well as signing up to Lugano, we have a means of drawing on the choice of court convention 2005. That is critical as a supplement to Lugano. It is important that we should move to joining the Hague judgments convention 2019, which the UK was instrumental in developing. Putting those two together will be very important for the long-term future of English law clauses in many international contracts. There is a concern otherwise and some evidence already of suggestions of international contracts now having ouster clauses from English law, rather than having specific buy-in clauses to English law. That would

be damaging to our position as an international commercial law centre, and we want to avoid that. There has to be a means of dealing with this swiftly—there is no question about that—but there also has to be proper scrutiny, because these are complex matters.

We also need, of course, to be in Lugano as soon as possible, so that we can deal with the much vexed question of the “Italian torpedo”, which is not a piece of naval history, but is, in fact, what is sometimes described as a race to the courts. It is about going to the court where a party can claim some residence that is likely to get them the easiest and swiftest deal. It is a name from an Italian law professor, so it is not meant as any disrespect to Italians. This gets to the problem of conflicting cases being run in different jurisdictions—a case being run in Italy and a case being run in the UK, for example, on the same subject matter. It is often family work. To change Lugano, we have to be in it, so that is why, again, getting into Lugano swiftly is absolutely critical. That is all the more important in those cases, since we will not be able to rely on the Brussels regime, as it has been recast, largely—ironically—as a result of work by British Ministers and British jurists to improve the system. That is why we need a proper system for ratification.

The other important point to make at this stage is there are some significant gaps, which I hope the Minister will be able to address, in terms of how we go forward. We know, for example, that within the international conventions to which we seek to adhere, there are ousters at the moment by the EU in relation to contracts for insurance. The insurance market is very important to the United Kingdom, so we have to find a means of making sure that we will have effective recognition and enforcement of judgments in relation to insurance contracts. That is an important issue for the United Kingdom. We will need a means of dealing with what appear to be slightly inconsistent approaches—between the approach in the Bill and that in some of the regulations that were brought in under the European Union (Withdrawal) Act 2018, set in tandem with the Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019. That is essentially about how we resolve disputes after exit day. There is a distinction in the approach adopted between common law and EU law in those two separate regulations, so that needs to be ironed out as a matter of some speed. Otherwise, we run the risk of conflict.

In fact, the House of Lords European Union Committee, back in 2016-17, highlighted the risk of adverse consequences for business and the importance of having certainty with this on the choices that businesses are making as to whether or not to select English contract law as the law governing commercial relationships. Of course the same would apply, where relevant, to Scots contract law because both jurisdictions have well-developed legal processes and a good reputation in those fields, so it is important that we preserve that. But the way in which the Government are doing it, with this very broad-ranging regulation-making power, is troubling.

As a former criminal practitioner, I have a particular issue with the ability the Bill at the moment gives the Government to increase penalties and, potentially, to create new offences by statutory instrument. We all know that certain types of offence have been created over the years by SIs, and the Minister and I have both dealt with them when in practice at the Bar, but generally

they are of a regulatory nature—for example, they deal with health and safety, construction or vehicles. Taking out offences that have a sentence of more than two years as a maximum penalty is a start, but I am sure the Minister will know that offences carrying less than two years’ imprisonment can have profound reputational consequences for those who may be convicted of them. Often, the fact of the conviction of the offence will destroy someone’s reputation or career, rather than, of itself, the length of the sentence. I therefore hope the Government will reflect again on whether it is appropriate to use these SIs for the creation or extension of any type of criminal offence or penalty without a much greater level of scrutiny, which one would ordinarily expect. That is why the super-affirmative procedure offers a way forward, but better still let us use the SIs to deal with regulatory and civil law matters, not ones that touch on the liberty or reputation of the subject.

It is important that we come to a clear decision on how we go forward with the considerable detail that will need to be put together once we have left. As well as getting into Lugano, a lot of these other SIs due to come into force at the end of the transition period were brought in swiftly at the time, and the Bar Council has expressed concern at the lack of consultation with the professions on them. I hope that the Minister can now make this good by undertaking that there will be the closest possible consultation with the specialists in the profession—or example, with the Family Law Bar Association, the Law Society’s family law committee and the Lord Chancellor’s international law committee, which is headed by distinguished jurists. Let us reach out to the expertise in the legal community in the UK and not do it “in-house” within Whitehall; let us bring in the important expertise we have elsewhere.

As to what we are going to do about arbitral arrangements, we have a growing arbitration centre in the UK. Arbitration and mediation are often seen as an important way forward for international dispute resolution, and we need to have a firm framework upon which we can undertake those matters in the future. The amendments that my hon. Friend the Member for Huntingdon and I have tabled are not intended to obstruct the Bill; they would help its passage through the other place, where I fear it will otherwise have some difficulty. The Minister has seen the speeches in the other place, so there is a bit of enlightened self-interest here. I urge the Minister to listen favourably to what we say and let us see whether we can find some compromise and undertakings at least on the way forward that will meet some of those legitimate concerns.

John Howell (Henley) (Con): Let me first declare an interest, as an associate of the Chartered Institute of Arbitrators. I take a different view on this Bill from my hon. Friends the Members for Huntingdon (Mr Djanogly) and for Bromley and Chislehurst (Sir Robert Neill). When I looked at the Bill and what it does, two words came out as being necessary to preserve, the first of which was “agility”. The Government need to have the agility to be able to implement treaties in this way. The second word was “flexibility”, which partly comes down to the issue of speed. My hon. Friend the Member for Huntingdon was wrong when he said that treaties of this sort take forever and there is no rush to get them through. There is a rush to get them through. One example of where there is a need to get a treaty sorted out is the Singapore

mediation convention. It harms absolutely no one. All it does is make the decisions that are reached in mediation in countries that have signed the convention applicable anywhere around the world. It stops the enormously artificial process of having a mediation and then changing the mediators for another set of arbitrators, who then introduce the arbitration on exactly the same lines as the mediation in order for it to be caught by the New York convention, which is applicable around the world and which we have signed.

Understanding why we need to be quick with that treaty, which, as I say, does no harm, comes back to the visit that I and colleagues from both sides of the Houses made to Singapore earlier in the year. We have heard that many people see alternative dispute resolution as the way forward, but that is a complacent way of looking at the situation in the UK. The UK is not doing very well at maintaining itself as a global hub for alternative dispute resolution. The facilities available for conducting arbitration or mediation are far inferior to those that can be found in Singapore. If we sit around for much longer thinking that we can carry on being the global hub for this, we will lose that position very quickly and it will go to somebody else.

The techniques that we need to approve a major treaty are completely different from the sort of techniques that are needed to adopt a small treaty such as the Singapore mediation convention. We are speaking not about a new Maastricht treaty, but about treaties such as the Singapore mediation convention. We do not need an Act of Parliament for that; we need Ministers to get on with signing and implementing them as quickly as possible.

The Law Society has rather missed the point. It stresses the point that the effects of a treaty can have influence on domestic law, but it totally ignores the need for speed and it falls into the trap of complacency when it looks at the situation in the UK and the global role that we play. The House of Lords, when it looked at the measure and made its recommendations, also failed to recognise those points. I say again to the Minister that he needs to judge these amendments and new clauses according to whether they increase his agility and flexibility to get treaties such as the Singapore mediation convention signed and operational as quickly as possible.

Miss Sarah Dines (Derbyshire Dales) (Con): It is a pleasure to speak under your chairmanship, Dame Eleanor. As a relatively new Member of Parliament, it really is a joy to be speaking on this Bill. I refer the House to my entry in the Register of Members' Financial Interests. I was a practising barrister for 30 years and for many of those years, I practised in these areas.

I am truly delighted to be speaking on this Bill in Committee. The very consideration of it is evidence that the transition period of our leaving the EU is coming to an end. For me, that is very welcome news. I support the propositions put forward by my hon. Friend the Member for Henley (John Howell), who said that the Government need to be responsive, and there is a need for speed, agility and considered thought.

It is of course right that, prior to the end of the transition period, the UK takes steps to ensure continued participation in key agreements in its own right, at last as a free and independent trading nation. From 1 February, the UK has regained full competence to enter into this

sort of international agreement in the field in its own right. This is wonderful progress. As the UK develops its wider trading policy with the EU and the rest of the world, PIL agreements will be key to supporting cross-border commerce, which will be particularly important going forward. They will also regulate the very foundations of our society—how we deal with international family law matters—and build confidence for consumers as to how trade and disputes will be settled, all of which are very good things.

3.15 pm

Cross-border commerce and trade are a vital part of life and UK businesses, individuals and families need to be able swiftly to settle cross-border disputes. International agreements on PIL are designed to help us: they provide that legal framework to resolve these difficult situations. These agreements will help us, as I know from my practice, to return children who have been abducted by one of their parents. They will also help a small business that has been left out of pocket by a supplier in another country to seek redress. Without these agreements, and without them being promptly brought into our law, families and businesses will be engaged in cross-border disputes that they will struggle to resolve. There are competing jurisdictions and competing processes, and it is very important that these matters are settled swiftly.

I have direct experience in my 30 years at the English Bar of just these types of disputes—far too many cases for me to go into in this short speech. The 1996 Hague convention is a well-known multilateral treaty aimed at improving the protection of children. It provides an important framework for the resolution of issues, such as residence and contact between separated parents who live in different countries. It is essential that we move swiftly on this, and this Bill allows us to do so and to move forward. Similarly—not to repeat too much of what my learned friends have said—the 2005 Hague convention is another multilateral treaty aimed, this time, at ensuring the effectiveness in relation to court agreements.

We really need to get this matter right. This is hugely important. It will contribute to London continuing to be a major legal and commercial centre in the world. It is important that we take considered, but swift, decisions. I hope that, in my term as a Member of Parliament, this place moves forward to be more responsible and more responsive to what its citizens need, rather than looking back at some of the lesser parts of our history. It is time to move on.

The 2007 Hague convention focused on the international recovery of child support and other forms of family maintenance. These are very important treaties and they need to be dealt with promptly. Again, I have been involved in many such cases at the Bar. It is essentially a good thing. By supporting this Bill, the House will help to ensure that civil, commercial and family law judgments will continue to be recognised and enforced across borders by our international partners. These agreements are likely to reduce costs for UK businesses, individuals and families involved in cross-border disputes while increasing legal certainty for all—those travelling, those trading, those living, and those marrying and having families abroad. We do, of course, need to be agile and fast. We need to be considered. The points made by my hon. Friend the Member for Henley were spot on. Although I have great respect for my hon. Friends the

Members for Bromley and Chislehurst (Sir Robert Neill) and for Huntingdon (Mr Djanogly), I do not support the amendments that they have brought forward. There is another time for detailed consideration of CRAg. There is another time for detailed consideration of reform. We need to act now.

When preparing for this speech, I was interested to read what was said in the House of Lords in relation to clause 2. It was very interesting to listen to what the noble Lords said on 13 May 2020, and I was fascinated by what Lord Falconer said. I will not repeat it all, but what I will say is that I have waited 30 years to be able to say this in this House: what a prime example of political and legal grandstanding. The main argument was that to use delegated legislation was effectively a power grab—a matter of constitutional impropriety. What utter nonsense. We must not forget that it was the Labour Government who agreed to the use of delegated powers in all sorts of manners. We cannot spend 24 hours a day, every day, going through each and every little thing because the Opposition parties want to bring forward primary legislation. I am a free marketeer, a partial libertarian, and I think that we need less law. We need very well-honed, primed, proper law to deal with the situation in point.

There is nothing wrong with delegated legislation, for which we have a well-established scrutiny system. It is highly hypocritical for those opposing the Bill to object to the use of the DL in the other House when prior to our leaving the EU we had little or no say on the implementation of treaties—they were solely a matter of EU competence and as a nation we had little say. At least our own Ministers will be able to decide on these issues when exercising properly delegated legislation. I know which institution I have more trust in. It is the Ministers of this Government who are held to account in this Chamber, rather than those in the EU.

In conclusion, it is constitutionally appropriate and proportionate to use delegated powers to implement international agreements on PIL law in domestic law. Without such a power, things would be difficult. We simply are not able, and it is not appropriate, to bring in primary legislation each and every time. This is a measured, proportionate approach, and I have absolutely no hesitation in supporting the Bill and opposing the amendments.

Jerome Mayhew (Broadland) (Con): I cannot match the technical analysis of my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), but I hope I can bring to today's deliberations some practical experience of the implications of new clauses 2 and 5.

The honouring of agreements has been at the heart of international trade since such trade began, but it is worth remembering that Governments have not always supported international trade. If we look back at the approach of our Government and other Governments in Europe in the 16th and 17th centuries, and even well into the 18th century, we see that we operated mercantilist policies that actively prevented international trade. Such trade was discouraged to protect domestic manufacturing. Policies such as high border tariffs were implemented, and there were even export bans on tools that could be used to improve manufacturing in third countries. Many arcane rules and requirements to use local suppliers and local trades were implemented to make it harder to undertake international trade.

There was also no support for the legal enforcement of contracts. Consequently, businesses had to make their own arrangements, which were founded primarily on personal trust and the reputation of organisations and families. I have some personal experience: I was once recruited by my brother to work in his company, eventually as the managing director. His rationale was that he had no idea whether I was competent at anything but did know that I was unlikely to steal from him. I will leave it to other people to decide whether that was ultimately good for the economy of that business. On an international basis, that approach has been disastrous: throughout the 16th, 17th and 18th centuries there was a general stultification of growth.

I am delighted to say that it was the United Kingdom that led the world away from narrow protectionism and towards free trade. That great man Adam Smith led the charge. He destroyed the argument for protectionism, demonstrating the desirability of imports—they are more efficiently produced and therefore cheaper—and stating that exports were merely the necessary cost of acquiring them. It was through this place that we led the way in the repeal of protectionist laws: first, with the Reciprocity of Duties Act back in 1823, and then much more famously with the repeal of the corn laws in 1846. What was the result? We see it if we look around us today: the explosion of world trade.

PIL agreements have been crucial to the modern support of international trade. They bring legal certainty, deal with conflicts of jurisdiction and allow for judgments to be enforced internationally. The Bill helps to achieve those aims, particularly as we transition from EU membership into the big wide world. That transition period, to which I shall come back later in my speech, is relevant because of the time constraints that it imposes on Her Majesty's Government.

I want to return to my first-hand experience of the impact of PIL agreements. I was the managing director of a UK-based SME that was entrepreneurial in its outlook, and we were doing pretty well in the UK, so naturally I looked to international markets as a means for expansion. In my time, I negotiated joint ventures in Russia, the United States of America, Australia and South Africa, as well as undertaking preliminary discussions in a number of other jurisdictions. It was noticeable that the only two joint ventures that we progressed to fruition were those in the United States of America and Australia, and the fundamental reasons that I felt unable to progress further in those other jurisdictions were the fears over the enforceability of contracts, particularly in relation to intellectual property, and the fears over the effectiveness of the rule of law in those jurisdictions. PIL agreements affect countless such economic decisions all around the world and in this country every day, so we must not underestimate their importance for economic decisions just like the ones that I took.

There is an urgent need for more PIL agreements, particularly as we move out of the transition period. They are an integral part of our pivot towards global Britain, and there should be no unnecessary delay in the Government's ability not only to negotiate such agreements but to bring them into force. International enforceability is key to trade growth and to London remaining the centre of dispute resolution around the world. It is also key to the continued dominance of English and Welsh law, and it is worth reminding ourselves that that law is

dominant because it is predictable in its interpretation and its enforceability. That is a key advantage for this jurisdiction.

I understand well the concerns that have been raised by old clause 2 and new clause 5. As a Back Bencher, I stand here to defend the rights of Parliament, but it is also right that I should do that with a sense of proportion. PIL agreements are significant—I have done my best to explain how significant they have been to international commerce—but they are fundamentally uncontroversial. They are not major treaties in the sense of Maastricht, which was mentioned by a previous speaker, and we need to have some practical considerations weighing on our mind as we decide whether we should implement new clause 5.

The transition period is a time when we should be lifting our eyes to the wider horizons of international trade, and that is going to mean many more PIL agreements. As my hon. Friend the Member for Henley (John Howell) highlighted, the Government's agility, and their ability to strike while the iron is hot to take advantage of this brave new world into which we are entering, are material practical considerations. We also have the legislative timetable to consider. It is already clogged up with covid-related delays, and to require multiple Acts of Parliament to be progressed through that clogged-up timetable in order to progress time-sensitive and time-critical agreements would be disproportionate. It would create negative delay for the Government's domestic agenda as they seek to progress this stodge, and delay for the implementation of the agreements themselves.

As a businessman and as a Back Bencher defending the rights of this Parliament, I operate with that sense of proportion, and my conclusion is that it would not be proportionate to prevent the Government from using secondary legislation in this manner. Consequently, I support the Government's new clause 5 and I am against new clause 2.

Dehenna Davison (Bishop Auckland) (Con): I rise today not as a lawyer, surprisingly—like many right hon. and hon. Members across the House—but merely as someone who has taken an interest in the Bill because I want the best for my constituents. I often joke that I am bilingual, because I can speak standard English and northerner, but I do not speak legalese, so Members may have to forgive me for a bit of plain speaking on this one.

New clause 5, which has been the subject of much discussion, effectively sets out the procedure by which international agreements on legal disputes are brought into UK law. The new clause would allow Ministers to implement treaties via an affirmative statutory instrument, rather than going through the full primary legislative process.

3.30 pm

Some of my hon. Friends have expressed concerns about the impact of the Bill on parliamentary scrutiny. I assure colleagues that I firmly and fully believe in parliamentary scrutiny; last week, I was one of the signatories to the Brady amendment on the continuation of the Coronavirus Act 2020 for that very reason. However, I will make two key points. First, mechanisms for scrutiny already exist through CRAg and the affirmative statutory instruments procedure. That means that any statutory instruments laid would have to be actively

approved by both Houses before coming into force, and would also be examined by the Joint Committee on Statutory Instruments.

Secondly, there is a finite amount of time available to us to debate matters in the House. As with many things in life, it is a matter of prioritisation. When I speak to Bishop Auckland residents, they want to know that Parliament is talking about the things that matter to them. Of course, to some, PIL treaties are highly important and at the top of their mind, but a vastly larger number of my constituents want to hear us talking about healthcare, education, crime and immigration—big picture stuff that has an impact right across society. If PIL treaties were subject to the full primary legislative process, there would be less time for those hugely important issues.

My hon. Friend the Member for Huntingdon (Mr Djanogly) was quite correct in outlining the complexity of the Bill and its amendments. Notwithstanding what I have just said about our constituents' priorities, we also need to ensure that, despite its complexity, we do not lose sight of the tangible impact that the Bill could have on our constituents. I am grateful to my hon. Friend the Member for Broadland (Jerome Mayhew) for sharing his own experiences on that. If local Bishop Auckland companies that trade internationally, such as Equus Leather and Scott Leathers, were to enter into a dispute over, for example, unpaid invoices with a company from abroad, they would need to know how that legal process would work. We need to ensure that such companies are not dragged through UK courts and foreign courts, incurring all that additional cost, time and stress.

That is where PIL treaties come in. I firmly believe that Ministers need the freedom to make PIL treaties, knowing that they can be implemented in UK law quickly, to provide that protection for our businesses and individuals, as outlined by my hon. Friend the Member for Henley (John Howell) when he spoke about the speed that is sometimes needed. Furthermore, we need to be able to move quickly to cement international agreements and preserve our reputation on the global stage. As my hon. Friend also said, we need to make the UK a global hub for international dispute resolution, so speed is critical.

As we leave the EU at the end of year, this is our opportunity to go out into the world and make international agreements that will make things better for our constituents. We must embrace that opportunity and strike while the iron is hot, but, as my hon. Friend the Member for Derbyshire Dales (Miss Dines) rightly said, we do not need to lay primary legislation for every PIL agreement that our Ministers make. This is a proportionate Bill that allows us to protect our constituents, while new clause 5 ensures that in this Chamber, rather than seeing half-empty Benches bogged down by legalese and technical detail, we can continue to focus on the wider priorities of the people we are elected to serve.

Rob Butler (Aylesbury) (Con): I rise to speak in support of new clause 5 in the name of the Minister, which, on balance, I believe would result in proportionate scrutiny for the measures that would fall under the jurisdiction of the Bill. The general points about the need for international agreements on private international law have been well rehearsed. Without such agreements, there would be a considerable impact on British businesses, individuals and families who are engaged in cross-border litigation. Indeed, it is not inconceivable to foresee a

[*Rob Butler*]

situation where parallel judgments by different courts contradict each other, resulting in legal limbo with little hope of redress and no hope of justice.

That is perhaps particularly evident in the case of custody disputes, when a child has been abducted and taken outside the UK by one parent. Right hon. and hon. Members across the House are no doubt all too aware of examples of such cases. Sadly, that pain has been felt by families in my own constituency of Aylesbury. If we compound that heart-wrenching situation with a quagmire of legal process in different jurisdictions, with no mutual recognition of judgments, desperation becomes hopelessness, and loving parents risk permanent separation from their children.

Less emotional, but equally important, is the plight of small British businesses seeking redress from an overseas supplier or customer. Buckinghamshire has more microbusinesses than any other county in the country. There are small firms that need the law to be simple and straightforward, so that they can focus on what they do best—producing goods and services that generate wealth and taxes—safe in the knowledge that the judicial system is there to protect them.

New clause 5 seeks to use delegated legislation to ensure that any future agreements concerning international private law are speedily implemented, thus benefiting individuals, families and businesses in the ways I have described. Parliamentary scrutiny will exist through the affirmative process, and what is more, it will be prompt. That seems to be appropriate and proportionate. Insisting on primary legislation to bring such new agreements into effect is disproportionate and unnecessary, not least because of the likely challenges of finding parliamentary time for what, as other Members have said, are unlikely to be matters of huge controversy. When international private law agreements were in the competency of the European Union, they were implemented by direct effect. Once the transition period is over, Members of this House will be able to scrutinise and vote on such agreements, bringing power back to Parliament through the DL procedure.

I am rather surprised by some of the opposition to new clause 5, both from Opposition Members and from the other place, because what is proposed today is not novel. There is precedent for the Government's proposed course of action, and precedent is not to be lightly dismissed. Indeed, in justifying the decision of one of Mr Speaker's illustrious predecessors, Erskine May said that he had

“found what convinces the House of Commons more readily than any argument—I have found a precedent”.

Several Acts passed in this place contain delegated powers concerning international private law. The Foreign Judgments (Reciprocal Enforcement) Act 1933 contains delegated powers allowing decisions to be made by Order in Council. The same is true in family law relating to the Maintenance Orders (Reciprocal Enforcement) Act 1972 using the same mechanism. I therefore support the Government's desire to introduce new clause 5 and hope that Members of the other place will feel able to take the opportunity afforded them of a second chance to consider the implications of their earlier action.

As we conclude the transition period from leaving the EU, I want the UK to be a country where we focus on getting deals done, where we support our businesses to

trade, and where we strive to protect our citizens' rights in a way that is straightforward and fair. I have had countless emails from constituent businesses asking me to ensure that they can run as smoothly as possible after the transition period. I have not had one single email from a constituent business demanding primary legislation for every single commercial agreement that is made in future—that is not a cue to 38 Degrees to start such a campaign.

I want us to be agile in the way we respond to opportunities from our friends and partners overseas and able to follow up an agreement made in person with swift delivery of parliamentary scrutiny in proportionate form that enables us to implement a deal and reap the benefits in short order. Businesses in my constituency of Aylesbury are hungry for the opportunities that await us on the international markets. They want Parliament to pave the way for them to bring greater prosperity to our country. Let us do that with new clause 5.

Owen Thompson (Midlothian) (SNP): I rise to speak in support of the amendments in the name of my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) and myself. As other Members have said, there is a degree of consistency across a number of the amendments on the selection paper.

I welcome the action to enhance transnational co-operation. For once, instead of measures that seek to breach international agreements or upset international partners, this is a step in the right direction and a move that I hope we will see reflected in other bits of legislation that the Government introduce.

I wish that this Bill were not necessary, but, having left the European framework, it is essential that we make alternative arrangements to ensure that the three Hague conventions still apply, to prevent Scottish businesses and families from being disadvantaged. The conventions add legal certainty for parties to cross-border commercial contracts, and they help with family maintenance decisions across borders and the protection of children in disputes where parents have separated but live in different countries. These conventions may be technical, but they are very practical for those caught in difficult and tangled situations. There is therefore a clear need to replace the previous mechanisms whereby the EU reached agreements on these types of cross-border disputes on behalf of member states.

Aspects of this legislation fall within the devolved competencies, forming parts of Scots private law relating to choice of jurisdiction, recognition of judgments and enforcement of decisions. The Bill, if passed, will provide reassurances, in particular, to those affected by cross-border family support and custodial mechanisms, so we are keen to see that move forward. The Scottish Government have considered the aspects that require a legislative consent motion under section 28 of the Scotland Act 1998, and will seek consent from the Scottish Parliament to allow agreement to the Bill. The Bill has been drafted with great respect for devolution and, again, I very much welcome that. It is the proper and democratic way to proceed. It is a great pity that that is not always the case with this Government, but certainly it is very much to be welcomed in this case.

I speak in favour of the amendments proposed by myself and my hon. and learned Friend the Member for Edinburgh South West. I pay tribute and give thanks to

the Law Society of Scotland, which has supported us in the drafting of our amendment. Amendment 10 has a particular focus on the Lugano convention, and the hon. Member for Bromley and Chislehurst (Sir Robert Neill) has already told us of the significance of the need to put the mechanism in place and of having it on the face of the Bill. Given the Government's confirmation that they are intent on continuing with the convention, putting it on the face of the Bill would be a proper and appropriate way of doing that. The convention created common rules across the EU and EFTA, avoiding multiple court cases taking place on the same subject and saving the costs of all those involved. I welcome the steps taken.

The regrettable decision not to be part of the single market may yet come back to hit us. However, we are where we are, and if the UK joining the convention in its own right is accepted by 31 December, we will need to work quickly to introduce a simple mechanism to implement the convention. That is what amendment 10 seeks to achieve, and I argue that the Government should amend the Bill to provide for a regulation-making power focused specifically on the implementation of the Lugano convention. That point is not being made just by Scottish National party Members; it is reflected on all sides of the House. That, in itself, speaks volumes.

It is important to note that that move would not preclude us from reinstating the previous regulation-making powers under clause 2 that were removed from the Bill during its passage in the other place. As was said earlier, that debate raised legitimate concerns about the lack of parliamentary scrutiny of delegated legislation, and I strongly suggest that the Government strongly reflect on that when seeking to reintroduce those powers.

The Bill fulfils a commitment in the political declaration between the UK and the EU, and I recognise that. I certainly welcome the fact that in this situation at least the Government appear to be intending to keep their promise and to keep private international law clear after the transition. As a proud internationalist, I welcome any measures that will continue to help to support and facilitate cross-border co-operation.

Mr David Lammy (Tottenham) (Lab): On Second Reading, the official Opposition made it clear that they would oppose any attempts by the Government to reintroduce clause 2, which was removed by a majority in the other place. On Second Reading, numerous Members on both the Opposition and Government Benches made very sensible suggestions on how the Government could modify clause 2 and harness cross-party support. Sunset clauses, placing Lugano on the face of the Bill, as has been suggested by Members across the House this afternoon, and limiting the power of clause 2 were all among the suggestions discussed. Very sadly, the Government did not listen. That is surprising, particularly for this Minister, who is known to be attentive and a very able lawyer indeed.

3.45 pm

The Government did not listen to the reasonable concerns voiced by the Chair of the Justice Committee, who, in his usual manner, made a moderate, sensible and clearly legally articulate speech, or to the concerns of the country's most pre-eminent legal minds in the

other place. They did not listen to the House of Lords Constitution Committee or to members of the Delegated Powers and Regulatory Reform Committee, which considered whether the powers contained in clause 2 should stand, and was frankly unanimous that the powers should not stand. They did not listen to the concerns of the Bar Council of England and Wales, the Law Society of England and Wales or the Law Society of Scotland. It is a great shame, therefore, that the Government have sought to reintroduce the exact same clause 2 in the shape of new clause 5, and the Labour party will keep its word and vote against new clause 5 today, if it remains in its current form.

The Lord Chancellor explained on Second Reading that the rationale for clause 2 was to ensure that the 2007 Lugano convention could be implemented swiftly and before the end of the transition period. That is a perfectly reasonable ambition. As we have heard, the Lugano convention is vital to ensuring that cross-border judgments can be enforced, and there is indeed a pressing need to implement it before the end of the transition period, but there is a question as to how.

The hon. Member for Huntingdon (Mr Djanogly) made a very good speech and his amendments go to the issue of the arrangements that we should have, particularly in relation to CRAg, as have been supported by the Chair of the Justice Committee. Even though those amendments are not in my name, I endorse what has been said; we do need to have architecture that is fit for purpose in the 21st century, and certainly architecture and scrutiny powers that befit the sixth biggest economy in the world and are as good as those in countries with which we would seek to have trade deals and private international agreements. But that is not the case. No one could argue that an arrangement set up in 1924 is fit for purpose. I support those remarks.

I turn to the amendments in my name and the name of the leader of the Labour party. Amendment (a) to new clause 5 would specifically allow new clause 5 to implement the Lugano convention. Similar amendments have been tabled by the Chair of the Justice Committee and by the Scottish National party. Each of those amendments would allow the Government to carry out their stated aim of implementing the Lugano convention without granting the Government sweeping Henry VIII powers and the ability to sideline Parliament. I say to the Under-Secretary of State for Justice, the hon. Member for Cheltenham (Alex Chalk), that he does not look like Henry VIII; nor, I suspect—when I recall the history books—does he have the manner of Henry VIII. Why, then, does he need these powers, which I fear he will rise to his feet to suggest he must have?

Of course, the Government have the other option, which is to add the Lugano convention to clause 1, which would allow them to implement it in domestic law as soon as the Bill is passed. As we set out on Second Reading, we have no objection to the important international agreements in clause 1 being incorporated into domestic law in the proper way—by primary legislation that is debated on the Floor of the House. We would have no objection to the Lugano convention being added to that list. If the genuine intention behind new clause 5 is to implement the Lugano convention, I look forward to the Government accepting Labour's amendment (a) or

one of the similar amendments, although we have to ask ourselves whether that is really the Government's intention.

That brings me to Labour's final amendment to new clause 5, amendment (e). Labour is concerned about the inclusion of new clause 5 because it represents a hugely significant change in the balance of power away from Parliament and to the Executive. New clause 5 would erase the convention that international legal agreements that change our domestic law can only be given force by an Act of Parliament. Instead, this Parliament will allow them to be implemented without any parliamentary scrutiny at all. We on the Labour Benches agree with the Constitution Committee, which said:

"If the balance between the executive and Parliament is to be altered in respect of international agreements, it should be in favour of greater parliamentary scrutiny and not more executive power."

We heard from the hon. Member for Derbyshire Dales (Miss Dines), who spoke about her experience as a barrister for 30 years. There has been much debate in this Chamber about exiting the European Union, but the primary objective was to bring sovereignty back to this Parliament. That is why we did it. Why, then, are we having a debate today about taking that sovereignty away from this Parliament and giving it to the Executive? That is not the way things have traditionally worked in our country.

I am straining a bit to think of those private international law modules that I and several other Members took. It was not my favourite area of law, but I do not recall it being vaguely contentious in a partisan or political way. It was contentious sometimes for the parties involved, particularly in areas of child abduction or domestic affairs, and it can be very important economically for businesses in dispute, but I struggle to recall it's being the subject of a partisan debate between political opponents. It is rather peculiar therefore that yet again I find myself at this Dispatch Box representing the Labour party as the conservative in this Chamber—that is perhaps why I chose to wear my blue tie this afternoon—arguing for law as we have traditionally had it. I look forward to the radical speech that will follow from the Minister.

As Members of Parliament, we have a duty to exercise extreme caution when considering measures that change our constitution, particularly at times when the Executive are empowered and Parliament is weakened. As we have seen in recent months, the Government have shown a disturbing over-reliance on using secondary legislation to bypass Parliament, as well as to avoid parliamentary scrutiny. Giving effect to broad international treaties in domestic law should never be a rubber-stamp exercise, and it is vital that Parliament has a say. That is why we tabled amendment (e), which would ensure that any international agreement the Government wish to implement by secondary legislation must be subject to a super-affirmative resolution procedure before Parliament.

Let me be clear on one point: the Labour party would much prefer that all international agreements were implemented by primary legislation, but we are also pragmatic. We recognise that, with the end of the transition period quickly approaching, the Government must move at pace to ensure that legislation is in place. The amendment would ensure that international agreements could be implemented by secondary legislation, but that Parliament would still be given a crucial chance to scrutinise the

secondary legislation that flows and, further, to make recommendations to the Government. We believe that to be a wholly reasonable proposal that reflects the legislative difficulties posed by Brexit while also protecting the primacy of Parliament, and that is why, if the Government believe in the importance of parliamentary scrutiny, they should accept the amendment. After all, it would appear strange for a Government so keen to take back control with regard to leaving the European Union to be reluctant to allow our own Parliament to scrutinise the legislation relating to that departure.

We believe that the Labour amendments to new clause 5 provide the Government with a constructive and reasonable approach. The amendments allow the Government to achieve the objective they claim is behind new clause 5: to implement the Lugano convention while also protecting parliamentary scrutiny. Nothing in these amendments, or any of the other amendments, hinders the Government in their stated aim. Indeed, they serve no other purpose than to protect parliamentary scrutiny. If the Government vote against them, they will be voting for, as the hon. Member for Huntingdon quite rightly said, one of the largest potential power grabs ever seen by the Executive in this Parliament. I hope that this Government do the right thing and show that they do indeed value the role of the House and the role and value of parliamentary scrutiny.

The Parliamentary Under-Secretary of State for Justice (Alex Chalk): It was a great pleasure to listen to the powerful advocacy of the right hon. Member for Tottenham (Mr Lammy). Unfortunately, on this occasion, I am unable to agree with him, but out of courtesy to him I will explain why.

It is a real pleasure to address a Committee of the whole House on a Bill which, while technical, is of great importance. Private international law is not just an arcane and abstract legal construct. As my hon. Friends the Members for Broadland (Jerome Mayhew), for Derbyshire Dales (Miss Dines) and for Aylesbury (Rob Butler), among others, have indicated, it is a very real framework for the dispute resolution of cross-border civil and family justice matters that affect families and businesses in our country. Indeed, the hon. Member for Midlothian (Owen Thompson) made the point that every time we enter into one of these agreements we strengthen the international rules-based order. That is a point we should not lose sight of either.

I am very grateful for the quality of the debate that we have witnessed today, as well as on Second Reading. It has been, let me say in all sincerity, a debate of conspicuous clarity and ability. I really do appreciate the interest that has been shown in these important matters. I thank colleagues from across the Committee for the time they have taken to prepare the amendments and for the explanations that they have provided. Even where the Government take a different view—which, as I say, I will come on to explain—I recognise that these are serious amendments that have been tabled in good faith in an endeavour to improve the legislation.

Let me begin, if I may, by turning to amendments 5 and 6, new clause 5, new schedule 4 and amendment 7. Taken together, these amendments, in effect, restore the implementing power that was deleted in the other place and reverse the consequential amendments that flow from their deletion. The ability to implement PIL agreements

in a timely and effective manner is important. One of the things that really shone out from the excellent contributions that we heard was the word “agility”, which was used by my hon. Friend the Member for Derbyshire Dales in referring to the context of family agreements, and by my hon. Friend the Member for Broadland and, indeed, by my hon. Friend the Member for Henley (John Howell) in talking about the Singapore mediation agreement. That agility is important. It is what allows the UK to be a credible negotiating counterparty, so that if British Ministers agree a PIL agreement—which, incidentally, strengthens the international rules-based order—it can be brought into effect in an agile way.

If indeed, as we all appear to accept, such agreements are good for citizens and businesses, we want to make sure that there is no undue delay in rolling out those benefits. There is a public interest in ensuring that implementation and scrutiny mechanisms are proportionate—again, a word that shone out from the contributions we have heard—in striking the important balance between timely implementation and appropriate scrutiny. If I may make one point about the contribution from the right hon. Member for Tottenham, I think it is fair to say that he did not dwell particularly on the scrutiny procedures that are in place. I will develop that a little bit, and I hope that will put his mind at rest. I do not suppose that I will be able to get him to join us on the Government Benches, but I live in hope.

The provisions are necessary and proportionate because the agreements are recognised across the House as manifestly in the public interest. If I may say this respectfully to my hon. Friend the Member for Huntingdon (Mr Djanogly), one of the principal points he made actually, I suggest, undermined his argument. He said, “These are very rarely party political.” The right hon. Member for Tottenham said, “I don’t recall it being vaguely contentious.” He is absolutely right. These agreements are not contentious.

Indeed, if we look at the previous Lugano convention in 2007, or at the previous Hague conventions, which we are introducing under clause 1, we see that nobody ever prayed against them. Equally, on the old Lugano convention—the 1988 one, which preceded the 2007 one—I think only three of their lordships spoke in the other place, there were no amendments and nothing was said here. We must ask ourselves: if my hon. Friends accept that this is non-contentious, why go for what might be perceived to be the disproportionate step?

4 pm

Mr Djanogly: I intervene only because the Minister suggested that I had said something. I may have said that this is not party political, but that does not mean to say that it is not important, complicated and potentially contentious—but not for party political reasons.

Alex Chalk: Ultimately, my hon. Friend cannot have it both ways. If we accept that it is not contentious, it is important that the mechanisms that are in place are proportionate to that. Indeed, the Opposition knew this when they were in government, because of course all these rule-making powers were on the statute book and they did not repeal them. There was the Administration of Justice Act 1920, the Foreign Judgments (Reciprocal Enforcement) Act 1933, the Maintenance Orders

(Reciprocal Enforcement) Act 1972—I could go on. They stayed on the statute book because they are not really offensive to the constitutional balance that we enjoy, but not only were they not repealed; they were used.

The right hon. Member for Tottenham knows that because he was the Minister at the time. He was a Minister at the Department for Constitutional Affairs when the British Government used the Foreign Judgments (Reciprocal Enforcement) Act 1933 to bring into force an international agreement with who? With Israel. He knows that because he was the Minister at the time. Who was the Lord Chancellor at the time? Lord Falconer. The right hon. Gentleman cannot very well say that these are a monstrous and egregious affront to our constitution when they were used, because they were used a second time in 2007. They created a power to give effect to bilateral agreements with the United States on reciprocal enforcement of family maintenance orders.

Just to complete that point, not only were those powers used; the right hon. Gentleman, for whom I have enormous respect, created new ones of his own. In 2005—*[Interruption.]* He is laughing, but he knows it is true. He was the Minister dealing with the Bill that became the Mental Capacity Act 2005, which, incidentally, on this very rainy weekend I had a chance to re-read. That Act created a wide delegated power to introduce international agreements in that area.

I do not want to labour this point too much, but I had a chance to look at proceedings in Committee on that Bill, during which a Conservative Member talked about that specific power and effectively asked the right hon. Gentleman, “Is he sure that he wants to do this?” He added:

“Those in another place get very excited about any sort of Henry VIII clause.”

The right hon. Gentleman responded, effectively, “Don’t worry,” saying that

“they are technical and necessary provisions.”—*[Official Report, Mental Capacity Public Bill Committee, 4 November 2004; c. 406-407.]*

Is that not precisely the point? What was technical and necessary when he was in government has now become an egregious affront to our constitution.

Mr Lammy: The very able Minister has put his argument, but I remind him that under the previous Labour Government, we were in the European Union. This debate is about being outside it, and the best architecture for scrutiny in this House in those circumstances.

Alex Chalk: But the point is that when we were in the European Union and the European Union had competence to enter into PIL agreements, those would be brought into effect in the United Kingdom via the doctrine of direct effect. What role did this Parliament have? None. We are seeking to introduce much more by way of parliamentary scrutiny—the points, respectfully, that the right hon. Gentleman did not advert to. First, there is the CRaG procedure, and secondly there is the affirmative procedure.

I am at pains to mention that because I talked just a few moments ago about the Israeli agreement and the United States agreement. How did those come into force? Not through the affirmative procedure, not even through the negative procedure, but through an Order in Council. In other words, normal hon. Members—mere

[Alex Chalk]

mortals like most of the people in the Chamber—had no say at all; just Privy Counsellors. We therefore respectfully say that it does not lie in the mouth of the Opposition to raise these concerns.

My hon. Friend the Member for Bishop Auckland (Dehenna Davison) made the point powerfully that this precedent, which the Opposition understood when they were in government, recognises that there is an opportunity cost. If we start filling up the parliamentary timetable with such legislation, which everyone accepts is not controversial, there is less time and less space for schools, hospitals and transport, and so forth.

On the point about criminal offences, which was made powerfully by the Chairman of the Select Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), this is an area where it is important to move cautiously. We will continue to reflect on the range of views expressed. I agree with him that an awful lot of offences are created by statutory instruments, but we need to take care, none the less.

Sir Robert Neill: I am grateful for the Minister's observations in relation to criminal offences, and I will take him at his word as far as that is concerned. I know that he will want to take away, perhaps, how we deal with that proportionately.

The Minister refers to the value of the affirmative procedure, as is proposed. That, of course, is used when the PIL treaty first comes into force in our domestic law, but often these treaties or agreements can be modified as they go along. Can he help me with the concerns raised by the Bar Council and the Law Society about how the proposed scrutiny regime would deal with, for example, declarations that are attached to international agreements when we bring them into force? Such declarations can sometimes modify or limit their scope. Secondly, how will we deal with model laws, which are now often used in international trade negotiations?

Alex Chalk: If I may respectfully say so, that is an excellent point. That is one of the reasons why we seek to frame things this way. One of the points my hon. Friend made most powerfully is that there are shortcomings in the Lugano convention. He talked about the Italian torpedo, but there are others, some of which Lord Mance referred to in the other place.

How are we to be expected, in an agile and proportionate way, to address those changes, supposing they are negotiated, if we effectively have to have a new Act of Parliament each time? With respect, that would be wildly disproportionate. It would clog up this place unnecessarily, because there may be very good opportunities to improve those agreements and get them on to the statute book.

Let me deal with this business about Lugano, in amendments 1 to 4, 8 and 9, new clauses 1 and 2, new schedule 1, new schedule 3, new clause 5 and amendments (a) to (g). First, it is premature to put Lugano into the Bill while our application is outstanding, even if amendment 2 specifically includes reference to this being contingent on the UK's accession. It is also inadequate—this is the point I was adverting to—as additional provisions will be required, mostly of a procedural or consequential nature, to properly implement to Lugano convention into domestic law.

For example, the civil procedure rules might need to be changed. What if Lugano is improved, as I indicated? What, also, if our application is unsuccessful? We may then need to move quickly. With whom will we want to move quickly? As my hon. Friend well knows, Norway, Iceland and Switzerland have published statements of support for our Lugano application, and that may be a route we would want to go down.

The most important point is that we have, and indeed should have, ambitions beyond Lugano. We must stay at the forefront of developments, whether the Singapore convention on mediation, to which my hon. Friend the Member for Henley (John Howell) powerfully referred, or the Hague convention on recognition and enforcement of foreign judgments in civil or commercial matters, also known as Hague '19.

I advert to the fact that the Bill properly complies with the devolution settlement. We take that extremely seriously. As the hon. Member for Midlothian (Owen Thompson) indicated, both the Scottish Parliament and the Northern Ireland Assembly have passed legislative consent motions for the Bill, and the Welsh Government have agreed that an LCM is not required as PIL is almost entirely reserved. There is a small exclusion for *Cafcass Cymru*, but that is really it.

The right hon. Member for Tottenham spoke about the super-affirmative procedure, and I accept that this amendment was submitted in the spirit of trying to be helpful. I entirely acknowledge that. These proposals are contained in paragraph 4 of new schedule 3, tabled by the Opposition, and there is a similar proposal in new schedule 2, although the SNP new schedule would introduce a super-affirmative scrutiny power only for Lugano. I respectfully make the point, and I appreciate that this is to the hon. and learned Member for Edinburgh South West (Joanna Cherry), but why would we need a super-affirmative scrutiny power for Lugano, which we have been operating for years? That is not very obvious to me.

The bar for the super-affirmative scrutiny procedure has always been high. Let us look at the context. Section 85 of the Northern Ireland Act 1998 provides for a super-affirmative procedure for regulations that deal with changes to reserved matters as set out in that Act. The Human Rights Act 1998 provides for such a procedure for remedial orders that deal with legislation that has been found to be incompatible—declarations of incompatibility. Under the Public Bodies Act 2011, a super-affirmative procedure is needed for orders that abolish, merge or change the constitutional funding arrangements. I dealt with those quickly, but the point is that super-affirmative procedure is reserved for matters of key constitutional importance. We must not forget that in the case we are discussing, we have the additional CRAg brake.

If we drill into the detail of super-affirmative procedure, it creates additional stages, but I query whether it results in improvements to the proposed regulations. Instead, it simply delays. It would also create a potential discrepancy between England and Wales and the devolved jurisdictions. One could easily imagine a situation whereby two litigants lived five miles either side of the border and the cases were dealt with differently, to the disadvantage of a litigant in England, because the Scottish Parliament had got on with it and simply brought an agreement into force. That would be unsatisfactory. I do not suggest that that is what the right hon. Member for Tottenham intends, but I fear it could be a consequence.

New clauses 1, 6 and 7 deal with laying the report. New clause 6 would require a report to be laid in Parliament before the UK ratifies an agreement. New clause 7 would require the Government to lay a report in Parliament for 10 House of Commons sitting days before a draft statutory instrument was laid. I accept the need for clear and detailed explanations, but it is not immediately obvious that new clause 7 would add anything to the current process. All SIs are already accompanied by an explanatory memorandum. I dug one out to prepare for the debate. It deals with the Civil Jurisdiction and Judgments Act 1982. It runs to 18 pages and is very detailed and helpful. Other than requiring the information 10 days earlier, I cannot see that new clause 7 would make a difference. We should not forget that an SI is typically laid several weeks before the House gets to debate it. None the less, I accept the point that my hon. Friend the Member for Bromley and Chislehurst made about the need to reach out to distinguished practitioners and jurists. It is right that we should do that, and I am keen for it to happen.

I am very grateful for the consideration of the Bill in Committee. I share the desire to ensure that PIL agreements that we wish to join and domestically implement are appropriately scrutinised. All Governments must balance the need for scrutiny with the need to move in a timely manner to ensure that British citizens can enjoy the benefits of PIL agreements as soon as it is properly possible to provide for them. Those benefits are significant, and if the House gets the balance wrong, our citizens will be denied them by an unnecessarily labyrinthine process.

The proposed procedures provide for scrutiny of a delegated power using an affirmative SI together with the CRaG procedure to implement the agreements. That is a balanced and proportionate approach.

Sir Robert Neill: Before the Minister sits down—

Alex Chalk: Just in the nick of time.

Sir Robert Neill: Perhaps the Minister can help my hon. Friend the Member for Huntingdon (Mr Djanogly) and me. I understand what the Minister is saying, and none of us wishes to create a labyrinthine process. Does he accept that it may be necessary to learn from experience with CRaG as we go forward? Are the Government closing their mind to the idea that we could seek refinements and improvements to the CRaG process as we operate it? The answer might help us.

Alex Chalk: I thank my hon. Friend for raising that point. There is no doubt that the CRaG process is evolving and maturing. Proper points have been made about the need to consider it and how it should evolve over time. I certainly do not want to shut my eyes or my ears to my hon. Friend's proposals.

The Bill takes a balanced and proportionate approach. I therefore invite hon. Members to support the Government amendments and reject the remainder.

Mr Djanogly: The debate has been interesting and gone some way towards creating a more common understanding of the important issues at stake, the balance between efficient process and appropriate parliamentary scrutiny, and why, as I have argued, we

need a more modern process of scrutiny for PIL treaties as much as for the ministerial orders that are derived from them.

4.15 pm

We have had many great contributions today. My hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) explained why these treaties, particularly Lugano, are so important to a wide variety of people, and are not just techie stuff for lawyers. He also explained very well why we need proper scrutiny provisions, and raised the important point that we need to use the best expertise that we have available when we are determining these orders.

A variety of points were made. In fact, the same points were made by my hon. Friends the Members for Henley (John Howell), for Derbyshire Dales (Miss Dines), for Broadland (Jerome Mayhew) and for Bishop Auckland (Dehenna Davison). I think they all used the same phrase—that we need agility, flexibility and speed in the way that we approach these orders.

I do not necessarily see the amendment that I tabled today as affecting any of those in a negative way. Indeed, I made the point that our opposite treaty partners generally have more stringent scrutiny provisions than we do, and they are not complaining about the lack of time. I was sorry, in that regard, that it was the Government's approach to want to bring back new clause 5 rather than amend it—I will come back to that—but I did take on board the point made by my hon. Friend the Member for Henley and others about the importance of London as an international legal centre and the importance of these treaties for commerce.

My hon. Friend the Member for Bishop Auckland noted the tangible impact for her constituents and their concerns about clogging up; I believe I have addressed those. My hon. Friend the Member for Aylesbury (Rob Butler) said that there was a precedent for what the Government propose, and the Minister made the same point. I do not deny that, but I would say that what was used, and what was acceptable, in the 1930s—or in the 1970s, the other example given—is not necessarily best practice now, and indeed is definitely not the current practice of Japan, the US or the EU. They all have much more developed processes than we have. Even the other Commonwealth countries, which, as I said, have our constitutional position, in practice have much more developed scrutiny measures than we have.

The hon. Member for Midlothian (Owen Thompson) explained very well that the approach being taken around the House has been pretty much the same in terms of what we want to see going back to the Lords. We have heard the Minister, and unfortunately it is a case of clause 2—or new clause 5—back with no amendments. I still do not understand the Government's approach. It would have been good if this debate had happened during the final stages in the other place. Instead there was a polarised approach there. Throughout, the other place threw the order-making clause out altogether, leaving us to pick up the pieces. Sadly, we have failed to do so today, and now the Bill goes back to the other place in a situation where we should be agreeing this stuff. In this context, amendment 2 to include the Lugano treaty is good to have, but that is not the key issue at stake here, and as such I do not intend to request a Division on amendment 2 today. The Opposition

are now saying again that they want the Government's amendment to be thrown out rather than amended; I cannot support that approach either.

I end with a plea to the Minister. I hope that, as we take the Bill back to the other place, we can move away from this polarised position and come to a deal that enables us all to move forward. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1 ordered to stand part of the Bill.

Clause 2

CROWN APPLICATION

Amendment made: 5, page 2, line 28, insert—

“(2) Regulations under section (*Implementation of other agreements on private international law*) may make provision binding the Crown.

(3) The reference to the Crown in subsection (2) does not include—

- (a) Her Majesty in Her private capacity,
- (b) Her Majesty in right of the Duchy of Lancaster, or
- (c) the Duke of Cornwall.”—(*Alex Chalk.*)

This amendment provides that regulations made under NC5 may make provision binding the Crown.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3

EXTENT, COMMENCEMENT AND SHORT TITLE

Amendment made: 6, page 2, line 30, at end insert—

“(2) Her Majesty may by Order in Council provide for section (*Implementation of other agreements on private international law*) (including Schedule (*Regulations under section (Implementation of other agreements on private international law)*)) and section 2(2) and (3) to extend, with or without modifications, to the Isle of Man.”—(*Alex Chalk.*)

This amendment inserts a new subsection into Clause 3. This allows Her Majesty by Order in Council to extend to the Isle of Man NC5 (including NS4) and subsections (2) and (3) of Clause 2 inserted by Amendment 5.

Clause 3, as amended, ordered to stand part of the Bill.

New Clause 5

IMPLEMENTATION OF OTHER AGREEMENTS ON PRIVATE INTERNATIONAL LAW (NO. 3)

“(1) The appropriate national authority may make regulations for the purpose of, or in connection with, implementing any international agreement, as it has effect from time to time, so far as relating to private international law (a “relevant international agreement”).

(2) The appropriate national authority may make regulations for the purpose of, or in connection with, applying a relevant international agreement, with or without modifications, as between different jurisdictions within the United Kingdom.

(3) The appropriate national authority may make regulations for the purpose of, or in connection with, giving effect to any arrangements made between—

- (a) Her Majesty's government in the United Kingdom, and
- (b) the government of a relevant territory,

for applying a relevant international agreement, with or without modifications, as between the United Kingdom, or a jurisdiction within the United Kingdom, and that territory.

(4) Regulations under this section may make—

- (a) consequential, supplementary, incidental, transitional or saving provision;
- (b) different provision for different purposes or for different parts of the United Kingdom.

(5) Regulations under this section may include provision about—

- (a) enforcement of obligations arising under or by virtue of the regulations;
- (b) sharing of information;
- (c) legal aid.

(6) Schedule (*Regulations under section (Implementation of other agreements on private international law (No. 3))*) makes further provision about regulations under this section.

(7) In this section—

“appropriate national authority” means—

- (a) in relation to England and Wales, the Secretary of State;
- (b) in relation to Scotland—
 - (i) the Scottish Ministers, or
 - (ii) the Secretary of State acting with the consent of the Scottish Ministers;
- (c) in relation to Northern Ireland—
 - (i) a Northern Ireland department, or
 - (ii) the Secretary of State acting with the consent of a Northern Ireland department

“international agreement” means a convention, treaty or other agreement to which the United Kingdom is, or is expected to become, a party;

“private international law” includes rules and other provisions about—

- (a) jurisdiction and applicable law;
- (b) recognition and enforcement in one country or territory of any of the following that originate in another country or territory—
 - (i) a judgment, order or arbitral award;
 - (ii) an agreement, decision or authentic instrument determining or otherwise relating to rights and obligations;
- (c) co-operation between judicial or other authorities in different countries or territories in relation to—
 - (i) service of documents, taking of evidence and other procedures, or
 - (ii) anything within paragraph (a) or (b);

“relevant international agreement” has the meaning given in subsection (1);

“relevant territory” means—

- (a) the Isle of Man;
- (b) any of the Channel Islands;
- (c) a British overseas territory.

(8) This section and Schedule (*Regulations under section (Implementation of other agreements on private international law (No. 3))*) have effect, with the following modifications, in relation to a model law adopted by an international organisation of which the United Kingdom is a member as it has effect in relation to an international agreement to which the United Kingdom is, or is expected to become, a party.

The modifications are—

- (a) a reference in this section or that Schedule to implementing or applying a relevant international agreement is to be read as a reference to giving effect to the model law (with or without modifications);
- (b) subsection (1) is to be read as if the words “as revised from time to time” were substituted for the words “as it has effect from time to time”.—(*Alex Chalk.*)

This new clause contains a power to implement international agreements relating to private international law.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 324, Noes 175.

Division No. 126]

[4.20 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
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, rh Karen
Brady, Sir Graham
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
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey

Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
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
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Goodwill, rh Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian

Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hammond, Stephen
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
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
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cheryl
Macleane, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul

McCartney, Jason
McCartney, Karl
McVey, rh Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, 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
Murrison, rh Dr Andrew
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Parish, Neil
Pateron, 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
Pursglove, Tom
Quin, Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Richards, Nicola
Richardson, Angela
Roberts, Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
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, rh Julian
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
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Vara, Mr Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa

Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Ayes:
David Rutley and
Michael Tomlinson

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, Jonathan
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blake, Olivia
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Ms Lyn
Brown, rh Mr Nicholas
Buck, Ms Karen
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Charalambous, Bambos
Clark, Feryal
Cooper, Daisy
Cooper, Rosie
Corbyn, rh Jeremy
Creasy, Stella
Cummins, Judith
Daby, Janet
Davies-Jones, Alex
De Cordova, Marsha
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie

Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fletcher, Colleen
Foxcroft, Vicky
Foy, Mary Kelly
Furmiss, Gill
Gill, Preet Kaur
Glindon, Mary
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Hamilton, Fabian
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hendrick, Sir Mark
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Dame Diana
Johnson, Kim
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike

Keeley, Barbara
Khan, Afzal
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lewell-Buck, Mrs Emma
Lloyd, Tony
Long Bailey, Rebecca
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Moran, Layla
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillipson, Bridget
Pollard, Luke
Powell, Lucy

Qureshi, Yasmin
Rayner, Angela
Rees, Christina
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Sharma, Mr Virendra
Sheerman, Mr Barry
Siddiq, Tulip
Slaughter, Andy
Smith, Cat
Smith, Nick
Sobel, Alex
Spellar, rh John
Stevens, Jo
Stone, Jamie
Sultana, Zarah
Tami, rh Mark
Tarry, Sam
Thomas, Gareth
Timms, rh Stephen
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Osamor, Kate
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Jessica Morden and
Jeff Smith

Question accordingly agreed to.

New clause 5 read a Second time, and added to the Bill.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Schedules 1 to 5 agreed to.

New Schedule 4

REGULATIONS UNDER SECTION (IMPLEMENTATION OF OTHER AGREEMENTS ON PRIVATE INTERNATIONAL LAW (No. 3))

Restrictions on power to make regulations

1 (1) Regulations under section (*Implementation of other agreements on private international law (No. 3)*) may not include—

- (a) provision that confers power to legislate by means of regulations, orders, rules or other subordinate instrument (other than rules of procedure for courts or tribunals);
- (b) provision that creates an offence for which an individual who has reached the age of 18 (or, in relation to Scotland or Northern Ireland, 21) is capable of being sentenced to imprisonment for a term of more than two years (ignoring any enactment prohibiting or restricting the imprisonment of individuals who have no previous convictions).

(2) Sub-paragraph (1)(a) does not prevent the modification of a power to legislate conferred otherwise than under section (*Implementation of other agreements on private international law (No. 3)*), or the extension of any such power to purposes of a similar kind to those for which it was conferred.

(3) A power to give practice directions or other directions regarding matters of administration is not a power to legislate for the purposes of sub-paragraph (1)(a).

Regulations to be made by statutory instrument or statutory rule

2 The power to make regulations under section (*Implementation of other agreements on private international law (No. 3)*)—

- (a) is exercisable by statutory instrument, in the case of regulations made by the Secretary of State;
- (b) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)), in the case of regulations made by a Northern Ireland department.

Parliamentary or assembly procedure

3 (1) This paragraph applies to a statutory instrument containing regulations made by the Secretary of State under section (*Implementation of other agreements on private international law (No. 3)*).

(2) If the instrument contains (whether alone or with other provision)—

- (a) provision made for the purpose of implementing or applying, in relation to the United Kingdom or a particular part of the United Kingdom, any relevant international agreement that has not previously been the subject of any such provision (whether made by regulations under section (*Implementation of other agreements on private international law (No. 3)*) or otherwise),
- (b) provision made for the purpose of giving effect, in relation to the United Kingdom or a particular part of the United Kingdom, to any relevant arrangements that relate to a particular territory and have not previously been the subject of any such provision (whether made by regulations under that section or otherwise),
- (c) provision that creates or extends, or increases the penalty for, a criminal offence, or
- (d) provision that amends primary legislation,

it may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.

(3) In this Schedule “relevant arrangements” means arrangements of the kind mentioned in section (*Implementation of other agreements on private international law (No. 3)*)(3).

(4) If sub-paragraph (2) does not apply to the instrument, it is subject to annulment in pursuance of a resolution of either House of Parliament.

4 (1) This paragraph applies to regulations made by the Scottish Ministers under section (*Implementation of other agreements on private international law (No. 3)*).

(2) The regulations are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010) (asp 10)) if they contain (whether alone or with other provision)—

- (a) provision made for the purpose of implementing or applying, in relation to Scotland, any relevant international agreement that has not previously been the subject of any such provision (whether made by regulations under section (*Implementation of other agreements on private international law (No. 3)*) or otherwise),
- (b) provision made for the purpose of giving effect, in relation to Scotland, to any relevant arrangements that relate to a particular territory and have not previously been the subject of any such provision (whether made by regulations under that section or otherwise),

(c) provision that creates or extends, or increases the penalty for, a criminal offence, or

(d) provision that amends primary legislation.

(3) If sub-paragraph (2) does not apply to the regulations, they are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

5 (1) A Northern Ireland department may not make regulations under section (*Implementation of other agreements on private international law (No. 3)*) that contain (whether alone or with other provision)—

- (a) provision made for the purpose of implementing or applying, in relation to Northern Ireland, any relevant international agreement that has not previously been the subject of any such provision (whether made by regulations under section (*Implementation of other agreements on private international law (No. 3)*) or otherwise),
- (b) provision made for the purpose of giving effect, in relation to Northern Ireland, to any relevant arrangements that relate to a particular territory and have not previously been the subject of any such provision (whether made by regulations under that section or otherwise),
- (c) provision that creates or extends, or increases the penalty for, a criminal offence, or
- (d) provision that amends primary legislation,

unless a draft of the regulations has been laid before the Northern Ireland Assembly and approved by a resolution of the Assembly.

(2) Regulations under section (*Implementation of other agreements on private international law (No. 3)*) made by a Northern Ireland department are subject to negative resolution, within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954, if a draft of the regulations was not required to be laid before the Northern Ireland Assembly and approved by a resolution of the Assembly.

(3) Section 41(3) of that Act applies for the purposes of sub-paragraph (1) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.

Interpretation

6 In this Schedule—

“amend” includes repeal or revoke;

“primary legislation” means any provision of—

- (a) an Act of Parliament,
- (b) an Act of the Scottish Parliament,
- (c) an Act or Measure of Senedd Cymru, or
- (d) Northern Ireland legislation;

“relevant arrangements” has the meaning given in paragraph 3(3);

“relevant international agreement” has the same meaning as in section (*Implementation of other agreements on private international law (No.3)*).”—(*Alex Chalk.*)

This new schedule makes further provision about regulations made under NC5.

Brought up, read the First and Second time, and added to the Bill.

Amendment made: 7, in title, line 1 at end insert

“and to provide for the implementation of other international agreements on private international law.”—(*Alex Chalk.*)

This amendment to the long title reflects the change to the Bill made by NC5.

The Deputy Speaker resumed the Chair.

Bill, as amended, reported.

Bill, as amended in the Committee, considered.

Third Reading

4.37 pm

Alex Chalk: I beg to move, That the Bill be now read the Third time.

Let me start by thanking all the right hon., hon. and, in particular, learned Members in all parts of the House for their careful scrutiny of the Bill at each stage of its passage. A variety of opinions have been expressed, and I value all the contributions made on these important issues. We have been fortunate, throughout the Bill's passage, that the debates have been genuinely enriched by the experience and expertise of the speakers, both in this House and in the other place. One thing that has been heard time and again from all involved is an acknowledgement of the importance of private international law and the real-world impact it can have on our constituents.

I have to accept that, historically, that acknowledgement has not always been in place. A former Lord Chancellor, Lord Hailsham, who introduced a key piece of private international law legislation, the Civil Jurisdiction and Judgments Bill, in the House of Lords in 1981 opened the Second Reading debate by saying:

"I rather feel that it should be accompanied by a Government health warning. There is nothing whatever that I can do to make my speech short, and those who expect to find it of throbbing human interest will, I fear, be wholly disappointed."—[*Official Report, House of Lords*, 3 December 1981; Vol. 425, c. 1126.]

But of course we know in this House that this is extremely important. Reciprocal private international law rules provide a framework to enable UK businesses, families and individuals to resolve their difficult and challenging situations. They help to avoid confusion for all parties, by preventing multiple court cases from taking place in different countries on the same subject and reaching potentially different conclusions. Such reciprocal rules also allow for the decisions of UK courts to be recognised and enforced across borders. All this helps to reduce costs and anxiety for the parties involved. It is therefore vital that in future our country is able not only to continue to co-operate on private international law matters with existing partners, but to implement in our domestic law new agreements that are fit for the 21st century.

The Bill underpins our ambition to deliver real and tangible benefits for the United Kingdom—for our citizens—both now and in the years to come. I reassure Members on a point that I know they recognise but that can never be emphasised enough: although private international law can support and underpin cross-border trade, the Bill is not about the implementation of free trade agreements. The terms on which trade between two countries takes place are clearly outside the scope of the Bill.

Over the next few years, we face the challenge of replacing and updating the UK's private international law framework, recognising our regained competence in this area of law. Although we have not yet agreed, as between this House and the other place, on how best to scrutinise future agreements, I am now confident that there is an eagerness to do so effectively. That eagerness recognises the overwhelming public interest of such agreements.

More broadly, I am pleased that, whatever the outcome of ping-pong, we will have in place legislation that allows the UK to realise the future opportunities in this

area of law. I think all parties in this House are agreed not only that we want the UK to remain at the forefront of delivering justice internationally and to ensure that our legal services sector continues to flourish, but that we want to ensure that we are at the forefront of the international rules-based order—we want to see it strengthened, and we want to play our part.

I conclude simply by thanking all Members for their contributions. I commend the Bill to the House.

4.41 pm

Mr Lammy: I join the Minister in thanking colleagues in all parties for their thoughtful contributions to this important debate. I especially thank the hon. Member for Bromley and Chislehurst (Sir Robert Neill), the hon. and learned Member for Edinburgh South West (Joanna Cherry), and the hon. Members for Huntingdon (Mr Djanogly) and for Midlothian (Owen Thompson) for their eminently reasonable suggestions on how the Bill could secure cross-party support.

On Second Reading, Labour made it clear that we supported the fundamental principle behind the Bill. The Opposition fully accept that as we leave the largest network of private international law agreements in the world, we must have a legislative framework in place to replace it. As we leave the European Union, we must protect our country's proud reputation as the international forum of choice for the resolution of commercial and legal disputes.

We should also remember the human aspects of private international law. Helping parents separated by borders to come to custody agreements in the interests of their children is very important, as is allowing the safe return of a child who has been abducted. That is why the Opposition have always been fully supportive of the Government's desire to implement the international treaties listed in clause 1, each of which has been fully scrutinised by this House and is being brought into domestic law by primary legislation. That is how the implementation of international agreements has always been done, and how we would like to see it done in future.

Unfortunately, we have seen during the Bill's passage the Government's desire to prise parliamentary scrutiny away from this House and these Benches. That is something we regret and something to which the other place will no doubt return in the debate ahead. Once again, we see a Government keen to do all they can to avoid proper democratic scrutiny—a Government more at ease with ruling by decree than daring to test the will of this House.

4.43 pm

Sir Robert Neill: We have had a constructive set of debates on the Bill, and I pay tribute to all Members for the approach that has been adopted. I pay particular tribute to the skill and élan with which the Minister has steered the Bill through the House: he is a credit to our mutual profession. He is certainly no Henry VIII—and I mean that in a good way—but of course he and I are both proud members of the Honourable Society of the Middle Temple. The nearest Tudor connection I can find is that the first Middle Templar to be Lord Chancellor was Lord, previously Sir, Richard Rich, for those who follow "A Man for All Seasons". I am not sure whether that is a good sign, but I do not think that the Minister is a Richard in terms of personal integrity, for he was

certainly one of the most successful Lord Chancellors but also one of the most corrupt. We have moved forward a great deal, and I suspect that the legacy still entertains us in Middle Temple with the wine cellar.

The Minister has done a great job on the Bill, and I hope he will reflect on some of the comments made, none of which were aimed to obstruct or make life difficult for the Government, because we all share the objective. I welcome the tone adopted throughout by the shadow Secretary of State, the right hon. Member for Tottenham (Mr Lammy), and those on the SNP Front Bench. It is important for the country's sake that we get this right.

It has been rightly observed that this is not just about dry technical law. When I went to the London School of Economics in the '70s, it had an international law module, which most of us avoided. It had just introduced a European law module, and somebody said, "There'll never be much work around that," which shows how things can be got wrong. As we exit a period of 40 or more years during which EU law has been an increasingly important part of our domestic and international legal systems, it is all the more important that we have a proper means of putting private international law agreements on a sound footing. I think we all share the Government's objective in that regard.

I suspect that this may not be the last we hear of the Bill, either in the other place or here. I hope we will find a constructive way forward that meets some of the concerns raised in the other place about how scrutiny is dealt with. I welcome the Minister's longer-term commitment to look at those issues. I hope he will take away the criminal sanctions aspect in particular, and the need to look at how CRaG operates.

May I give the Minister a further reading list, so to speak? As well as the Mental Capacity Act 2005 and the other things for a wet Friday, perhaps he could look at the Law Society and Bar Council briefings on how we deal with the two issues that I flagged briefly in Committee in relation to our having a proportionate and effective means of scrutinising the declarations that are frequently attached to international legal agreements. International agreements are often adopted by country with a declaration that modifies or limits the extent of its application to varying degrees. The Bill provides for the affirmative procedure for the initial adherence to the treaties, but it might not, as far as we can see at the moment, cover how we would properly scrutinise the declarations, which could have a significant impact.

An example of that, if the Minister wants it, is that we are committed to seeking to join in our own right the Hague choice of court convention 2005, which is an important document. When we joined it as part of the EU, the EU opted to exclude insurance contracts from that agreement. The provisions that we made following the withdrawal agreement and the memorandum on delegated powers that accompanies this Bill suggest that we will continue to exclude insurance contracts from it.

We need to think about why that is and how we will deal with scrutiny of changes to it, because the potential effect of that is to deprive court judgments based on excluded contracts of the right to be enforced by the 2005 convention when we hopefully sign up to it. That would leave a considerable gap in a very important sector of the British economy. Insurance and reinsurance

markets are of real significance to the financial world, and we need to have a means of adjusting the position if that is required and taking on board those concerns. That is precisely the area where it is suggested that we should be talking to the experts in not only private international law but the insurance sector. I have already declared my interests in relation to these matters, but it is important that we take that as an example.

A similar issue arises in relation to how we will deal with model laws. Model laws are not international conventions that impose rights and duties between contracting states, but they are what are sometimes termed agreed soft law provisions, which are often modified substantially before they are given effect in domestic law. They are important, none the less, and they are a growing area of activity, so I hope the Minister can think about the mechanism that we have to ensure that they are properly scrutinised, as well as being brought in timeously. I flag those up as examples of what we need to do. It is certainly important that we do not just stop at joining Lugano. Whether it is on the face of the Bill or not, I know that the Minister and the Government are committed to joining it, and that is an important first step, but as we all know, there are other conventions that it is most important we seek to join, some of which have already been mentioned. I hope that we will push on swiftly, for example, to implement and ratify the 1997, 2005 and 2007 Hague conventions, because between them they would provide a suite of the vital civil and family law co-operation measures that we want to see continue after the transition period.

Of course, we also hope that the Government will ratify and implement in England and Wales the 2000 Hague convention on the international protection of adults. It has already been brought into force in Scotland but not in England and Wales, and it seems bizarre that a vulnerable adult could be treated differently if they were in Gloucester as opposed to Glasgow. That implementation would, for example, enable us to deal with important issues relating to vulnerable adults such as people who are subject to powers of attorney or who are under the jurisdiction of the Court of Protection and who might have overseas assets or overseas properties. Not having continuity of legal recognition of the judgments and contracts that are entered into could make it difficult to deal with those persons' affairs.

These are techie issues, but they affect real lives, so the technical is not insignificant or without a human dimension. I hope that, as we go forward on a constructive basis, we can ensure that, having decided to leave the EU and branch out into broader areas of economic activity, the Government will make a concerted effort, which both the Law Society and the Bar Council have called for, to take a lead in selling, maintaining and building on the UK's position as a jurisdiction of choice. Tens of thousands of jobs depend on it, as does billions of pounds-worth of economic activity, and it is in our fundamental national, strategic, economic interest to do this. With this Bill on the statute book, I hope that that is the most important thing the Government take forward as a matter of high policy in our negotiations to, hopefully, exit the EU with a deal, and in future free trade agreements.

So far, it has been tough to get free trade agreements to deal with services, and legal services in particular, but we have a potentially strong asset in our legal system

[Sir Robert Neill]

and in the integrity and standing of our judiciary, which we should never pillory. No politician should ever knock lawyers for the sake of it, because ultimately, respect for the integrity of the system is fundamental. I know that the Minister and the Lord Chancellor share that view, and I hope that the Bill will give us an opportunity to build strongly on that.

4.52 pm

Owen Thompson: I too welcome the contributions of all hon. and right hon. colleagues today and throughout the Bill's previous stages. I am deeply disappointed that the amendments in the names of myself and my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) were not supported by the Government, but I will try not to take it personally. However, we will always continue to try to do what we can to make the Government's laws better than when they were presented. I also find myself, not for the first time, in the slightly strange position of agreeing with the hon. Member for Bromley and Chislehurst (Sir Robert Neill).

This is a largely technical Bill, but it will have important consequences for many businesses and individuals. We only have to consider the impact on an individual family, and the extra hassle they might have to go through, if we were unable to get a replacement or an agreement to continue with the Lugano convention. We cannot underestimate the impact on people if these things are not got right, so every effort needs to be made, regardless of whether it is on the face of the Bill. Obviously we will need to see what comes forward. I heard the Minister say that we should now move to replace and update the legislation on other conventions, and I would certainly encourage following the precedent set through this Bill's process in working across the Chamber and in respecting the devolution settlement and the rule of international law.

4.54 pm

John Howell (Henley) (Con): Let me add my gratitude to everyone who has spoken in this debate. It has been a very good debate, and I am sure that we have all learned a lot from it. I congratulate the Minister on what he has been able to do. What amazes me is that he has been able to get through the Bill without once using my skills as a mediator. That must be to his great credit.

We have here something that is in the interests of the country and that gives us a new tool in the box. From a personal point of view, I look forward to the Singapore mediation convention being signed and ratified by this country as quickly as possible. I even volunteer to sit on the statutory instrument Committee for that purpose.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

Public Health

4.56 pm

The Minister for Care (Helen Whately): I beg to move,

That the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 4) Regulations 2020 (S.I., 2020, No. 986), dated 13 September 2020, a copy of which was laid before this House on 14 September, be approved.

I will start with a short summary of the social distancing regulations, as context for this debate. The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020—the major lockdown regulations—were introduced on March 26. Those regulations outlined restrictions on gathering and required a number of businesses to close. The regulations were amended four times as we opened up the economy and allowed for technical clarifications. They were then revoked and replaced by the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020. Those regulations had been amended three times prior to 13 September to allow more businesses to reopen, as the transmission of the virus was falling or stabilising. Unfortunately, as winter approaches, the picture has changed and we now need to introduce tighter restrictions to control the virus, protect the NHS and save lives.

Mr Mark Harper (Forest of Dean) (Con): The regulations were obviously made and brought into force ahead of the commitment that the Secretary of State made to the House last week. Given that the regulations that we are debating today cover the whole of England and are obviously of very great significance, will the Minister confirm that regulations of this nature would in future be covered by the Secretary of State's commitment and would be brought to the House for debate and decision before they came into force? Would that also apply to, for example, the self-isolation regulations, which have not yet been debated by the House and which are also significant? I want to ensure that we are following through on the commitments that the Government made last week, and that the House will be able to debate measures that cover the whole country and are of great significance.

Helen Whately: I thank my right hon. Friend for his point. Indeed, the Secretary of State has made a commitment that in the case of future changes to restrictions that would have national effect, we will do our very best to bring them to the House to a vote, although obviously we have to bear in mind that there are circumstances in which we need to act very quickly, because, as we have seen, things can move very quickly with the infection rate and the consequences of the pandemic.

The regulations that we are debating today amend the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 so that people may not participate in social gatherings in groups of more than six unless they are members of the same household or support bubble, or exemptions apply. The regulations were made under the emergency procedure in order to respond quickly to the serious and imminent threat to public health posed by coronavirus.

Steve Brine (Winchester) (Con): I think the Minister knows what I am going to ask. I asked it last Monday in the general debate and her colleague, the Under-Secretary of State for Health and Social Care, my hon. Friend the

Member for Bury St Edmunds (Jo Churchill), chose not to respond in the wind-up, so I will ask it again: what is the rationale for including children under the age of those who have to wear masks in the rule of six? I am asking not about the fact that it is happening, but about the rationale.

Helen Whately: If my hon. Friend allows me to make a little progress, I will pick up that point during the course of what I will say.

I appreciate that these national regulations have caused real disruption to people's lives, placing restrictions on who people can see and what they can do. However, the evidence indicated that the covid-19 infection rate was rising across the country. It was therefore vital that the Government took decisive action to limit and slow the spread, to protect public health and to reduce the likelihood of a further national lockdown of the type that was necessary earlier this year.

Madam Deputy Speaker, I am aware that you, Mr Speaker and a number of Members have raised concerns about parliamentary scrutiny. As the Secretary of State for Health and Social Care outlined to the House last week, for significant national measures with an effect on the whole of England or UK-wide, the Government will consult the House of Commons whenever possible and hold votes before such regulations come into force.

Mr Harper: I am grateful to my hon. Friend for indulging me a second time. The point of our arguing for that was insisting that Ministers had to set out their arguments and the evidence. I understand that one of the key ways of transmitting the virus is social contact, and that as the regulations have been in force for three weeks, they would lapse if this House did not debate and vote on them in the next four days, but what evidence is there that the measures are actually having an effect on reducing the rise in cases of the virus? Having looked at the data, I do not see any evidence that they are having any practical effect. We want to see action—yes—but we want the right action to be taken which will have the effect that we all wish to see.

Helen Whately: I will answer my right hon. Friend's question in a moment, if he lets me continue.

As the Health Secretary set out in his statement to the House on 1 October, this virus spreads through social contact, so we are having to take difficult decisions to suppress the virus while allowing people to socialise safely. The regulations we are debating today brought previous guidance into law while tightening and simplifying it. The rule of six means that people can now gather only in groups of six both indoors and outdoors. There are exceptions to that rule for households or support bubbles that are larger than six, as well as for areas including work, schools, weddings and organised sports activities.

The regulations also gave the police the powers to enforce those legal limits, including issuing fines of £100, doubling for further breaches up to a maximum of £3,200. The vast majority of the general public will do the right things and follow the rules, but to protect public health, it is important that the police have appropriate powers to deal with those who flout the rules. As the Prime Minister announced, these measures were not a second national lockdown but were aimed at preventing the need for one.

Sir Desmond Swayne (New Forest West) (Con): Do the police have powers of entry into a private dwelling to enforce these rules?

Helen Whately: I would not want to say anything incorrect at the Dispatch Box, so let me make sure that I get back to my right hon. Friend with a detailed answer to that question.

After a period of reducing or stabilising the transmission of the virus, we have been seeing daily case numbers rise rapidly across most parts of the country. That is why the Government's chief medical officer and chief scientific adviser jointly agreed the changes that we announced. We know from the science of what has sadly happened in other countries that are experiencing a second wave that an increase in infections will lead to increases in hospitalisations and deaths until we take action.

In introducing the changes, we noted that clear and easily understood information about the virus and how it spreads was likely to increase adherence to public health advice. Although the majority of people report that they understand social distancing rules, feedback from the public and Members of this House indicates that people would value simpler messaging. That is why we have moved to the rule of six—one number for all settings—and have tightened the regulations so that they exactly reflect the guidance rather than there being one set of numbers in the guidance and another set of numbers in the legal framework. The rules were simplified and strengthened, so that they were easier to understand and so that the police could identify and disperse illegal gatherings.

We have acted to get the virus under control and, in doing that, we want in due course to be able to make changes and, clearly, to be able to lift the restrictions. My hon. Friend the Member for Winchester (Steve Brine) asked specifically about children. The position on this is, as I have said, the need for a clear steer. We needed the guidance to be simple and absolutely clear to everybody. We wanted, on the one hand, to enable a level of socialising for the sake of people's quality of life, while on the other hand to take steps to control the virus. That is why we took the position that the rule of six achieved that balance. I appreciate that colleagues would like a different position to have been taken, but that is the position based on the—

Several hon. Members *rose*—

Helen Whately: At that specific moment, I was doing my very best to answer the point made by my hon. Friend the Member for Winchester. I think I should make some progress, but I am happy, of course, to come back to this point if colleagues feel that they have not had all the answers that they need.

As I was asked about this a moment ago, I wish to move on to the impact of these measures. I note that they have been in place for only just over three weeks. We know that, because of the incubation period of the virus, it takes at least a couple of weeks for us to see the measures take effect. When social distancing measures were first introduced, we saw high understanding, high awareness and lots of concern about covid and high adherence to the rules. What we have seen over time, with an easing of restrictions and perhaps lower levels of public concern, is that people's social contacts have increased. Since the introduction of this rule, levels of

[Helen Whately]

socialising have begun to decrease again, including specifically socialising in larger gatherings—we know that, sometimes, larger gatherings have been a factor in some outbreaks. Clearly, we are keeping a close eye on infection rates and absolute case numbers across the country.

I will now briefly talk through some further changes that have come into effect since the regulations were made.

Mr Harper: I am grateful to the Minister for what she has said. What she seemed to be saying was that it is too soon to tell. It is very clear from the test and trace data that the primary location for infection is in people's households and among visitors to households. Clearly, the rule of six may have an impact on visitors to households. May I ask her to make sure that the Government publish the data as they track it out each week?

The Minister also talked about compliance. The Government keep referring to how well people are complying with regulations—or not. They do not publish any data on that. Will the Government publish the compliance data to which they have access, so that we can all see the extent to which people are complying with the rules? There is no point making rules if no one is following them. That is an important matter for this House to be aware of when it is assenting to them.

Helen Whately: My right hon. Friend makes two important points. He will be aware that the Government are publishing a large amount of data and seeking to be as transparent as possible with colleagues and, clearly, with the public, and we will continue to publish what we can. I will take away his specific requests for even further publication.

Several hon. Members *rose*—

Helen Whately: I will, move on as I am conscious that I have taken quite a number of interventions—

Sir Graham Brady (Altrincham and Sale West) (Con): Not from me.

Helen Whately: Okay then.

Sir Graham Brady: I am very grateful to the Minister for giving way. We are three weeks in and we know that a different model is being applied in Scotland. At what point would she expect to be able to form a judgment as to whether the Scottish approach, excluding young children from the rule of six, is less effective, as effective, or more effective than that in England?

Helen Whately: I have a personal perspective, as I have a household of five and am therefore well aware that the rule of six can make socialising quite difficult for families. For instance, my own family now cannot get together either with both my parents or with my husband's parents. I very much appreciate the difficulty of this restriction, although the majority of households are slightly smaller and are not finding it as difficult as my own or other larger households. We are keeping this and all measures under review. The Government clearly

do not want to introduce restrictions if we do not need to do so. What is crucial is that restrictions are effective, so we are looking at all the evidence, including where and how the virus is being transmitted—whether that is in households, in people's own homes, through meeting up with other households or in hospitality settings—and we will continue to do so. But in answer to my hon. Friend's question, I cannot give a date or a specific "This will be the moment at which it would happen."

Sir Graham Brady *rose*—

Helen Whately: I feel I have taken quite a number of interventions, so it is time I moved on, if that is all right.

Let me talk through some further changes that have come into effect since the regulations were made. On 21 September, following the advice of the four chief medical officers, the UK's covid alert level was raised from 3 to 4, which is the second most serious stage, meaning that transmission is high or rising exponentially. The Prime Minister outlined to Parliament on 22 September that we were at a "perilous turning point", and needed to act to save lives, protect the NHS and the most vulnerable, and shelter the economy from far sterner and more costly measures that would inevitably become necessary.

As a result, further restrictions came into effect from 24 September. These included rules on the closure of certain businesses selling food or drink between 10 pm and 5 am; measures to require hospitality venues to provide food and drink for consumption on the premises by table service only; the doubling of initial fines for individual breaches of the above measures; and new fines for businesses that do not adhere to the new requirements, starting at £1,000, up to a maximum of £10,000 for repeated breaches. The rules also change the exemptions to the six-person gathering limit to restrict attendance at wedding ceremonies, receptions and support groups to 15, and remove the exemption for stand-alone religious or belief-based life-cycle ceremonies and adult indoor sports apart from indoor disabled sports. We are working through the normal channels to schedule debates for these regulations as soon as possible.

I recognise that people have had to make significant sacrifices to suppress the first wave, and these restrictions are not measures that any Government would want to introduce, but the threat of the virus very much remains. With winter approaching, we must do whatever it takes to keep it under control and protect the NHS so that it can, in turn, look after us.

Sir Christopher Chope (Christchurch) (Con) *rose*—

Helen Whately: I am sorry, but I was closing my speech, not taking an intervention. That was the end of my speech. [Interruption.]

Madam Deputy Speaker (Dame Rosie Winterton): Order. The Minister has completed her speech. She is due to come back at the end of the debate, although Members who wish to speak must bear that in mind if they wish her to speak again, because this is just a 90-minute debate.

5.13 pm

Justin Madders (Ellesmere Port and Neston) (Lab): I thank the Minister for her introduction.

With 1 million people worldwide and over 42,000 people in the UK having now lost their lives to covid-19, the virus is still very much with us and the threat is clear. On Friday, the Government's scientific and medical advisers reported that the R number in the UK could be as high as 1.6, and that it was highly likely that the virus was still growing exponentially. The spread of the disease is thought to be growing between 5% and 9% each day. There were another 12,500 new cases yesterday, and that is before we see the consequences of those missing cases, where contacts have not been identified and asked to isolate.

Just about every piece of data indicates that we are heading in the wrong direction, which is why new restrictions are required, but, three weeks into them, should we not be beginning to see a sign of progress?

More than 16 million people across the country are living under additional local restrictions, and we have further national measures, such as the 10 pm curfew, which we are not debating today, yet the progress of the virus continues unabated. Indeed, Members whose constituencies are directly affected will know that some of the heaviest increases in infection appear to be taking place in areas where additional restrictions are already in place. Today's debate is important as it gives Members the opportunity to question how effective these interventions are, whether we need to go further, and what these regulations might mean for their constituents.

Before I turn to the regulations, I remind the House that Labour has been clear from the outset that we will do whatever we can to support the national effort by supporting whatever reasonable steps are necessary to protect the NHS and save lives. That does not mean, though, that we are giving the Government a free pass. We have been concerned by the months of mixed messages and confused communication from the Government. We welcome the intention behind the rule of six. It is a simple, easily understood message, although anyone who has read the 10 pages of regulations, the plethora of exceptions and the many laws that they amend will realise that the simple message has not survived the process of drafting the regulations.

Sir Desmond Swayne: Given that the Minister has pleaded simplicity for the rule of six, is it any less simple that the six should exclude children than that it should include them, or do we imagine that our constituents are stupid?

Justin Madders: I certainly do not think my constituents are stupid, and I hope that the right hon. Gentleman does not either. A very important point has already been made about children, and I will return to that later. We have not yet had a convincing explanation why they are included in the six.

Even with the best of intentions, concerns and questions remain, not least about the way in which these regulations were introduced, how effective they are, how the Government communicated them and how they will be enforced. The timeline of these regulations is the perfect demonstration of the lack of transparency, strategy and accountability, which has been the hallmark of this Government. Following media briefings the night before,

the Prime Minister made an announcement about the rule of six on 9 September, but not to this place, as it should have been, even though he was in the House that day to answer Prime Minister's questions. I call that a discourtesy to this place, and I hope we see an end to it. It shows not only a lack of respect to all Members and our constituents, but a lack of confidence in what is being proposed and a lack of commitment to scrutiny. Most of all, the way that these regulations were introduced shows a lack of thought about the practicalities of enforcing them.

How can we expect anyone to adhere to the minutiae of these regulations if they appear for the first time only a quarter of an hour before they become law—at quarter to midnight on a Sunday evening? How were the police meant to enforce that? Are they supposed to google the regulations as they walk around on their beat? Brian Booth, the chair of the West Yorkshire Police Federation, said:

“Everybody is in the dark, it shouldn't be like that...If the government says they're going to infringe on people's lives, they have to tell them how.”

Once again, there is no impact assessment for these regulations. Surely some thought was given to the practicalities, so what discussions did the Minister have with her counterparts in the Home Office and with police forces around the country prior to the introduction of the regulations?

The way that regulations are introduced matters. They are too important not to be debated and given full and timely parliamentary scrutiny before they become law. Since March, more than 70 health protection statutory instruments have been introduced in this way, with no debate and no vote before they come into force. We recognise that, in the early stages, there was a need to act quickly under the emergency procedures, and we acknowledge that that may still be the case at times, but more and more of the regulations that are being introduced do not meet the test of urgency. The Government have slipped into bad habits. They treat this place as an afterthought—an inconvenience, an optional extra—and not as the cornerstone of the democratic process that it should be. Surely they can do better than that. Do they not realise that scrutiny, debate and challenge in the making of our laws mean that, in the long run, laws are more robust, more effective and have greater public acceptance?

I repeat once again and for the record our offer to meet at short notice to debate and vote on regulations before they become law. I appreciate that that might be inconvenient for some, but, to be frank, we are in a pandemic so a bit of inconvenience should be the least that we have to put up with to ensure that democracy still functions.

Sir Christopher Chope: On that point, can the hon. Gentleman tell the House of the present state of negotiations with the official Opposition about a debate on the 10 o'clock curfew? The suggestion was that there would be a debate tomorrow on the curfew, but it is not going to be about that—it is going to be about what is happening in the north. Can the hon. Gentleman tell the House what progress there has been?

Justin Madders: Regrettably, I am not one of the business managers of the House, so I cannot advise on that, although I expect that we will have an answer

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during the business statement on Thursday. I note what Members have said about national regulations being debated on the Floor of the House before they become law, if possible—obviously, that will still be after the event, but we really need to start doing a lot better in that area.

There is rightly a concern across the House and among the population that we do not have control of the virus. A central part of regaining control is ensuring that there is robust scrutiny of the regulations and their effectiveness. The Government need to stop reacting to situations too late—that is how the virus has run out of control. They need to look ahead, plan, prepare and act now to get a grip on test and trace, to have a clear and consistent message on what the public need to do and to ensure that there is widespread compliance with the rules. The latter two go hand in hand and are very much connected to the regulations that we are debating today.

As we heard from the Minister, the regulations amend the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations for the fourth time. The regulations restrict social gatherings to six people, unless an exemption applies. We have heard a little about some of those exemptions, so I will not list them all, but they are where the good intentions behind the regulations depart from the clear and consistent messaging that we need. For example, there is an exemption in the regulations for gatherings of up to 30 persons for a marriage or civil partnership; as Members will already be aware, that has been reduced to 15. Yet again, as with a host of other restrictions, we are debating regulations that are, in part at least, out of date.

The wedding industry has been decimated this year; I do not know what repeatedly inviting and uninviting people to a wedding does for family relations—maybe people could ask everyone to wear tweed to the wedding and combine it with a grouse shoot so that they could keep numbers at 30. However, this is a health debate, so I will focus on the health aspects. To that end, I would like the Minister to spell out very clearly the rationale for this decision. The limit of 30 at a wedding lasted for just two weeks before it was reduced to 15. Either a specific piece of evidence emerged during that fortnight that required the limit to be reduced for weddings but not for funerals, or the limit should never have been 30 in the first place. Which one is it?

The regulations also provide that the restrictions in private dwellings in the regional lockdown regulations remain in place; it is notable that the rules for the rule of six vary across the devolved nations, as we have already heard. Far from us having an easy-to-remember set of rules that apply to everyone, it seems that the rule of six is the baseline for around only half the UK.

In Wales, as we have heard, primary-age children are not counted in the six. The Welsh Assembly took that decision on the basis of the evidence that it has, which shows that children are far less likely to have the most serious symptoms and are less likely to pass on the virus. The question, which has already been put today, is about how the Government have come to a different conclusion on that point. Why are younger children included in the rule of six in England, but not in Wales—or in Scotland, for that matter?

Mr Steve Baker (Wycombe) (Con): Should I infer from the hon. Gentleman's points that the Labour party would like children to be excluded from the rule of six? I think that is what he is saying. Obviously, this motion today is unamendable. Is he joining some of us on the Conservative side of the House in saying to the Government that we would like them to come back with a further statutory instrument to amend the regulations, so that children are excluded if they are of primary school age?

Justin Madders: What I am saying is that I would like to see the evidence. I would like to know what the difference is between this country and Wales and Scotland. The Children's Commissioner, for one, would also like an answer. If we get the answer, we can take a position on it.

Sir Desmond Swayne: The question was asked and the answer was that it was for simplicity. It was not a question of evidence: the answer was that it was simpler to include children. Given that there is no evidence, will the hon. Gentleman reassess his answer to my hon. Friend the Member for Wycombe (Mr Baker)?

Justin Madders: That is probably overstating things. Certainly, it is not what has been said in the other place about the reasons why children were included. We do need some more clarity from the Government on that.

In terms of clarity, we also need more data and evidence from the Minister about what is happening to reduce the transmission of the virus. We need her to commit to publishing evidence behind all these decisions. If there is no evidence, then so be it, but we need to see the basis on which decisions are being made. I was a little unsure whether she was saying that it was too early, or not, to establish the effectiveness of these regulations. She said at one point that it would take a couple of weeks to see whether the regulations are being effective, but of course we are already past that point. I hope that we can see some clarity on that.

I would be grateful if we could hear a bit more about why it is a rule of six, not seven, eight or five, for example. That is very important, because we are putting significant restrictions on people and those cannot be based on an arbitrary number. I raise this not because we want to pick holes in what the Government are saying but because the Transport Secretary, when asked why it was six, said there was no particular reason for that figure. Can anyone imagine a police officer going to hand out a fine to a group of seven people and, when asked why seven was an offence and six was not, saying, "Well, there's no particular reason for that."?

Sir Desmond Swayne: Will the hon. Gentleman give way?

Justin Madders: Every suggestion the right hon. Gentleman makes is helpful, so I will.

Sir Desmond Swayne: Could I suggest 10, and then we can count them on our fingers? That would be simple enough, wouldn't it?

Justin Madders: I thank the right hon. Gentleman for his intervention. I hope that the Government's thought processes are rather more complex than that, but, again, we need to see what has actually been said in that respect.

When we debated the first lockdown regulations, I stated that as regulations changed, it was vital that the rules remain clear and consistent. That consistency not only carries across advice but carries across laws and all forms of official communication. It is very clear that that has not happened in this case. As we know, the Prime Minister and other Ministers have made contradictory statements and have been unable to answer simple questions regarding the new regulations in the media. As the Leader of the Opposition said, if the people responsible for making the rules do not understand them, how can we expect the rest of the country to understand and follow the rules?

Mr Steve Baker: Will the hon. Gentleman give way?

Justin Madders: I am conscious that more people want to speak, so I will make this my last one.

Mr Baker: I wonder whether the hon. Gentleman can help me out. I am looking at the provision on linked households, which is introduced on page 6. I have looked at the explanatory memorandum and I cannot find the explanation of what linked households means. Is he able to clearly explain, for the benefit of the nation, what this linked households provision is all about?

Justin Madders: If we are going into pub quiz territory, then perhaps we can have a pint later on. I am afraid that we probably do not have time to go into that, because I know that a number of other Members wish to speak.

Compliance is a very important matter. The vast majority of people do comply with the rule of six, but where they have not, they will obviously get a fixed penalty notice, and we need to understand how realistic it is that that will be enforced. John Apter, the chair of the Police Federation, has called for the Government to start an effective information campaign. He said:

“For policing, these constant changes to legislation are becoming the norm. The pressures on policing have increased significantly over recent months, and this latest change will add to this pressure.”

Brian Booth, who I quoted earlier, said that officers “simply can’t enforce”

the new restrictions, adding:

“We just don’t have the resources, the world has woken up again and it’s busy... Resources are outstripped with that demand, never mind adding on Mrs Miggins reporting that seven people are having a barbecue next door.”

I am not aware of any official figures for the total number of fines that have been issued for breaching the rule of six, or indeed whether Mrs Miggins has had a fine, but it is notable that three weeks down the line, it is reported that many police forces, including North Yorkshire police, who handed out the greatest number of fines in the original lockdown, had not issued any fines for breaches of these regulations.

Will the Minister update us on the number of fines that have actually been issued? The police have had an incredibly difficult job in this crisis, and we know the very real pressures on them due to the reductions in their numbers over the past decade. They simply cannot continue to be handed responsibilities if those responsibilities are not accompanied by sufficient resources to enable them to do their job. With the number of enforceable restrictions increasing, will the Minister set

out what additional resources will be handed to the police to ensure compliance? On that point, we know that Halloween is coming up very soon. It is always a busy night for the police, but this year they will have the added burden of breaking up groups of children if they become too big. Given that those children have probably spent all day with the very same kids at school in groups far larger than six, I say good luck to the officer who tries to explain to them why their parents will get a fine for it. I would be grateful if the Minister could confirm that that is what is going to happen.

There will need to be a very clear public messaging campaign, or will there be an exception? After all, the Prime Minister hinted that the rule of six could be dropped for Christmas day. Of course everyone would like to see that, but how on earth is saying that on a particular day the rule of six will not apply at all consistent with the clear public health message that the rule of six is meant to be?

Will the Minister also clarify what the rule is in relation to mingling? Apparently, a person can be fined for mingling with an existing group of six, but there is no definition within the regulations of what constitutes a mingle. The debate would be absurd if the consequences were not so serious.

In respect of police powers, the right hon. Member for New Forest West (Sir Desmond Swayne) asked the Minister whether the police can go into people’s properties to enforce the law. My understanding is that they cannot. I do not know whether the Minister expects the police to stand outside people’s properties until six people come out and then take appropriate action.

On fines, will the Minister clarify whether there was an oversight in the regulations relating to who has committed an offence under them? I ask that because the regulations require event organisers to carry out a risk assessment in order to comply with the regulations, but there does not appear to be any penalty for them if they fail to do so. It seems that the fine in that situation would apply to the people attending the event. How can it be right that a person attending an event in good faith is liable only because the organiser has not done their job? I appreciate that subsequent regulations came into place a few days later, on 18 September, requiring hospitality venues to enforce the rule of six or face a fine of up to £4,000, but again, I do not believe that that applies to outdoor events. Can the Minister clarify whether that is the case? Are there any plans to introduce a penalty for the organisers of outdoor events who fail to comply with the regulations?

I am conscious that a number of people wish to speak, so I will conclude by confirming, as we have done on many occasions, that we want the Government to succeed in fighting the virus. However, let me be clear that the rise in infections we are seeing was not inevitable and the restrictions we are debating today were not inevitable. The Government cannot continue lurching from crisis to crisis. To take people with us, we need to see more transparency, the evidence behind the restrictions that are being introduced and better communication. We need new laws to be introduced after the democratic process has been completed.

How can we find ourselves, eight months into this pandemic, with confidence in the Government’s response draining away, rather than growing? How can we have one of the worst death rates in the world? How can we have a test and trace system so obviously failing to

[Justin Madders]

deliver the basics? The regulations might not have been necessary if the Government had fixed test and trace when the sun was shining. They wasted the summer. Let us hope that the price for that is not a very bitter winter.

Mr Deputy Speaker (Mr Nigel Evans): There are eight people on the call list, and I will get everyone in if it kills me. To do so, I am introducing a rule of six. It is not an arbitrary figure; I have divided the time left by how many people want to speak. The rule of six could become the rule of five or the rule of four if there are a lot of interventions.

5.33 pm

Sir Christopher Chope (Christchurch) (Con): The logic of what the hon. Member for Ellesmere Port and Neston (Justin Madders) has just been saying is that the Opposition should be opposing the regulations and calling upon the Government to come back with a fresh set of regulations that overcome the shortcomings he has so articulately identified. I, for my part, certainly hope we will have an opportunity to test the will of the House on the regulations, because this is the first freedom we have been given on such regulations for months. I hope we can then get the Government to go back to the drawing board and come forward with regulations that are consistent with their other policies elsewhere in the country.

These are complex regulations. Big Brother Watch has quoted human rights barrister Adam Wagner, who said that these are

“the most complex and convoluted set of lockdown regulations on England yet.”

That is hardly simple regulation, is it? We know that the Home Secretary herself was caught out and unable to give a convincing answer to the question of what was defined as mingling.

In the time available, I am going to say that I agree absolutely with the criticisms that have been made about the definition of families and young people, but I want to concentrate on another big anomaly in these regulations, which is that they apply equally to gatherings inside and outside. Why do they do that, because that is completely inconsistent with the Government's own advice to themselves? It is also inconsistent with the advice even coming from Professor Lockdown, who on the radio this morning was absolutely clear that the risks from the virus were much greater in an indoor setting than in an outdoor setting. So these regulations are arbitrary, unfair, unjustified by the evidence, unenforceable and counterproductive in undermining public confidence in Government and in the rule of law.

In the interview on the “Today” programme this morning with Professor Lockdown, he was asked about the contrast between what we are doing and what people are doing in Sweden. He said that, of course, there was not much difference in the issues about social distancing and compliance, but what was important was that in Sweden the people trusted the Government, and that is why they have been able to manage with far less in terms of regulation. If I had had the chance to speak to Professor Lockdown, I would have said that actually what he should have been saying was that our Government should be trusting the people. I think the Swedish Government are trusting the people and the

people of Sweden are responding positively, enabling Sweden to have a much more thriving economy than ours because they have not got so many arbitrary restrictions imposed upon them. I hope the message that the Minister will take back is that we should be looking at this in terms of trusting the people and applying common sense, and a lot of these regulations manifestly do not achieve that objective.

These regulations were brought in on a whim. They must have been drafted over a period of weeks, I would suggest, but after the Prime Minister made his statement to a press conference on the Wednesday and the Secretary of State made a statement on the Thursday, I raised a point of order on the Friday to ask, “Where are these regulations, because they are coming into effect on Sunday evening?” In the end, they were not laid in this House until 10.30 am on the Monday morning. That is absolutely intolerable. The justification given in the letter that was sent, as all letters have to be sent by the Secretary of State if the Government are ignoring the rules of this House, by the Secretary of State for Health and Social Care was that these amendments were so urgent that he had not had time to bring them in earlier, but he said in the last paragraph, “I hope you understand why we proceeded in this way, and I look forward to working with you to strengthen parliamentary scrutiny of these measures in future.”

The Minister who has been charged with dealing with this debate, despite the fact that these regulations were actually—brought in by the Home Office the Home Secretary introduced them—could not answer my right hon. Friend the Member for New Forest West (Sir Desmond Swayne) as to whether there were going to be powers of entry, arrest and so on. I am sure a Home Office Minister would have been able to do so, but what that underlines is that we are talking about draconian powers that are restricting the liberty of the British citizen. We should not be introducing draconian powers without the strongest possible justification, and I do not think the Minister has set out any justification in her remarks.

5.38 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I am sure the Minister really appreciated that warm welcome from her colleagues—so different from those horrid breakfast-time interviews that she is occasionally trapped in.

I would like to make three very quick points. I want to ask, first, about this rule of six. If it is a purely arbitrary figure and it has no scientific basis at all, does the Minister accept that she is being quite unfair to those with larger extended families, and how does she justify that?

Secondly, we need clarity on the question about police powers of entry. It is quite ridiculous for the Minister to come to the Dispatch Box and tell us that the police can levy fines and that they can do this or that enforcement, only for us to discover that, if they are standing outside a property where there is a party of 40, 50 or 60 going wild, they have no room to enter. It would be useful, if we are being asked to renew these powers, to know what powers the police have.

Finally, is there a numerical point of reference—an R number, say, or a number of cases—for when these restrictions will be revised in either direction? If that is the case, surely we should know, and surely the public should know.

5.40 pm

Sir Graham Brady (Altrincham and Sale West) (Con): The so-called rule of six, like the ban on household mingling in some parts of the country and, indeed, the original lockdown measures, was introduced under public health laws that were originally envisaged as a means of controlling the movement of infected people, not of whole populations and not for indefinite periods of time. The approach being taken is truly unprecedented. These rules are a massive intrusion into the liberty and private lives of the whole British people, and they are having a devastating economic effect, which will result in big job losses and masses of business failures.

The rule of six has only been in place for three weeks or so, but much of the country has been under additional restrictions for much longer. In Greater Manchester, for example, people have been banned from mixing with other households, including close family, since late July. It would be interesting to know what conclusions the Government have reached about the efficacy of these restrictions, given the 10 weeks of experience that we now have in those areas with greater restrictions.

Rates of positive testing in those areas have fluctuated over the summer months. In Trafford, rates were falling in July, when we were put into the additional restrictions, but rising a month later. After 10 weeks, the positive test figures in Trafford are roughly twice as high as they were in July. In the city of Manchester, the increase has been tenfold.

If I asked the Minister whether these restrictions are proving effective, I suspect that she would say, "But it might have been worse if we weren't doing it." If so, she needs to tell the House how long she would maintain a ban on household mingling or a rule of six in the event that test rates continued not to respond to the restrictions. Does she accept that there could be no exit from the policy?

Can the Minister share with the House her estimate of the efficacy of a rule of six, compared with that of a rule of eight, had that been introduced instead? Is a rule of six more or less effective than a ban on household mixing? What assessment have the Government made of the efficacy of the rule of six in England, and in Scotland and Wales, where young children are excluded from it? The Minister did not answer that question when I intervened earlier, and she would not say when such an assessment would be made, but it is a very important point. I would have thought that by the time a month has elapsed, it should be possible to see which is working better or whether they are interchangeable.

For the state to direct people whether or when they can see their families in their own homes or gardens is an extreme intervention, and this House should set the highest bar possible before approving it. If such an intrusion into people's lives can be justified, Ministers need to be able to demonstrate that it works, they need to be able to reassure people that it will be temporary, and they need to set out the criteria under which the restrictions will be lifted. I hope the Minister will answer those questions today.

5.43 pm

Munira Wilson (Twickenham) (LD): It is a strange place to be when I find myself in agreement today with so many Members on the Government side of the Chamber.

I feel it is important for me, on behalf of my Liberal Democrat colleagues, to emphasise two points that have been raised already. They are on the importance of evidence-based policy making, and on promoting and protecting the wellbeing and mental health of children.

Like many others, I have struggled to find the evidence for the rule of six. It has been reported that SAGE has recommended it, and from the start of the pandemic the Liberal Democrats have always said that we will follow the science. However, in order to build trust and to secure buy-in and compliance from the public, it is important to show your workings, so, as the hon. Member for Altrincham and Sale West (Sir Graham Brady) said, we need to know about the trade-offs involved. Why six? Why not seven? Why not eight? No SAGE minutes on the covid-19 response have been published since 30 September—at least I could not find any—and the published minutes do not include discussion about the rule of six, which was introduced on 9 September. Was there a subsequent meeting of SAGE on covid-19 measures between 3 and 9 September? Will the Government publish the minutes and show the workings behind the rule of six? We have yet to see that clear, robust scientific evidence in support of this decision, and in particular around the decision to include children under 12.

As we have heard, in Wales and Scotland children have been exempted. The Minister has said previously that children have been included in England for simplicity's sake. To reiterate a point that was made earlier, does she think that people in Scotland and Wales are able to follow a slightly more complex message, as opposed to people in England, who need a simpler message about children?

Although the pandemic has had a terrible impact on the entire population, children and young people have too often been overlooked, as we saw in the decision to reopen pubs, restaurants and non-essential shops before schools. Anne Longfield, the Children's Commissioner, has said:

"Children have fewer health risks from Covid-19 and yet they have suffered disproportionately from the nation's efforts to contain the virus."

I appreciate that we are learning all the time and that there is limited research available, but recent research in the Netherlands from the RIVM—the National Institute for Public Health and the Environment—has found:

"The novel coronavirus is mainly spread between adults and from adult family members to children. The spread of COVID-19 among children or from children to adults is less common. In general, the younger the children, the less significant the role they play in spreading the virus."

If children were such a major part of the problem in terms of transmission, we would be hearing about far greater numbers of bubbles being sent home from school. I could not find data on that point, but I know from my constituency that very few bubbles have been sent home. Indeed, last week, in primary schools across the Richmond borough, there was a 93% attendance rate among primary school children. That suggests to me that children under 12 are playing a very minor role in transmission.

As has been said, the rule of six discriminates against large families and households, where a family of six or more cannot meet a relative or friend but a family of three, four or five can. That impacts on the grandparents more than the parents, as in larger families they are unable to see their grandchildren. We should also consider

[Munira Wilson]

the fact that larger families with four or more children may fear being out in public, in case people think they are being rule-breakers.

In terms of children's mental health and wellbeing, the importance to children of being able to socialise, interact and play outside the school setting with other children is crucial. A Barnardo's poll of 4,000 children aged eight to 24 found that 68% said that not seeing their friends was the most difficult thing about the pandemic.

I appreciate that the Government have conceded the point on informal childcare, by exempting informal childcare from the rule of six, and I welcome that move, but I see no reason why two families with two children under 12 should not meet up in a playground. I declare an interest, as I have a two-year-old and a six-year old.

I very much hope that the Minister will give us a better explanation than "simplicity" in her concluding remarks. If it is about clarity of message, the constant chopping and changing of the guidance, the hugely complex rules in different parts of the country, and politicians and advisers wilfully breaking them are the reasons why messages have been undermined. We should not make up for poor communication and those errors on the backs of our children.

Frankly, we would not have to consider blunt measures at all if we had a functioning system to test, trace and isolate every case of the virus to keep people safe. Furthermore, we should backward-trace every outbreak to ensure that super-spreader events are cracked down on so that we can take a much more tailored and targeted approach until we have a vaccine.

5.49 pm

Huw Merriman (Bexhill and Battle) (Con): It is welcome that we are having a debate, scrutiny and ultimately a vote in the House. For that, I thank my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady), but also the Government for listening to our plea that surely we can make better decisions. We can help the Government, but also own the decisions, take responsibility as Members, and provide the link with our constituents—the people who are impacted by the measures. That can only be good for democracy and decision making.

I will vote for what I believe is best for my constituents. When I cast my vote, I will look at whether what the Government seek to do is proportionate. Of course, I understand that it is the Government's first requirement to protect the public and that measures must be introduced to protect people from covid. However, when those measures have other, detrimental impacts on health so that individuals do not go to hospital and get checked out when they could have a treatable cancer or they suffer from mental ill health, isolation and loneliness, and their livelihoods are at stake because of what is happening to our economy, we have to take that into account when we vote. That is what I intend to do.

I have great concerns about the rule of six because I do not see the evidence for how it will reduce covid rates. I do not understand the difference with what is happening in Scotland and Wales. There is also complexity. For example, this morning, with other Members, including the shadow Health Minister, the hon. Member for Ellesmere Port and Neston (Justin Madders), I played

five-a-side outside. That is effectively 10 households mixing. It is good—it is sport and I am not saying that it should be banned; it should be allowed. However, on Sunday, when I was in Buckingham, I was unable to go with my sisters and children on a small horse-riding activity, solely because we would have been over a certain number. To me, that does not make sense. If one of the children had been left behind, and one of the adults gave covid to the other adult, that adult would have gone home and given it to the child who was left behind.

I hear the argument about simplicity, but when I was trying to work out whether horse-riding fitted within the definition of recreational organised sporting activity, I could not do it. I therefore do not believe that the current rules are simple. If I had been in Scotland, it would not have been an issue because of the rules on under-12s. If I had been in parts of Wales, it would not have been a problem because of the rules on under-11s. Also, in Wales, 30 people are allowed to gather outside, yet in England, the number is just six. There is no logic in that. I would like the Government to look at what other nations have done and the evidence there.

Ultimately, the measures have a huge impact on liberty, which affects people's happiness and health. Twenty-eight per cent. of my constituents are over 65, whereas the national average is 17%. I therefore have a lot of elderly constituents who are unable to see their families. When they look at some of the other rules, such as that for five-a-side football, they just do not understand.

I say to Front Benchers: we rule by consent and we need people to come with us. People I speak to, who have been religious devotees of lockdown, now say, "I am just not going to do this any more." The concern is that they will not follow some of the other rules, which make sense and should be in place. Professor Carl Heneghan, who is the leading scientist and director of the Centre for Evidence-Based Medicine at the University of Oxford, got it right when he said that

"the 'rule of six' could well be the policy that tips the British public over the edge. For it is a disturbing decision that has no scientific evidence to back it up".

I look for that evidence, but I still do not see it. On that basis, I am afraid that I am unable to vote for the rule of six. I do not believe that it is proportionate and that it will do what the Government hope. I fear that it will do more harm than good.

5.54 pm

Tim Farron (Westmorland and Lonsdale) (LD): I, too, am deeply concerned that the evidence for the rule of six is not extensive enough to demonstrate that it does more good than harm. I will wait to hear what the Minister says, and we will hopefully hear in days to come more of the evidence behind this rule. However, for all the reasons set out by my hon. Friend the Member for Twickenham (Munira Wilson), the hon. Member for Bexhill and Battle (Huw Merriman) and others, there is deep concern about undermining consent for the process.

In a sense, this is a mobile lockdown for families who may well be able to leave their homes and do various things but cannot mingle. I am very concerned—not least because of the growing presence in my inbox, in my

phone surgeries and at the one or two physical surgeries that I have started again—about the serious growth in the volume of mental health-related cases, and specifically among younger people. They are heartbreaking individually and deeply alarming when we see the volume of them collected together. That is why we need to be very careful in understanding the complexities of human relationships and how important they are to our sense of wellbeing.

Chris Elmore (Ogmore) (Lab): In relation to a four-nations approach, the First Minister of Wales has called on the Prime Minister to ask people in restricted areas in England not to travel into Wales. The Prime Minister has refused. The First Minister of Wales has now said that people living alone—including in my constituency, which is under restrictions—can bubble with one person within the county to help improve mental health. As the hon. Member for Bexhill and Battle (Huw Merriman) mentioned, groups of 30 can gather outside in Wales. Does the hon. Gentleman agree that, if we had a genuine four-nations approach to this, we could learn from decisions taken by the Welsh Government in the way that they can learn from ones taken by the UK Government? At the moment, there seems to be some sort of blockage to the four nations working together, and I put it to him that it is partially the Prime Minister and No. 10.

Tim Farron: The hon. Gentleman makes a really good point. Any party in power anywhere would have been like a rabbit in the headlights over the last six months, given what has happened, so I am not making a particular partisan point. It could happen in any Administration with any combination of colours of party. I am always careful not to use the phrase “U-turn” as an insult or a barb, because it shows that someone was listening and has enough substance to take on board the fact that somebody else may have had a better idea. I always say that all my best ideas were somebody else’s first. It is critical that this is a learning and iterative process, so I take that point on board.

It is the mental health concerns that I have for families, and particularly younger people, that make me sceptical and lead me to ask questions about the lack of evidence behind this. Much as I want to support the Government in doing tough things that need to be done to control the virus until we can eradicate it through a vaccine, we need more evidence.

I think inconsistency is an issue for all of us, and certainly for most of us who are here today with a particular interest in this matter. If we stick to the rule of six, I do not see why multiples of six cannot be used as the building blocks of bigger events. At the moment, there is a limit of 15 people allowed at a wedding. It seems entirely possible to make that an event of 36 or 48 people with building blocks of six, if the venue is big enough. Up to 300 people are allowed at a non-league football match below the seventh tier, so if someone wants to get together with their mates, they can just turn up at the mighty Kendal Town on Saturday. Those things are possible, and that inconsistency makes it difficult for people to understand why the Government are doing it and why they should be obedient.

The impact on the wedding industry, the events industry and the leisure industry is huge, and it is adding to the economic hardship that many people are experiencing. It seems wrong for us to be unnecessarily forcing people

through that hardship, particularly as we come to the end of furlough in a few weeks’ time, when an intelligent approach could allow us to restrict people’s behaviour and protect against the virus but not kill several industries in the process.

I will finish by focusing on something else that worries me deeply. Our ability to get people to comply with regulations that exist to keep them safe, save lives and protect the national health service depends upon the credibility of the rules to which we expect them to be obedient. That is why the evidence is here. The rules also need to be coherent and easy to understand, which the rule of six just about is—that is the best argument that I have heard for it so far. They also have to be consistent from week to week, and with other areas of application, as I mentioned.

If people are going to be expected to be obedient and to comply with restrictions that exist to protect themselves and others, they also have to be able to afford to comply. That is my great concern for the future. If the Government are looking at a traffic light system, which in itself is not a bad idea, that allows blanket closures of the hospitality, tourism and leisure sector in certain towns, boroughs or counties, we surely cannot expect those industries and employers to close down and for there to be no compensation, and no return to furlough for those areas or grant system for those businesses.

In Cumbria, hospitality and tourism is the biggest single employer. It is the fourth biggest in the country. We cannot, when the traffic light gets to red, expect those businesses to close down completely without compensation. People will not comply with the rules if they fear that they will be unable to pay their rent or mortgage or feed their kids in the process. Let us ensure that the rules that we have are credible, coherent and consistent, and that people can afford to obey them.

6.1 pm

Mr Steve Baker (Wycombe) (Con): May I begin by thanking my hon. Friend the Minister, the other Ministers in the Department, and officials? They are obviously working extremely hard, and I completely accept their good faith in extremely difficult circumstances. I particularly want to pay tribute to the drafters of these very complex regulations. I know from my time as a Brexit Minister that when there are a lot of statutory instruments to do it is extremely hard work for them, and they do not get anything like enough thanks, so I want to put all that on the record.

It remains the case that this is a dangerous disease for people with risk factors, and I certainly see why the Government wish to introduce measures. My friend and constituent, the epidemiologist Dr Raghieb Ali, has written in *The Telegraph* that both the REACT—real-time assessment of community transmission—and Office for National Statistics studies

“showed that the levels of infection have increased in all age groups, including the most vulnerable older age groups, and also in all regions, but with much larger increases in the North, Midlands and London.”

However, he goes on later in the article to state:

“They all show this is not a repeat of the first wave as infections are rising much more slowly, doubling roughly every 11 days now vs. three days then. And crucially, they also show that the rate of increase is slowing down significantly.”

[Mr Steve Baker]

He goes on, it has to be said, to say that the Government are getting it broadly right.

I have real concerns about the very high cost of the measures. The hon. Member for Westmorland and Lonsdale (Tim Farron) gave some examples, and the hon. Member for Twickenham (Munira Wilson) talked about the need for two families to meet, making eight, but what about two parents and three children? They can meet only one grandparent under the rules.

Elsewhere, we have other stories that are out of the scope of the statutory instrument. If I can get away with one anecdote, there was a story on the BBC website of a wife talking about springing her husband in his 80s out of the care home so that they can spend some time together at that late stage. People are bearing an absolutely appalling set of costs, and anecdotes of poor compliance are rising. Indeed, there seems to be a gap between people's intentions to comply and what they actually do, as was revealed in the King's College London research that the Government commissioned.

It is not clear now that the benefit of lockdown outweighs the costs. Although the report fell rather flat, *The Telegraph* covered some Department of Health and Social Care analysis that seemed to show that in quality-adjusted life years, adjusting for co-morbidities, the cost of the first lockdown was greater than the cost of the disease. In a spirit of good will, where we all mean to minimise harm and maximise human flourishing in the fullest sense, we have to ask whether this set of circumstances is really what we want.

Time and again in our own constituencies, and talking to colleagues in the Tea Room, we hear about people who are being destroyed by this lockdown. Strong, confident, outgoing, gregarious people are being destroyed and reduced to repeated episodes of tears on the phone—all around the House, people are agreeing with me about that. The situation is having a devastating social impact on our society. I believe people would make different choices were they able to take responsibility for themselves, so I have really quite deep concerns about this statutory instrument.

Craig Mackinlay (South Thanet) (Con): My hon. Friend is making the powerful point that there are other health issues and other effects of such draconian rules. Does he agree that the Government should now be publishing what those other effects are? Rather than just the bald figures on infection rates, hospital rates and deaths attributed to covid alone, there should be broader figures on mental health, cancer and all the other treatments, and the deaths that we are not seeing yet but are simply stocking up for the future.

Mr Baker: I do agree. I call on Ministers to publish robust data about the balance of costs and benefits. I understand that there is no impact assessment to go with this statutory instrument—I was certainly told that when I picked it up. We really should now be looking extremely carefully at the balance of cost and benefit to overall human flourishing. I am certainly not currently persuaded that the benefit is net positive.

I pay tribute to 66 GPs, led by Dr Ellie Cannon, who have written to the Secretary of State to say that it is now time for him

“to consider non-covid harms and deaths with equal standing as the reported deaths from covid”.

They have suggested that there should be a GP on SAGE; I suggest that we should also have some economists on SAGE, and have made some other proposals about competitive scientific advice, devil's advocates and other measures that could improve things. The letter from GPs is extremely important. It is time to listen to GPs.

As I reflect on this statutory instrument, I have to say that it is also time to start to think about another way. The Government's strategy is clearly to suppress the virus, through instruments such as the one we are discussing, pending a vaccine. But what if a vaccine does not come? What if a vaccine, when it comes, does not achieve the ends aimed at? What if we still need some kind of measures alongside a vaccine? I have talked to specialists in this area, and it seems to me—with great sadness—to be pretty clear that we might be in those circumstances, in which case the Government will need a plan B.

For that reason, I was very glad to sign the Great Barrington declaration and to encourage parliamentarians of all parties and both Houses to sign it to show that there is political consensus in both Houses and across all parties for another way. This is plan B, authored by Dr Martin Kulldorff, Dr Sunetra Gupta and Dr Jay Bhattacharya and signed by 1,120 medical and public health scientists, 1,241 medical practitioners and more than 19,000 members of the public, including me. I commend it to the Government.

Mr Deputy Speaker (Mr Nigel Evans): Before I call Mark Harper, I would like to say that if business does end early, I hope that David Linden and Richard Drax, who are presenting petitions, will not be far from the Chamber, and that Richard Holden, who has the Adjournment debate, and Ed Argar, the Minister who will respond to it, are not far away either. I should hate for them to miss their opportunities.

6.7 pm

Mr Mark Harper (Forest of Dean) (Con): The good thing about this debate and your having put in place a firm time limit, Mr Deputy Speaker, is that the Minister will have a great deal of time at the end to answer the many questions. Having served as a Minister myself, I know that that will be a helpful opportunity to put to rest—hopefully—colleagues' concerns.

At the beginning of the debate I raised a couple of other sets of regulations that we are not considering today, but I hope the Minister will confirm that they will be debated in the Chamber—on the Floor of the House—and that we will have the opportunity to vote on them. The first set is the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 5) Regulations 2020, to which she has referred. They bring into force the restrictions on the trading hours of licensed premises, which I know are of concern to many colleagues. It is very important that those regulations are debated on the Floor of the House: they affect the whole country and, in the spirit of the pledge given by the Secretary of State last week, we should have the opportunity to do so.

A number of colleagues are concerned about the police enforcement powers. In my reading of the regulations that these regulations we are debating amend,

I could not find any reference to powers of entry, but there are powers of arrest and powers to use reasonable force. Those powers are not in the regulations that we are debating, but I give the Minister notice of this. There are measures in the self-isolation regulations—which I also hope will be debated on the Floor of the House—that give powers of reasonable force to police community support officers, to any person given those powers by the Secretary of State and to local government employees. As a former Home Office Minister, I am not comfortable with the powers to use reasonable force being given to people who do not have the training to use them. I have seen occasions where that has led to the loss of life, and I have to say to the Minister—as a former Chief Whip, I do not say this lightly—that if those regulations are not amended, I will vote against them. I am not voting to give powers to use reasonable force to people who are not trained to use those powers. If they use them incorrectly, it will lead to the deaths of adults and, potentially, children. The Minister should reflect on that and bring a revised set of regulations to the House, when I would be delighted to vote for the self-isolation part, which is very valuable.

Secondly, on the regulations before us today, I think that limiting the mixing of households is warranted in principle. It seems from the evidence from the test and trace system that household transmission, household visitors and visiting friends and relatives are very significant vectors of transmission—far more, cumulatively, than a whole range of leisure activities, which is where I think the 10 pm curfew is not very well evidenced. There is some merit behind these measures in general, but I pick up the points made by a number of colleagues.

The four nations of the United Kingdom have implemented this rule in different ways. The Minister should look at the evidence from different parts of the United Kingdom, and at some of the questions we have raised about whether children are included and the age of those children. A lady stopped me in the street last week. She had just had a new addition to her family, a small baby, which now means the family cannot meet both the grandparents. Given that the baby is not going to be an independent actor for some time, and so is not going anywhere independently of its parents, I fail to see how the inclusion of that baby, meaning the family are no longer able to see both the grandparents, is at all sensible. My constituent sees no merit in it at all.

Mr Steve Baker: I notice that my right hon. Friend is back on a time limit, so I take this opportunity to note that we are voting on these regulations retrospectively. For that reason, I am going to abstain tonight. If we were voting on them prospectively then, for the kinds of reasons he is giving, and indeed for the reasons I gave, I would have voted against them. I shall abstain tonight, because I realise they are in force. I would like to see them changed in the ways he is setting out.

Mr Harper: I am grateful to my hon. Friend.

My hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady) pressed the Minister on this: if the evidence is not available as to whether these regulations have been effective so far, perhaps she could give an indication of what sort of time period the Government are looking at. I think everyone in the House wants the Government to be successful in driving

down the rate of infection, but I pick up the point raised by the hon. Member for Westmorland and Lonsdale (Tim Farron). If the Government bring in a measure because they think it is going to work and it simply does not—we are learning things about this virus all the time—it is not only not harmful but positively sensible for the Government to say, “This one didn’t work. We tried it. We are going to stop doing this, and we will take a different course that we think will be more successful.” That sort of attitude would secure a great deal of support from the House and, I think, from the public.

Perhaps the Minister could say a little about when we should see this kicking in. I raise this because tomorrow we will debate the specific local lockdown regulations for the north-west and the north-east. Mr Deputy Speaker, you have a particular interest in this matter, given the location of your constituency. Some of these regulations in some parts of the country have been in force for quite considerable periods of time, and, apart from in one place, there is no evidence that they are having an effect on bearing down on the virus. In that case, all they are doing is causing economic damage without actually delivering a health benefit. At that point, the Government should reflect on whether the regulations are working and think again.

I draw my remarks to a close. I hope for those reassurances about the other two sets of regulations I talked about. We will expect them to be debated on the Floor of the House if the Government remain true to the Secretary of State’s commitment last week, which I welcome. I welcome the fact that it is being brought into force tomorrow, as we debate the north-west and north-east regulations. I look forward to the Minister saying a little more about evidence. I am grateful for the fact that she will have around 12 minutes to do so, which gives us an opportunity to probe her a little further.

6.14 pm

Helen Whately: I thank all colleagues who have spoken in this debate, because I have been grateful for the thoughtful approach that many of them have taken. Just as I do in my role, Members have drawn on experiences from their own lives and, of course, on what they hear from constituents. The backdrop to this debate is the fact that the country is in the grip of a global pandemic. We are battling a highly infectious and deadly disease, facing a challenge that this country has not faced since the second world war. As we have seen, this virus can spread through the population at an exponential rate, killing people as it goes. Only because of that have the Government brought in such restrictions to people’s lives, ones that clearly no Government would wish to bring in. The alternative—just allowing the virus to let rip—simply cannot be the right thing to do.

Mr Steve Baker: Nobody is suggesting that we let the virus rip; radical as I may be, I cited some supportive passages in my remarks. The Minister says that the virus is deadly. We all accept it is deadly for people who have prior risk factors, which raise the infection fatality rate, but is not the truth that for a great many people who are younger and without prior conditions this is not an especially deadly disease? We knew that at the beginning; we know it today. It is deadly for a certain section of our society, and it is them we are looking after. Can we please be honest about that?

Helen Whately: I appreciate that my hon. Friend did not take the “let rip” position, but some have done so. The majority of those who have spoken this evening have absolutely supported the fact that we need to have restrictions in place, which is good to hear.

Craig Mackinlay: Will the Minister give way?

Helen Whately: May I just finish responding to my point made by my hon. Friend the Member for Wycombe (Mr Baker)? He says that for the vast majority this is a mild illness and that the deaths have particularly been among those with underlying health conditions. It is true to say that the majority of those who have died were older and with underlying health conditions, but, sadly, some have died who did not have known underlying health conditions and were younger. I well remember reading about a nurse not far from my constituency, in Kent, who had three young children and was only slightly younger than me but who died early in the pandemic. So it is not true to say that this affects only older and unwell people, although we should also mourn the older people whose lives have been taken before their time, many of whom were in receipt of care.

The other point is that among those who have had mild illness we are seeing increasing evidence of the condition known as “long covid”, where, sadly, there are long-term health consequences of covid. We are learning about those all the time; they are making it materially difficult for people to lead their lives some weeks and even months after they had the illness, even if they had it mildly in the first place.

Several hon. Members *rose*—

Helen Whately: I will make progress, as colleagues made a large number of points during their speeches that I am keen to respond to. I will take further interventions if there is time.

Mr Harper: I just wanted to challenge the Minister on this “let it rip” point, as the Secretary of State has done that as well. I ask the Minister to take it from me that we all want the Government to be successful, but if every time somebody asks a question or posits a different strategy, we are accused of wanting to “let it rip” and kill tens of thousands of people, this debate will not remain good-tempered. Please accept that we are all trying to get this right. We are all willing to be generous, because, as the hon. Member for Westmorland and Lonsdale (Tim Farron) said, this is difficult, but I ask the Minister please not to say that Members of this House who suggest a different strategy in order to be successful want to let the disease rip and kill tens of thousands of people. We do not, and we will not be pleased if that is what we are accused of doing.

Helen Whately: I absolutely hear my right hon. Friend’s point. I reiterate the response that I just gave, which is that I very much appreciate the support of colleagues in general for taking action to suppress the virus, and I think it is extremely valuable for us to be debating some of the measures, as we are this evening.

Mr Steve Baker: Will the Minister give way?

Helen Whately: If my hon. Friend would allow me, I would like to make a little bit of progress, otherwise I will have remarkably little time left.

We have a clear strategy, which is to control and suppress the virus while doing all we can to protect the economy, people’s work, schools and the NHS, so that it, in turn, can care for us.

Let me turn to some of the points made by hon. Members. Various reasons have been suggested for the rapid introduction of the regulations. In fact, the shadow Minister made some suggestions. The Government have had to act fast. When we see the rates of increase—particularly when we take away the average across the country, and look at specific areas and parts of the population where the doubling rate can be going up really quickly—it is clear that we need to act fast. The alternative is to act slowly—and if we did that for several days, it would be inaction. That just means that the virus would be left to spread further and faster.

Colleagues have asked for further information about the impact and effectiveness of measures. I get the sense that some Members would like to hear, “If you do x, you get y,” in a very mathematical way. We are dealing with a new disease that simply is not known to the level of “A leads to B exactly.” We look at a huge amount of evidence, including at what is happening overseas, the difference made by local lockdowns and evidence from the test and trace system. All that evidence informs the decisions that are made. We know that social contact is a particular cause of the spread, so we must reduce social contact.

Craig Mackinlay: Will the Minister give way?

Helen Whately: I am really sorry, but I have so little time.

We have seen reduced levels of socialising since introducing the rule of six, but that is against a backdrop of rates rising in particular parts of the country, which are now under further restrictions. We will continue to look at the evidence and ensure that we are putting in place effective interventions.

The measures that we are debating today are clearly coupled with the vital rules such as hands, face and space. We all have our part to play. We will continue to assess the effectiveness of the measures, but we need restrictions in place until covid rates come down.

Mr William Wragg (Hazel Grove) (Con) *rose*—

Sir Christopher Chope *rose*—

Helen Whately: I have only three minutes left, so I am keen to cover a few more points that have been made in the debate.

Colleagues have spoken about children and the rule of six. As I have said, I am acutely mindful of this point as I have a family of five. I am well aware that Wales and Scotland, where health is devolved, have made their own decisions, including a slightly different decision on this issue. Of course, we will learn from the other parts of the United Kingdom. There are regular conversations between the devolved authorities and the UK Government.

On the matter of extended families and larger households, there is an exemption for larger households—clearly, they can gather—but in some areas there has been a particularly rapid spread when larger households of extended families come together. That can be a particular source of the spread, so it is much harder for larger households wanting to socialise. This is a difficult balance to strike, but we want to ensure that we are suppressing the virus because it is such a cruel thing.

Let me turn to policing. The police approach is one of engage, explain, encourage and enforce. I can confirm that they do not have power of entry, but my understanding of the feedback that we have received from the police is that they feel that they do not need further powers to enforce these measures.

I would like to reiterate the Government's commitment to working with Parliament and to debating regulations such as these and others. I should say that we absolutely recognise the impact of these restrictions on people's lives, and that it is with great reluctance that we bring them in. None the less, as I have said, the alternative is not suppressing the rate of the virus, and, as I have mentioned, it is not always a mild illness. We are seeing cases of long covid. There is also a health impact on our hospitals: if they become too full treating people with covid, they will struggle to treat people with other illnesses. That has its own health implications, and cannot be the right strategy. The strategy has to be to control this virus and to suppress it with the rule of six and all the other things that we as individuals can do, including our own compliance with the social distancing measures. We must take this approach, and I thank everybody for all that they are doing. I know that the public face the implications of these restrictions day in, day out, as we do ourselves, but we must do it, because it is the way that we can get back to normal as soon as possible.

Question put.

The House divided: Ayes 287, Noes 17.

Division No. 127]

[6.25 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bottomley, Sir Peter
Bradley, rh Karen
Brereton, Jack
Bridgen, Andrew
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
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
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davison, Dehenna

Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Double, Steve
Dowden, rh Oliver
Drummond, Mrs Flick
Duguid, David
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
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
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Goodwill, rh Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hammond, Stephen
Hands, rh Greg
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holloway, Adam
Holmes, Paul
Howell, John
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy

Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
Menzies, Mark
Mercer, Johnny
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
Morrisey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
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
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rowley, Lee
 Russell, Dean
 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, rh Julian
 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
 Sturdy, Julian
 Sunderland, James
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob

Tellers for the Ayes:
 Michael Tomlinson and
 David Rutley

NOES

Bone, Mr Peter
 Brady, Sir Graham
 Campbell, Mr Gregory
 Davies, Philip
 Donaldson, rh Sir Jeffrey M.
 Drax, Richard
 Girvan, Paul
 Hollobone, Mr Philip
 McVey, rh Esther
 Merriman, Huw

Robinson, Gavin
 Shannon, Jim
 Smith, Henry
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Walker, Sir Charles
 Wragg, Mr William

Tellers for the Noes:
 Craig Mackinlay and
 Sir Christopher Chope

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.

Resolved,

That the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 4) Regulations 2020 (S.I., 2020, No. 986), dated 13 September 2020, a copy of which was laid before this House on 14 September, be approved.

Business without Debate

DELEGATED LEGISLATION

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

PUBLIC HEALTH

That the Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020 (S.I., 2020, No. 988), dated 14 September 2020, a copy of which was laid before this House on 14 September, be approved.—(Edward Argar.)

Question agreed to.

PETITIONS

Funding for Purbeck Schools

6.40 pm

Richard Drax (South Dorset) (Con): It is a great pleasure to present this petition to the House. It is signed by more than 3,000 residents of Dorset and it calls for Purbeck schools to be funded properly and for the funding cuts to be reversed. I am delighted to say that, as we know, the Government have given more money to schools, but it is my personal view, too, that with all the additional moneys on salaries, inflation, the cost of paper and the rest of it, that levelling up—which we welcome—has not quite helped schools in Dorset. I therefore present this petition with the sense, and in the hope, that the Government will look at this again and ensure that all our children, and particularly those in Dorset schools, are funded equally and fairly.

Following is the full text of the petition:

[The petition of residents of the United Kingdom,

Declares that schools in Purbeck are currently facing significant funding cuts leaving numerous schools underfunded; notes that over three thousand residents of Dorset signed a petition to save Purbeck schools from funding cuts; and further that every child in Dorset has the right to a good, well-funded education.

The petitioners therefore request that the House of Commons urges the Government to reverse all funding cuts to Dorset Schools, and support the reallocation of funding to ensure schools in Dorset are well-funded and able to perform effectively.

And the petitioners remain, etc.]

[P002605]

Financial support for the self-employed during COVID-19

6.41 pm

David Linden (Glasgow East) (SNP): In recent days, my inbox has been inundated with countless emails from my east end constituents who are rightly concerned about the Chancellor's winter economic plan and the British Government's withdrawal of financial support, whether from furlough or the greatly reduced self-employment income support scheme. Of course, that does not include the injustice of the 3 million people excluded from financial support from the start of the pandemic.

I therefore rise to present the following petition from the good people of Glasgow East:

The petition of residents of the constituency of Glasgow East,

Declares that the economic consequences of the Coronavirus pandemic has had a particularly harsh impact on those individuals who are self-employed or run small businesses; expresses concern that the Chancellor's recent Winter Economic Plan means the Self Employment Income Support Scheme is to be wound down; and further expresses concern over the many gaps already existing in the previous scheme, which was inadequate for millions of people who considered themselves excluded from Government support.

The petitioners therefore request that the House of Commons urge the Government to bring forward additional measures to support those self-employed and freelance workers.

And the petitioners remain, etc.

[P002606]

Shotley Bridge Community Hospital

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

6.42 pm

Mr Richard Holden (North West Durham) (Con): When I applied for this Adjournment debate, the situation was by no means as clear as it appears to be following the announcement from the Prime Minister and the Health Secretary last week. Shotley Bridge has been at the heart of the community in North West Durham since it was founded as a sanatorium for tuberculosis in 1912. Following the first world war, it was leased to the Ministry of Health to house and rehabilitate military casualties. It was transferred back to local authority control for use as a facility for mental illness before again becoming involved in the war effort in 1941, when it became an emergency hospital and the 16 now demolished huts that adorned the site were built.

Following the Beveridge report of the 1940s, the “A National Health Service” White Paper of 1944 by Sir Henry Willink, and finally the formal beginnings of our national health service under Aneurin Bevan, Shotley Bridge joined our NHS in 1948. It is on the same Liberal, Conservative, Labour cross-party consensus that the new plans for Shotley Bridge Hospital—or the replacement for it—are founded. I pay tribute to some of the local councillors I have met on the Shotley Bridge reference group, particularly Councillors Alex Watson, Owen Temple, Alan Shield and many others, and to the excellent staff at the clinical commissioning group and the local hospital trust who have met me on many occasions over the last few months.

Partly as a result of the steelworks at Consett and also owing to its wartime use, Shotley Bridge became known for its plastics and burns treatments. A new out-patient block joined in 1950, and the tower built in 1969, which is still there today, was the last major investment in the site. The opening of the new University Hospital of North Durham, known locally by everyone in the area—including, I am sure, the right hon. Member for North Durham (Mr Jones)—as Dryburn, was opened in 2001, and with that, many services moved from Shotley Bridge to other parts of the county. In 2005, the majority of the old hospital buildings on the site were demolished and they have now become part of the growing Consett housing estate. In 2005 the majority of the old hospital buildings on the site were demolished, and they have now become part of the growing Consett housing estate.

However, Shotley Bridge Hospital still very much forms part of the community and is a real source of local pride. I am reliably informed that you can tell if a nurse has trained at Shotley Bridge by the way they are and their professionalism. Sir Simon Stevens, the chief executive of the NHS, himself did his early training at Shotley Bridge Hospital. Perhaps one of the reasons that Shotley is such a part of the community is the fact that anybody who lived and grew up in Consett and was able to vote at the last general election was likely to have been born there, although since 2001 the maternity services have moved.

Now a community hospital with an eight-bed ward, an urgent care centre and a number of out-patient treatments, Shotley Bridge is still very much at the heart of our local area. During the recent coronavirus outbreak,

it particularly showed its worth, as places like Shotley Bridge were really able to step up and provide some of the facilities that were needed. Even at the height of the covid-19 outbreak, over half the floor space at the hospital was still in use—a fact that I got from the chief executive of the local hospital trust recently—although it was briefly stepped up to 24 beds. With almost all the buildings now at least 50 years old, and many much older, the cost of running repairs amounts to over £1.5 million a year. As services have slowly moved away, local people have been campaigning hard to stop the hospital closing completely. I pay huge tribute to the efforts of many local people over many years.

Securing the future of local hospital provision was at the core of my election campaign in North West Durham. Since being elected, I have been pressing Ministers on it remorselessly in the House—in my maiden speech, at Prime Minister’s questions, in questions and debates with Ministers from the Minister’s Department, and, indeed, with the Minister himself. In fact, even before today, Shotley Bridge Hospital had been mentioned by me seven times in the past 10 months, which is a significant uptick on the previous 10 years in which it had been mentioned just twice.

I was delighted to have the Secretary of State join me on a visit to Shotley Bridge last month—the first time any member of staff could remember a Health Minister visiting the facility. I had actually initially invited my hon. Friend the Minister to come, but the Secretary of State clearly decided to steal it for himself, which is fair enough. The Secretary of State was really impressed by what he saw, particularly some of the nurse-led units, the huge integration with local GP practices near the site, and the fact that chemo services from across Durham had been moved to the hospital during the coronavirus outbreak—a sensible innovation to keep very vulnerable patients away from acute centres. That is something that has happened at Shotley Bridge which I hope will be replicated in other community hospitals across the country.

With Shotley Bridge now joining the list of 40 hospitals that the Government are committed to, I would like to offer my personal thanks, as well as those of many of my constituents, for the support that the Government are providing. The overall programme of over £3 billion is one of the largest capital investments for many years, and this is on top of the extra £33.9 billion a year that will be going into our NHS by 2023-24. That is helping to provide some of the excellent extra doctors and nurses we can now see starting to come through on the frontline. The announcement from the Prime Minister and the Health Secretary is obviously hugely welcome. However, I am not the sort of MP who will just go away and shut up, to borrow a phrase from a Minister I once worked for—although, I must add, not when I was a special adviser—so I would like to push the Minister on a few points about the announcement.

Last year, it was made clear that some of the moneys for the hospital had been secured, but they were well short of what would be required for a new facility, as outlined by the Secretary of State in his letter to me on 2 October. I would appreciate it if the Minister confirmed publicly the details of the Secretary of State’s letter to me, which included a new 16-bed hospital, unscheduled care services and out-patient services, including chemotherapy and X-rays.

Mr Kevan Jones (North Durham) (Lab): I congratulate the hon. Gentleman on securing the debate. He is right about the community support in not only his constituency but North Durham, which the hospital also serves. If the moneys are in place, that is welcome news, but there seems to be confusion locally about where the site will be and whether there will be 16 beds. Does he have an update on those details?

Mr Holden: I thank the right hon. Gentleman for mentioning that. My understanding is that there are still three sites under discussion, but it will be around Consett. I am pushing the Minister on whether there will be 16 beds, because that is what was in the Secretary of State's letter to me, and I want to ensure that it is the case.

Mr Kevan Jones: Those community beds are needed for respite and other things in the area, and the hon. Gentleman is right about the cancer treatment done at the trust, but the CCG wrote to me this week saying that there is not yet clarification about whether there will be 16 beds.

Mr Holden: We are both pushing the Minister on that exact point.

Crucially, I would like the Minister to confirm that Government funding from the hospital programme will cover the difference between moneys sourced so far from local trusts—the £17 million confirmed last year—and whatever will be needed for this facility. It is great to see capital investment delivering on the levelling-up agenda on which I was elected. It is not all about capital—it is also about investment in schools, so it was great to hear the investment announced last week in skills and training—but part of it is, because communities like mine feel that over decades, they have not been given a fair crack of the whip and have been left behind.

I would also like the Minister to confirm that this will not be done under any form of private finance initiative deal, which my constituents have mentioned. They are concerned that, over the last few years, and especially under the last Labour Government, hospitals have been left with essentially very large debts, which caused them problems in the longer term. That has afflicted hospitals and facilities across County Durham.

Finally, I want to highlight the great work done at Shotley Bridge and by all the great NHS staff across County Durham and Darlington, some of whom were seriously ill, and a couple of whom died from covid. There are a lot of local questions about covid at the moment. Could the Minister talk a bit about the work he is doing to ensure that none of the measures taken at either a local or national level—including those asked for by local authorities in our area—will be in place any longer than they need to be? We want to see our communities back up and running as quickly as possible and providing the healthcare services that people want across the board.

6.53 pm

The Minister for Health (Edward Argar): I congratulate my hon. Friend the Member for North West Durham (Mr Holden) on securing a debate on this important issue. His timeliness in doing so is, as ever, perfect, as was his impressive history lesson and his relating that history of the hospital to the present.

The future of Shotley Bridge Hospital is, as my hon. Friend said, an issue that this House has become familiar with in recent months, through his regularly raising it in the Chamber on behalf of his constituents and his local campaigning on it—something well attested to on his website and well reported in recent weeks in both the *Chronicle* and *Consett Magazine*. As he said, he kindly invited me to visit his constituency to see Shotley Bridge Hospital for myself. However, I cannot blame him for upgrading last month and securing a visit instead from my right hon. Friend the Secretary of State, although I hope I might yet enjoy North West Durham and County Durham hospitality and a welcome if my invitation still stands.

Mr Holden: The invitation definitely still stands, and the Minister is welcome whenever he would like to visit.

Edward Argar: I am grateful to my hon. Friend. Having secured his re-invitation, I look forward to that. I would like to put on record, as he did in his speech, my thanks to all who work in Shotley Bridge Hospital and more broadly in the County Durham and Darlington NHS Foundation Trust for the amazing work they have done for his constituents and more broadly during the pandemic, and indeed for the care that they all provide day in, day out, all year round, regardless of the public health context.

Shotley Bridge Hospital is, as my hon. Friend said, a key part of the local healthcare landscape in the services it provides, but he has effectively made the case that it has the potential to do even more. I know that the sustainability and transformation plan set out the long-term approach to the strategic delivery of health services in these areas, but the CCG and the trust itself have undertaken considerable work on this as well. As I say, the staff are doing an amazing job, but the current hospital faces challenges. In the last financial year—I am sure my hon. Friend will correct me if I get this wrong—it had total running costs of around £1.7 million and £570,000 annual maintenance costs simply to keep the buildings working. These annual costs are a challenge, but so too is the nature of the physical space, including its usage of the current site and the access to it.

The case for, and commitment to, the hospital is clear. As I understand it, there has already been a consultation on elements of this matter in spring 2019. I was therefore extremely pleased that my hon. Friend's campaigning had paid off and that a new hospital for Shotley Bridge was included in the list relating to the £3.7 billion investment in 40 new hospitals to be built, which my right hon. Friend the Prime Minister announced late last week. That is a reflection of a Government delivering on their pledge to build 40 new hospitals, and it is a fantastic example of this Government delivering on their commitment to levelling up.

This new hospital for the people of North West Durham, and indeed for people more broadly, reflects the healthcare needs of the local population and the local context. As I understand it, the CCG and the trust are continuing to work out the details and consult further, and I encourage my hon. Friend to continue to work closely with them in that endeavour, as I believe he is doing. Let there be no doubt about what he has achieved with this announcement, less than a year after

being elected and after a decade of this matter barely being raised in the House. I make an honourable exception to that, because I know that the right hon. Member for North Durham (Mr Jones) has continued to raise it, and that he has worked with my hon. Friend. However, I know that it is my hon. Friend's passion, as the Member for North-West Durham, that has delivered this result.

Mr Kevan Jones: I congratulate the hon. Member for North West Durham (Mr Holden) on his efforts, but a lot of work has been done on this over many years, including by many councillors. I know that the hon. Gentleman mentioned councillors, but he excluded the Labour councillors and Durham County Council, who have been working with the CCG and others to deliver this. It is something that will benefit the entire area, and yes, I congratulate him, but the important thing is that a lot of this work was done before he even knew where Consett was.

Edward Argar: I suspect that my hon. Friend has long known where Consett is, and he has been campaigning hard since his election, but I shall take the right hon. Gentleman's intervention in the spirit in which it is meant. I have alluded to his work on this, which is only right, but he is right to point out, in relation to my earlier references to the work that had been done previously during the consultation by the CCG and others, that I should also recognise the work done by councillors and other local campaigners and, indeed, by local people in that context.

The new hospital for the people of North West Durham—and the broader region, as the right hon. Gentleman rightly says—will be part of a model of care developed to reflect the healthcare needs of that local population. My hon. Friend the Member for North West Durham, in working to understand those healthcare needs and working with others, as is his way, has secured agreement for the delivery and funding of one of his key local election pledges when he stood for this House in 2019. To answer some of his questions specifically, we will fund this new hospital, and I have no intention of that being through a PFI.

My hon. Friend has been clear, and I agree with him, that this new hospital will not only contain, as he has set out, an enhanced range of services, but, crucially, those in-patient beds that he has been so very clear about. As the trust and others work through—

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(James Morris.)

Edward Argar: Mr Deputy Speaker, I should have seen that coming. As a former member of the Procedure Committee, I should have remembered it would be coming. However, I will pick up where I left off.

My hon. Friend's commitment is clear, and I agree with him that those in-patient beds are absolutely crucial. I know, initially, there was some talk or some suggestion of no in-patient beds or of a small number. He has been very clear that the number needs to be 16, and I heed what he says.

I look forward to receiving the detailed business cases in the coming months and—presuming, as my hon. Friend and other hon. Members would expect, that they meet the standards we would expect for the spending of public money and robust project delivery—to approving them and securing their approval from the Treasury. I also look forward, subject to that consent being forthcoming, to seeing construction start in 2022-23, with, I hope, a swift construction so that his constituents and those of the right hon. Member for North Durham can enjoy the facilities of a new hospital as swiftly as possible.

My hon. Friend mentioned one other point, which was about restrictions related to tackling the covid pandemic—and, indeed, their impact on the health service and the provision of normal health services—only being in place for as long as they are necessary to protect public health. I entirely agree with him. None of us wishes to see them in place a day longer than they are necessary to achieve that primary purpose, but regrettably, they do remain necessary at the moment to ensure the safety of patients and others accessing those services.

The subject of this debate is the future of Shotley Bridge Hospital. Thanks to the staff at the hospital it has a bright future and thanks to the local people, local campaigners and their passion for this hospital it has a bright future, but thanks to my hon. Friend it has an incredibly bright future. He has secured that future—that brighter future—through his campaigning and his success in his campaign. His is a plan in respect of which, if I recall correctly, according to a survey of local residents or local constituents he undertook, 92% of those responding agreed with the approach he is proposing.

This is a Government who deliver on our pledges, and my hon. Friend is a local MP who delivers on his pledges to his constituents. They are lucky to have him representing them in this place. He is a strong voice for them, and he has played a central role in delivering that brighter future for Shotley Bridge Hospital.

Question put and agreed to.

7.3 pm

House adjourned.

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington)	Bell Ribeiro-Addy
Debbie Abrahams (Oldham East and Saddleworth)	Chris Elmore
Imran Ahmad Khan (Wakefield)	Stuart Andrew
Tahir Ali (Birmingham, Hall Green)	Chris Elmore
Tonia Antoniazzi (Gower)	Chris Elmore
Gareth Bacon (Orpington)	Stuart Andrew
Mr Richard Bacon (South Norfolk)	Stuart Andrew
Siobhan Baillie (Stroud)	Stuart Andrew
Hannah Bardell (Livingston)	Patrick Grady
Mr John Baron (Basildon and Billericay)	Stuart Andrew
Margaret Beckett (Derby South)	Chris Elmore
Sir Paul Beresford (Mole Valley)	Stuart Andrew
Jake Berry (Rossendale and Darwen)	Stuart Andrew
Mhairi Black (Paisley and Renfrewshire South)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber)	Patrick Grady
Bob Blackman (Harrow East)	Stuart Andrew
Kirsty Blackman (Aberdeen North)	Patrick Grady
Mr Peter Bone (Wellingborough)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill)	Patrick Grady
Andrew Bridgen (North West Leicestershire)	Stuart Andrew
Deidre Brock (Edinburgh North and Leith)	Patrick Grady
Ms Lyn Brown (West Ham)	Chris Elmore
Richard Burgon (Leeds East)	Zarah Sultana
Conor Burns (Bournemouth West)	Stuart Andrew
Ian Byrne (Liverpool, West Derby)	Bell Ribeiro-Addy
Liam Byrne (Birmingham, Hodge Hill)	Chris Elmore
Amy Callaghan (East Dunbartonshire)	Patrick Grady
Sir William Cash (Stone)	Stuart Andrew
Sarah Champion (Rotherham)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife)	Patrick Grady
Joanna Cherry (Edinburgh South West)	Patrick Grady
Feryal Clark (Enfield North)	Chris Elmore
Chris Clarkson (Heywood and Middleton)	Stuart Andrew
Damian Collins (Folkestone and Hythe)	Stuart Andrew
Rosie Cooper (West Lancashire)	Chris Elmore
Jeremy Corbyn (Islington North)	Bell Ribeiro-Addy
Ronnie Cowan (Inverclyde)	Patrick Grady
Geoffrey Cox (Torridge and West Devon)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East)	Patrick Grady
Stella Creasy (Walthamstow)	Chris Elmore
Tracey Crouch (Chatham and Aylesford)	Caroline Nokes
Janet Daby (Lewisham East)	Chris Elmore
Geraint Davies (Swansea West)	Dawn Butler
Alex Davies-Jones (Pontypridd)	Chris Elmore
Martyn Day (Linlithgow and East Falkirk)	Patrick Grady
Marsha De Cordova (Battersea)	Rachel Hopkins

Member eligible for proxy vote	Nominated proxy
Martin Docherty-Hughes (West Dunbartonshire)	Patrick Grady
Michelle Donelan (Chippenham)	Stuart Andrew
Peter Dowd (Bootle)	Chris Elmore
Jack Dromey (Birmingham, Erdington)	Chris Elmore
Philip Dunne (Ludlow)	Jeremy Hunt
Mrs Natalie Elphicke (Dover)	Maria Caulfield
Bill Esterson (Sefton Central)	Chris Elmore
Sir David Evennett (Bexleyheath and Crayford)	Stuart Andrew
Michael Fabricant (Lichfield)	Stuart Andrew
Stephen Farry (North Down)	Wendy Chamberlain
Marion Fellows (Motherwell and Wishaw)	Patrick Grady
Stephen Flynn (Aberdeen South)	Patrick Grady
Vicky Foxcroft (Lewisham, Deptford)	Chris Elmore
Mr Mark Francois (Rayleigh and Wickford)	Stuart Andrew
George Freeman (Mid Norfolk)	Bim Afolami
Marcus Fysh (Yeovil)	Stuart Andrew
Sir Roger Gale (North Thanet)	Caroline Nokes
Ms Nusrat Ghani (Wealden)	Steve Baker
Patricia Gibson (North Ayrshire and Arran)	Patrick Grady
Preet Kaur Gill (Birmingham, Edgbaston)	Chris Elmore
Dame Cheryl Gillan (Chesham and Amersham)	Stuart Andrew
Mary Glindon (North Tyneside)	Chris Elmore
Mrs Helen Grant (Maidstone and The Weald)	Stuart Andrew
Peter Grant (Glenrothes)	Patrick Grady
Neil Gray (Airdrie and Shotts)	Patrick Grady
Margaret Greenwood (Wirral West)	Chris Elmore
Nia Griffith (Llanelli)	Chris Elmore
Andrew Gwynne (Denton and Reddish)	Chris Elmore
Fabian Hamilton (Leeds North East)	Chris Elmore
Emma Hardy (Kingston upon Hull West and Hessle)	Chris Elmore
Ms Harriet Harman (Camberwell and Peckham)	Chris Elmore
Sir Oliver Heald (North East Hertfordshire)	Stuart Andrew
Sir Mark Hendrick (Preston)	Chris Elmore
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey)	Patrick Grady
Simon Hoare (North Dorset)	Stuart Andrew
Dame Margaret Hodge (Barking)	Chris Elmore
Mrs Sharon Hodgson (Washington and Sunderland West)	Chris Elmore
Kate Hollern (Blackburn)	Chris Elmore
Adam Holloway (Gravesham)	Maria Caulfield
Paul Holmes (Eastleigh)	Stuart Andrew
Sir George Howarth (Knowsley)	Chris Elmore
Dr Neil Hudson (Penrith and The Border)	Stuart Andrew
Tom Hunt (Ipswich)	Dehenna Davison
Imran Hussain (Bradford East)	Mohammad Yasin
Christine Jardine (Edinburgh West)	Wendy Chamberlain
Dan Jarvis (Barnsley Central)	Chris Elmore

Member eligible for proxy vote	Nominated proxy
Ranil Jayawardena (North East Hampshire)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North)	Chris Elmore
Gerald Jones (Merthyr Tydfil and Rhymney)	Chris Elmore
Ruth Jones (Newport West)	Chris Elmore
Alicia Kearns (Rutland and Melton)	Stuart Andrew
Barbara Keeley (Worsley and Eccles South)	Chris Elmore
Afzal Khan (Manchester, Gorton)	Chris Elmore
Sir Greg Knight (East Yorkshire)	Stuart Andrew
Ian Lavery (Wansbeck)	Kate Osborne
Chris Law (Dundee West)	Patrick Grady
Clive Lewis (Norwich South)	Lloyd Russell-Moyle
Mr Ian Liddell-Grainger (Bridgwater and West Somerset)	Stuart Andrew
Tony Lloyd (Rochdale)	Chris Elmore
Mr Jonathan Lord (Woking)	Stuart Andrew
Kenny MacAskill (East Lothian)	Patrick Grady
Angus Brendan MacNeil (Na h-Eileanan an Iar)	Patrick Grady
Karl McCartney (Lincoln)	Stuart Andrew
Andy McDonald (Middlesbrough)	Chris Elmore
John McDonnell (Hayes and Harlington)	Zarah Sultana
Stewart Malcolm McDonald (Glasgow South)	Patrick Grady
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East)	Patrick Grady
Anne McLaughlin (Glasgow North East)	Patrick Grady
Anna McMorrin (Cardiff North)	Chris Elmore
John Mc Nally (Falkirk)	Patrick Grady
Khalid Mahmood (Birmingham, Perry Barr)	Chris Elmore
Ian Mearns (Gateshead)	Chris Elmore
Mark Menzies (Fylde)	Stuart Andrew
Stephen Metcalfe (South Basildon and East Thurrock)	Stuart Andrew
Edward Miliband (Doncaster North)	Chris Elmore
Anne Marie Morris (Newton Abbot)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
David Morris (Morecambe and Lunesdale)	Stuart Andrew
Ian Murray (Edinburgh South)	Chris Elmore
James Murray (Ealing North)	Chris Elmore
John Nicolson (Ochil and South Perthshire)	Patrick Grady
Dr Matthew Offord (Hendon)	Rebecca Harris
Brendan O'Hara (Argyll and Bute)	Patrick Grady
Kate Osamor (Edmonton)	Nadia Whittome
Mr Owen Paterson (North Shropshire)	Stuart Andrew
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
Mary Robinson (Cheadle)	Stuart Andrew
Andrew Rosindell (Romford)	Rebecca Harris
Bob Seely (Isle of Wight)	Stuart Andrew
Jim Shannon (Strangford)	Sir Jeffrey M. Donaldson
Mr Virendra Sharma (Ealing, Southall)	Chris Elmore
Mr Barry Sheerman (Huddersfield)	Chris Elmore
Tommy Sheppard (Edinburgh East)	Patrick Grady
Tulip Siddiq (Hampstead and Kilburn)	Chris Elmore
Chris Skidmore (Kingswood)	Stuart Andrew
Alyn Smith (Stirling)	Patrick Grady
Chloe Smith (Norwich North)	Stuart Andrew
Andrew Stephenson (Pendle)	Stuart Andrew
Sir Gary Streeter (South West Devon)	Stuart Andrew
Mel Stride (Central Devon)	Stuart Andrew
Jon Trickett (Hemsworth)	Dawn Butler
Karl Turner (Kingston upon Hull East)	Chris Elmore
Dr Jamie Wallis (Bridgend)	Stuart Andrew
Claudia Webbe (Leicester East)	Bell Ribeiro-Addy
Dr Philippa Whitford (Central Ayrshire)	Patrick Grady
Hywel Williams (Arfon)	Liz Saville Roberts
Beth Winter (Cynon Valley)	Nadia Whittome
Pete Wishart (Perth and North Perthshire)	Patrick Grady

Westminster Hall

Tuesday 6 October 2020

[SIR CHRISTOPHER CHOPE *in the Chair*]

Gang-associated Girls

9.30 am

Sir Christopher Chope (in the Chair): Before we start this debate, may I remind Members that only those on the call list are able to participate? We have five right hon. and hon. Members in Westminster Hall at the moment, and that will be the maximum number who can participate in this debate. That means that even if the debate looks as though it is going short, others who are not on the call list will not be able to join us.

Florence Eshalomi (Vauxhall) (Lab/Co-op): I beg to move,

That this House has considered gang-associated girls.

It is a pleasure to serve under your chairmanship, Sir Christopher, and to be back in Westminster Hall to debate such an important topic. Youth violence is a very serious issue across our four nations in the UK, and it has a devastating impact on families—mothers, fathers, sisters and brothers—as well as on the wider community in our towns and cities. Here in London, it has almost become a daily occurrence on news bulletins. In the last two months alone, I have had to speak to three inconsolable mothers who have lost their children as a result of knife crime. These children were murdered by their peers. As a mother of two young children myself, that is not something that I can live with, ignore or accept.

However, today I want to talk about something different—another aspect of youth violence, and one that is hidden and often under-reported. It is the role played by girls and young women, whose activities and exploits, both in and around gangs, so often fly below the radar. I will also touch on the emerging issues and evidence that gang members are using the uncertainty caused by covid-19 to recruit vulnerable girls, as they adapt their business to the models of the new normal following lockdown.

I am sure that we all want to see an end to violence, exploitation and abuse, but if we want to understand this whole complex picture, we must understand that gang violence and abuse is a gendered and intersectional issue that requires a different approach. Even the word “gang” can be problematic when discussing the risks faced by girls and women. A youth worker who I spoke to recently highlighted to me that the language used to identify this issue sometimes fails to communicate the impact suffered by girls and young women. As she put it to me:

“Girls running county lines are not in a gang. They are victims of gangs.”

Girls and young women face different risks from those faced by males. Girls and young women may experience rape and other forms of sexual abuse, physical abuse, online grooming in the form of job offers, and direct threats of violence to themselves or their families to make them move or store drugs, weapons or even cash.

Some of these girls start off as girlfriends and get emotionally drawn into a relationship with an exploiter, and they face the additional emotional obstacle of trying to escape from that relationship as well as other forms of exploitation. Young women often carry the emotional burden for gang members and their wider crew, because they are often relied on for emotional support and counsel. Unfortunately, some girls are forced into criminal activity, such as county lines—moving drugs between cities and rural areas. There have been press reports recently of young women dressing as key workers to avoid being stopped and searched while travelling during lockdown.

The perception that girls work only in low-key roles in county lines is now starting to be challenged, with professionals reporting that, increasingly, young women work in the same roles as young men. That highlights the full scale of the exploitation that is taking place. Also, because young women and girls often go under the radar, their associations are much harder to track than those of males, but that does not mean that we should not offer them support. These are some of the most vulnerable young women and girls.

In February, in my role as London Assembly member for Lambeth and Southwark, I released a report entitled “Gang Associated Girls: Supporting young women at risk”. One key issue that I identified was a lack of data. There was no reliable information about the number of girls associated with gangs. For example, here in London, the Metropolitan Police Service’s records as of last year highlighted on its gangs matrix only six females, in contrast to 2,492 males. However, also in February, the Children’s Commissioner estimated that about 2,290 girls were associated with gangs in England; that is about 34% of all gang-associated children. When I sent a freedom of information request to all London boroughs, I found that more than 1,000 young women and girls had gang associations identified as a factor in their assessments by children’s social services. Therefore, we know that the data is patchy at best.

The invisibility of gangs’ association with girls has dire consequences. Abianda, a social enterprise that works with young women, highlighted that and the problems that it causes. A report from the crisis support charity Hestia in July found that girls were being deployed in county lines operations specifically because they were less likely to be stopped and searched by the police, and that exploitative romantic relationships were being used to lure young girls and women into carrying out that dangerous activity. Therefore, while we as the policy makers fail to truly appreciate the role that girls are playing in gangs, the same gangs are deliberately using that exploitation—that gendered advantage—to pursue their criminal activities. They are evading the law and, because girls on the periphery of gang violence who may need support are not being identified, funding is being disproportionately channelled into supporting young men.

A lot of good work is going on to rehabilitate young men away from this criminality, but there is little support for young women and girls. The issue of gangs’ association with girls is largely absent from the public discourse about violent crime, with both media reporting and funding concentrating on young men who are involved with gangs. Unfortunately, that means that public agencies risk missing the signs of gang-associated girls and do

[*Florence Eshalomi*]

not offer the right support services to help them. If we do not offer adequate support to young women and girls at risk of gang association, we miss a vital opportunity to tackle violent crime.

The Minister shares my passion to end the exploitation of county lines, so will she ensure that resources are put in to disrupt county lines, working on the principle of taking a gendered approach to ensure that those working to prevent county lines activity are always aware of the role of young women and girls in these operations? If we accept that the cause of gang-associated violence has a gender dimension, it follows that the solution should also adopt a gendered approach rather than a one-size-fits-all approach.

Young women and girls experience the trauma of gang-related violence in a different way and, as a result, they present differently in hospital settings. Redthread, a charity whose workers operate in hospitals across London and the midlands, has reported that when they talk to young women, they are less likely to present with a physical injury, such as knife wounds, and are more likely to present with psychological issues related to trauma, such as self-harm, suicidal ideation and overdoses. In response, that charity has placed a number of young female workers in accident and emergency departments specifically to support these young women and girls.

The St Giles Trust is another charity that helps young people who are caught up in gangs. It has found that when it works in a hospital and its staff are given flexible access to a range of departments, they can identify these females at risk of exploitation and criminal and sexual abuse. If staff can get to them earlier, it will save costs down the line and get better results for the young women and girls.

Gender-based support works, but we know that our local councils up and down the country are struggling to provide that tailored support because of severe budget cuts. Given the potentially life-changing benefits that will be produced by programmes such as these, run by charities, will the Minister lobby the Chancellor of the Exchequer to ensure that councils have the funding available to provide that bespoke care? The reality is that gang-associated girls are part of a bigger system that not only harms the young women and girls directly involved, but contributes to the wider criminal activities of gangs and their exploitation of children and vulnerable young adults.

We cannot address gang violence without taking a gendered and intersectional approach. We need a better understanding of the role that girls and young women face so that support services can be there for them. We need to look at targeted interventions to help the girls who are being exploited, groomed and abused. We need to continue to raise awareness with the authorities around the use of girls in county lines and other gang-related activities, and we need policy makers to change the language that they use in highlighting the issue. Most importantly, we need to continue to listen to what young women and girls tell us.

When we talk about youth violence, knife crime or gangs, young people are too often labelled as criminals and perpetrators, but evidence shows that the young people themselves have been victims of crimes. We need to remember that when we talk about them. We are all here today because we want an end to the criminal

exploitation of all vulnerable young people. To do that, we need to recognise and understand the gender dimension of gang association and violence, and invest in solutions based on that reality. It is a difficult reality, but one that we need to face up to, otherwise we risk dealing with only part of the problem. If we do that, the girls and young women who we all care about, and will carry on advocating for, will continue to suffer and end up in prison, or, even worse, continue to lose their lives.

9.42 am

Nickie Aiken (Cities of London and Westminster) (Con): It is a pleasure to speak in my first ever Westminster Hall debate under your chairmanship, Sir Christopher. I thank the hon. Member for Vauxhall (*Florence Eshalomi*), my neighbour. A river splits us, but I know we are at one on this subject. I am pleased to speak in this debate because the subject has always been close to my heart.

Westminster, which I represent as part of the Cities of London and Westminster seat, has never really been considered a borough where there could be gang violence. In 2012, I became Westminster City Council's cabinet member for community protection; up to that point, I had been the children's services cabinet member. When the two posts were put together, we were able to understand, for the first time, the gang issue that Westminster was experiencing. We had gone from 19th in the Met's serious youth violence table to third, and we were higher than Hackney. That focused my mind, because, as I said, Westminster is not a place that is associated with serious youth violence and gang activity.

I remember going to see the then deputy mayor for policing—he is now my hon. Friend the Member for North West Hampshire (*Kit Malthouse*)—and saying, “What do I do? How do I tackle this?” His advice was to tackle it straight away, to be firm and to put all our powers and services behind it, because it would only get worse. We did, and I established the first gangs unit in Westminster. We went and spoke to Hackney, because it had a brilliant gangs unit. We set one up, and it allowed us to understand the issues facing our young people.

The problem was drug-related, and there were pockets of it in Pimlico, in the south of my constituency, as well as in the Westminster North constituency. In Pimlico, it was more of a business, with young people using violence to secure their clients and their areas. It culminated in the horrific murder of a young man called Hani, who was hacked to death in Pimlico on a Sunday afternoon when people and families were going about their business. The boys who were eventually found guilty—and sentenced, rightly, to many years in prison—were from my own ward in Pimlico, which is considered a very safe and affluent part of Westminster. Citizens, local people, councillors and MPs have to recognise that this is going on all around us. We in this Chamber may live in very safe environments, but our young people walk very different streets.

I welcome this debate on girls in gangs. As part of my preparation, I spoke to the head of the gangs unit at Westminster, *Matt Watson*, about girls. His view—it is one that I share, given my experience—is that girls in gangs, or girls who are victims of gangs, are hidden. What the hon. Member for Vauxhall said about the data is absolutely right. If there is one thing that we want the police to do, it is this: when they stop groups of boys or young men and there are girls present, take the girls' details. The girls are usually ignored.

From my experience with the Met, it absolutely wants to work with local authorities and charities that are involved in work on gangs. If we can ask the Met to introduce best practice in taking data from young girls, that will help. The sooner we know about the involvement of young women and girls in gangs—whether as perpetrators or victims—the better. They are often used as weapons or to send a message to members of an opposing gang. As the hon. Member for Vauxhall said, we often do not know about them until they are at the most traumatic time of their lives in hospital.

I would like us to consider some other issues as a country. I am sure the Home Office has already considered this, because there is some funding for it, but I think there should be more funding and encouragement for relationship programmes. It is not fair to keep burdening schools, which are often seen as the place for such things because we know—or hope—that children go to them every day, but there needs to be a lot more education about what healthy relationships are for girls as well as boys. I have two teenagers, a 14-year-old boy and a 16-year-old girl, and I know it is equally important to teach them what a healthy relationship is.

In 2020, we cannot get away from the fact that boys, in particular, will access horrendous porn images on the internet from a very young age. Their first experience in a sexual relationship is often based on what they have seen on the internet. We need to build up more substantial programmes on healthy relationships, and we need to help parents. I have had too many experiences with victims' families where the mum and dad never expected their child—their son, who is now dead—to be involved in a gang.

We all know that our teenagers live secret lives, and we did the same as teenagers. We often did not want our parents to know what we were involved in. That is part of growing up, but I think parents, grandparents, carers and young people need to understand what a healthy relationship is and have signposting when they know that something is not right. I am convinced that young women realise in the bottom of their stomach when something is not right, but they do not know where to go for help.

I also reiterate what the hon. Member for Vauxhall said about exploitation and abuse, which is very much gender related. I worry about the music industry. I do not want to be seen as a middle-aged woman telling young people that they should not be listening to drill music—that is not my position—but we need to explain to young people how we should view women and relationships and how men should see themselves. The music industry, and elements of it within drill and rap in particular, has questions to answer on what it allows to be published. I have been appalled by the misogyny and utter glorification of violence in some of the videos I have been shown, and it makes an awful lot of money on the back of that. We must take that on and hold the industry to account. I do not believe in censorship; this is about standards, and these are our young people.

I welcome the debate, which is on a cross-party concern. We need to take the politics out of it. Our young people, no matter what age they are, but particularly those aged under 18, whether boy or girl, must be considered victims if they are mixed up in a gang. No child of 15 should be peddling drugs. There will be a

reason why they are doing so, and the story behind it is usually not a good one. I would love to see the Home Office take the great work it has already done to the next level.

9.52 am

Kim Johnson (Liverpool, Riverside) (Lab): I also welcome the debate brought by my hon. Friend the Member for Vauxhall (Florence Eshalomi). Vulnerable young people are coerced into county lines and gangs on a daily basis, attracted by the draw of money and a route out of poverty and deprivation. County lines offenders use sexual exploitation to recruit vulnerable women to their gangs, with male gang members grooming vulnerable women through sexual relationships. The National Crime Agency says that women may not acknowledge that they are victims due to the nature of their grooming—they will often believe that they are in relationships—and those exploited are subjected to sexual violence control as part of county lines offending.

Liverpool is the most prolific county lines area outside of London, with drug dealers and gangsters exploiting children and young people to sell their drugs, using the rail network on Merseyside to run their county lines drug operations. Children and young people, including girls and young women, are manipulated and exploited to transport drugs around the country. Poverty and social and economic inequality have a disproportionate impact on black young girls and women, who are experiencing a widening of the educational attainment gap and affected by systemic and deeply entrenched institutional racism.

Social and criminal justice go hand in hand. Crime disproportionately affects poorer communities and those who commit crime are more likely to suffer from the causes of social breakdown. Gangs thrive when communities experience low employment, high family breakdown, addiction and poor educational attainment. We know that gang and youth violence has become a serious problem, which is witnessed with high numbers of lives lost as a result of these crimes.

Sadly, there is no reliable information about the number of girls associated with gangs. According to some data, the number of young women involved in gangs appears small. For example, on 2 July 2020, 0.2% of individuals on the Metropolitan police's gangs matrix were females—six were listed on the matrix. However, estimates do vary. The Children's Commissioner estimated in February 2019 that about 2,290 girls were associated with gangs in England—34% of all gang-associated children. The data on girls and young women associated with gangs are often marginalised in discussions about gang violence. Girls and young women often become involved as a result of relationships with male gang members. A lack of positive role models and low self-esteem can push girls into the arms of gang members, but there is still little empirical evidence about how many girls are involved in the gangs, the extent of the problems that they face, or how best to tackle the issues.

Gang life takes a toll on young girls' lives. That includes the effect on their education, sexual exploitation, and an increase in criminal activity. London's Rescue and Response county lines project has identified the fact that women face particular challenges in county lines. The Government say that they are targeting funding to support women and girls affected by gang activity, but more evidence should be collected about women

[Kim Johnson]

and girls involved in gangs. More funding should be made available, so that gender-specific services can be provided to women and girls affected by gangs, and police officers should be trained to identify women and girls involved in gangs. That training should be developed in partnership with specialist organisations.

More funding should be made available for early intervention and preventive projects to support girls and young women, and to provide greater opportunities and more hope to disaffected and disenfranchised young women, encouraging them away from gangs and county lines.

9.56 am

Bambos Charalambous (Enfield, Southgate) (Lab): It is a pleasure to serve under your chairmanship, Sir Christopher.

I congratulate my hon. Friend the Member for Vauxhall (Florence Eshalomi) on securing this important debate. She made many profound points and was right to highlight the imbalanced focus on the harms experienced by boys in gangs, versus those experienced by gang-associated girls. That has led to disproportionate funding of support for girls to deal with that trauma.

The National Crime Agency believes that girls are under-represented in its data both as offenders and as victims of exploitation. A clear picture is not available, as there are intelligence gaps, but it is well known by the police and service providers that girls are used for county lines operations as they are less likely to get caught. That issue was highlighted by my hon. Friend the Member for Liverpool, Riverside (Kim Johnson) in describing her experience of what is happening in Liverpool. My hon. Friend the Member for Vauxhall referred to the example of young women being coerced into dressing as emergency workers to escape detection when carrying drugs through the national lockdown earlier this year. That shows the seriousness of the situation.

The NCA gives details of sexual violence being used to control those who are exploited, and of children and females being offered between county lines offenders for sexual activity. The UN Secretary-General António Guterres said:

“Sexual violence against women and girls is rooted in centuries of male domination. Let us not forget that the gender inequalities that fuel rape culture are essentially a question of power imbalances.”

It is important that we focus on that because, as other Members have said today, the exploitation of women and girls is greatly under-represented, as it is not easily identified. The imbalance is clear in gang culture. As we have learned from speeches today, young and vulnerable girls are routinely targeted for grooming and exploitation by gangs, and girls are often lost in the narrative around child criminal exploitation. That is another point eloquently highlighted by my hon. Friend the Member for Liverpool, Riverside.

That violence and exploitation is a devastating human rights violation and it is largely under-reported because there is impunity, and because of the silence, stigma and shame surrounding it. We must redress that imbalance by raising awareness of the issue so that girls are no longer ignored, as the hon. Member for Cities of London and Westminster (Nickie Aiken) pointed out in her eloquent and passionate speech. The psychological, sexual

and reproductive health consequences that the girls in question will experience at different stages of their lives must be prevented through early interventions.

One reason why there is such under-representation of the issue in relation to girls and young women is that the damage is often hidden and psychological, whereas boys and young men present to hospitals with serious injuries, thus alerting various authorities. The Public Health England report, “The mental health needs of gang-affiliated young people” states:

“Girls involved with gangs can be particularly vulnerable to mental health problems resulting from sexual and intimate partner violence”.

The report also says:

“Trauma-based mental health services may be particularly important for female gang members, along with gender-sensitive responses that acknowledge the importance of positive relationships and improved self-esteem as an exit from crime and violence.”

Again, that point was made in all the speeches we have heard so far. It is something that we need to focus on.

More action needs to be taken by the Government to support services that can help girls get out of gangs through CAMHS and Public Health England, and by investing in local government. People in positions of power must understand the problem and work tirelessly to address it. Although we must ensure that gang-associated girls are given the support they need to recognise unhealthy and abusive relationships so that they can get away from exploitation and get the right care in order to recover, we must also empower such girls. Girls should not feel that they are at fault for not recognising abuse, or that it is their sole responsibility to prevent such crimes. They must know that it is always the perpetrator’s responsibility and that the abuse is not inevitable. Again, that is a point that has been made in the debate: girls and all young people involved in county lines and gang violence are victims. That is something that needs to be at the heart of any solution.

A number of organisations are doing exceptional work in these areas. My hon. Friend the Member for Vauxhall has already mentioned Redthread and St Giles Trust, but I also want to highlight the work of two organisations from the north-east that are funded by Northumbria police and crime commissioner Kim McGuinness’s budget. One is called SCARPA. Through its work with vulnerable children, it has identified and worked with more than 30 girls who are at risk of harm and exploitation due to their association with gang members. Another organisation, Edge North East, mentors girls and young women involved in gangs. Young women have reported being victims of physical and sexual violence and being forced to do drug runs, to carry and store weapons, and to drive vehicles for drug deals. They have even allowed their bank accounts to be used to stash money.

Although I appreciate the complex nature of gangs and the many life experiences and events that can lead individuals down the wrong path, the best way that society and Government can support girls at risk of such crimes is to prevent crime and remove the threat. It is the responsibility of society to teach young boys and men that we have zero tolerance of abuse and exploitation of any kind, and that abuse and exploitation of gang-associated girls will no longer be ignored or hidden away.

I firmly believe that prevention is better than cure, but I note with concern that in a February 2019 report titled “Keeping kids safe: Improving safeguarding responses to gang violence and criminal exploitation”, Anne Longfield, the Children’s Commissioner, said:

“Tackling gang exploitation needs a paradigm change in thinking, which stops treating these children as criminals responsible for their own situation and instead sets out to protect them.”

New local safeguarding arrangements with a focus on contextualising safeguarding have the potential to make that happen, yet there are few signs that any adequate plans are in place.

Public services have been slashed in recent years, and we urgently need reinvestment in order to protect young people from the risk of gang violence and exploitation. Again, I heard what the hon. Member for Cities of London and Westminster said about her experience when she was a councillor in Westminster, and about the joined-up services and setting up the gangs unit. That is something I would like to see mirrored in all our boroughs. Services should be improved and made secure.

We need to mention that until we catch people higher up the food chain—those who keep their hands clean while reaping the profits of drug dealing carried out by the unfortunate foot soldiers on the frontline, or on the county line—we will allow the constant repetition of the cycle of exploitation and abuse. That is an issue we seriously must address.

I want to ask the Minister four questions. Will she commit to raising greater awareness of the hidden experiences of gang-associated girls among the public servants who encounter them as well as the general public? Will she press for greater public sector funding for support for youth services, mental health services and early intervention work, including areas of healthy relationships and family support? Will she ensure that there is a targeted approach to deal with gang violence and exploitation against girls? Lastly, will she confirm that there is a robust strategy in place to go after the middlemen and those higher up, who are directly responsible for drug dealing, gang exploitation and violence but who act with impunity?

Any Government’s first responsibility is to keep their citizens safe. The fact that girls in this country are not safe in their own communities means that the Government have much more work to do to fulfil their first duty. I know the Minister will take this issue very seriously.

10.4 am

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate and thank the hon. Member for Vauxhall (Florence Eshalomi) for bringing this debate to the House. It is an incredibly important and emotive subject and one that I do not think is discussed often enough: indeed, we all agreed this during the debate today. All Members who have contributed today have referred to the hidden aspect of these crimes. Much of what happens in gangs is hidden from view by definition—it is the modus operandi of gang leaders—but this is a particularly hidden and pernicious aspect of gangs’ ways of operating, as we have all acknowledged, so I am grateful to hon. Members for raising the subject today.

I note also, with some regret, that although there are only five of us in the Chamber, two of the three largest exporting areas for county lines are represented—London and Merseyside—so hon. Members have brought their own personal constituency experience and expertise to the debate. I want to reassure colleagues that tackling serious violence and the exploitation of girls and women is an absolute priority for the Government. I do not use these words lightly. Hon. Members have been kind enough to indicate the interest and the attention that I have paid to it personally, but this goes across Government. I hope that, in a moment, I will be able to lay out some of the steps we are taking to tackle serious violence, but particularly the victimisation of girls and young women in gangs.

By way of demonstration, we have invested £119 million this year alone to provide extra police resources to drive down the scale of violent crime that we are seeing on our streets, to fund violence reduction units in the 18 force areas most affected by crime and violence, and to fund specialist county line operations. We have also spent over £200 million on early intervention to ensure that those most at risk are given the opportunity to turn away from violence and lead positive, safe lives. But it is, of course, critical that the investment works for girls and young women. We are, after all, half the population.

When hon. Members refer to the different experiences of girls and young women in gangs, I could not agree more. We know that girls and young women are subject to serious and appalling harms, ranging from threats to themselves and their families to sexual exploitation and abuse. Their experiences are often different from those of boys and young men in the very same gangs. The hon. Member for Vauxhall referred to evidence from Redthread, an organisation that the Government are pleased to support and work with. Girls present with different injuries when they come into hospital from those with which boys tend to present, which shows the nature of the harms faced by girls and young women in gangs.

There is evidence that girls and young women are playing a more active role in the drug markets, mirroring the operations of their male counterparts not just in London but across the country. We are hearing reports of that, and it has been referred to during the debate. My hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) used a line that sums up the experiences of these young people on our streets: these young people in gangs “walk different streets” from us. As a Minister but also as a Government, we are keen to try to get the message across to our constituents that it is a matter for all of us to have open eyes, to watch and listen, and to see if the young people we live next to in our communities are safe and well, or if in fact they are being groomed in the ways described this morning.

On 3 June, I held a virtual meeting with a number of charities and organisations that provide vital support to young people affected by county lines exploitation. That is part of our day-to-day business. Frontline workers at the meeting, including those from Abianda, reflected on the specific challenges faced by girls and young women who are drawn into county lines activity. One very powerful advocate told me that young women were being used not just for their physical capabilities in terms of moving drugs around, but also to launder the proceeds of those crimes. Those young women’s bank

[Victoria Atkins]

accounts are being used by gang leaders and that has huge repercussions, not just in the short, immediate term, but also in the longer term. Once those women have escaped the gangs, their credit ratings, for example, may well still be affected by the activities. We know that those young people face terrible harms, but we must understand that there are long-term implications for their experiences as well. I wish to assure the House that those insights and those of all the organisations we work with—St Giles Trust and Redthread, to name just two—inform our policy response to those issues.

Rightly, there has been attention on Government investment. We have invested some £176 million through the serious violence fund to address the drivers of serious violence at local level. That includes the vital investment in violence reduction units. The point of those units is to provide a localised understanding to reduce and prevent serious violence within local communities and to tackle its root causes. We have been very keen to ensure that the units have the freedom to develop policies that work in their local areas. As such, what may work in a particular part of London—not even across London—such as Westminster may not be appropriate for Vauxhall and similarly, may not be appropriate for Liverpool, Riverside, so we are keen that the units have freedom and flexibility. However, the objective of those units is to drive down serious violence. The role of the violence reduction unit, as pointed out by the hon. Member for Vauxhall in her report, for which I thank her, is critical in identifying the local risks and drivers of that violence, as well as the local response to those drivers.

We are beginning to see violence reduction units taking important steps to commission the support and interventions that people at risk need, including girls and women. For example, the West Midlands violence reduction unit is working with the St Giles Trust to embed a senior youth violence and exploitation worker in Birmingham women's and children's hospital to provide guidance and support to girls and young women who have experienced violent crime or potential gang exploitation. Violence reduction units are also delivering interventions to support healthy relationships and to prevent domestic abuse.

In my work on the Domestic Abuse Bill, I hope I have made it clear that, if we can tackle domestic abuse, that will have many ramifications outside the home, including for violence on the streets. For example, the Northumbria violence reduction unit is delivering interventions targeted at women and children experiencing domestic abuse during the covid-19 pandemic. The South Yorkshire violence reduction unit is using cutting-edge technology to role-play challenging scenarios to assist frontline practitioners in their response to domestic abuse. I think that line means that we are trying to help frontline practitioners get a practical grasp on how they deal with situations in cases as they arise.

In addition to local action, my Department is funding gender-specific, tailored services to support girls and young women experiencing exploitation related to gangs and county lines. Young people's advocates in London, Manchester and the west midlands provide dedicated, one-to-one support directly to gang-affected women and girls, especially those who have been victims of, or

are at risk of, sexual violence. With Home Office investment of up to £860,000 this year, the St Giles Trust will be delivering one-to-one support in London, Merseyside and the west midlands—the three largest county lines-exporting areas—which will help over 200 vulnerable children and young people who are criminally exploited by county lines gangs, including with specialist support for girls. We continue to fund Missing People's SafeCall service, which is a specialist helpline providing advice and support to children, young people and families who are concerned about county lines, criminal exploitation and gangs. In addition, we are investing more in rape and sexual abuse support services, with £24 million being made available over the next three years to provide advice, support and counselling.

The hon. Members for Vauxhall, for Liverpool, Riverside (Kim Johnson), and for Enfield, Southgate (Bambos Charalambous) all referred to the grooming of girls and young women, particularly the classic grooming example—if I may call it that—of the boyfriend-girlfriend model, whereby the boy or young man draws the girl or young woman into his world by forming a relationship, and she is then much more vulnerable to him when he suggests that she does things that she feels utterly uncomfortable with, or indeed scared by. My hon. Friend the Member for Cities of London and Westminster called for relationship education for girls and boys, which is really important: we want young women and girls to be resilient and to have the confidence to say no, but we must also ensure that boys and young men have a good understanding of what a healthy relationship is. I remember meeting a harmful sexual behaviours youth worker—just having to have someone with that job title is incredibly depressing, but that very good youth worker recounted to me that a young man he was working with at the time thought that it was normal for girls and young women to cry during sex. We need to take a step back and think about what has gone wrong, not just in that young man's life but in the lives of those girls, and why some of our young people believe that that is an acceptable way in which to conduct themselves.

We are very conscious of the importance for girls and boys, young women and young men, of understanding and building healthy relationships. That is why we have made relationship education compulsory for all primary-school pupils, and relationship and sex education compulsory for secondary school pupils. Health education has been compulsory in all schools since last month, September 2020. These subjects will ensure that children understand that violence and abuse is never acceptable, and know what positive, healthy and respectful relationships should look like, which in turn will help to prevent abuse. We want girls to know that it is important to report abuse and share concerns that they have about themselves or others, both online and offline. To help them do so, we have provided £6 million to develop a programme of support for schools, which will include tools to help schools improve their teaching practice, training support and high-quality resources. That programme will also include information on parents' rights and involvement in the curriculum.

However, we can do more, and we are doing more. We have introduced new knife crime prevention orders as an additional tool to help the police to steer young people and adults away from knife crime and serious violence, and we have launched an eight-week public

consultation on the design of new serious violence reduction orders, which will make it easier for the police to stop and search those previously convicted of knife-crime offences, but we also need longer-term action to prevent vulnerable young people from being drawn into crime. That is why, as I said at the beginning of my speech, we have invested £200 million in the 10-year Youth Endowment Fund to ensure that those most at risk are given the opportunity to turn away from violence and to lead positive lives. Importantly, that helps in evaluating schemes across the country to see what works and what does not, so that we can help local commissioners understand where their money is best invested.

All hon. Members raised the point about data—it is a fair point. I spoke at the beginning of my speech about the hidden nature of girls and young women's involvement in gangs. Following today's debate, I will engage further with the violence reduction unit network to ensure that all VRUs are actively considering gang-affected girls and young women when identifying the drivers of serious violence acting in their local area and ensuring an effective response. We are already working on that, but I will very much take that point forward. VRUs are doing really good work in bringing together local partners to tackle violence and the drivers of violence together. We will very much use our learning from the progress to date, including those units that are already delivering support to girls and young women in their areas, to make sure that no young people affected by violence are forgotten.

I thank the hon. Member for Vauxhall for raising the issues in this debate, and all hon. Members for their contributions. As always, I pass on my sincere thanks to those who are working right now to protect and support victims of serious violence. We know that serious violence is evolving and there is a threat from county lines activities and from sexual exploitation and abuse—much of that leads to serious violence. That evolution requires us to be flexible and to keep looking for new responses to the changing dynamics. We are absolutely doing all we can to support victims of serious violence and abuse, including young women and girls, but we understand that, although we have made some progress in setting up VRUs and so on, we are absolutely committed to a truly comprehensive response to protect our young people from these horrific crimes and to help end the harm that they cause.

10.22 am

Florence Eshalomi: I thank all hon. Members for their attendance this morning. I thank the hon. Member for Cities of London and Westminster (Nickie Aiken) for highlighting her experience of dealing with this issue on the frontline as a councillor. Dealing with some of the things that have come across her desk in children's social services in an inner-London borough such as Westminster will have been very difficult and challenging. I thank her for her work highlighting these issues with the police, and for touching on the important role of relationships with our young people, both boys and girls. I remember my relationship discussions in school, when it was something that only girls had to talk about. It is important that we are now making sure that our young boys and men understand what it is to be in a

healthy relationship, and that we are teaching our girls about saying no and why it is okay to say no. Teaching our girls and boys to respect their bodies is something really important that parents, teachers and youth workers should be working on.

I thank my hon. Friend the Member for Liverpool, Riverside (Kim Johnson) for highlighting the fact that this is not just an issue in London, but across the country; we must make sure that we have solutions to address that. What is happening in Vauxhall will be different from what is happening in Liverpool, Riverside. My hon. Friend also highlighted the fact that the basis of the issue is poverty and deprivation. We need to look at how we make sure some of our most vulnerable citizens in society have opportunities and access to jobs, housing, employment, training—all things that have now been made a lot harder on the back of the pandemic. It is important that we think about next steps, once we have helped these young women and girls, into a life that is better for themselves and their families.

I thank my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) for raising the important role that CAMHS plays through early intervention. Funding for the service, which is often overstretched, is important. We know that the case loads of some of our social workers continue to grow. Again, it is about making sure that they get funding and support, putting aside party politics and working across the country to make sure that that happens.

I thank the Minister for highlighting some of the initiatives and funding that have already gone in. It is important to ensure that VRUs across the country have a localised approach and that funding is targeted at a local level to address local issues. We must continue to acknowledge that this issue will not disappear overnight. The issue cannot be resolved just with funding. It requires a different approach.

I am happy that the Minister said that she will take away the idea of looking at the data. We cannot deal with something unless we understand the data behind it. We could be throwing money at a problem when we do not know its real cause. The commitment to VRUs looking at the data specifically on girls associated with gangs is really important.

Lastly, politics aside, all of us want to see our young people flourish. No child is born with the intention of holding a knife, carrying drugs or carrying guns. We have to let children be children. Our young children are being forced to grow up too early. We have to ensure there are positive activities for our young children to engage with, and that they have schooling opportunities and access to safe homes. I hope the Government will continue to invest in those things, continue to work with local councils who know their local areas, and, when we are talking about criminality, continue to remember that these are young children.

Question put and agreed to.

Resolved,

That this House has considered gang-associated girls.

10.26 am

Sitting suspended.

Cultural Attractions: Contribution to Local Economy

[SIR CHARLES WALKER *in the Chair*]

2.30 pm

Nickie Aiken (Cities of London and Westminster) (Con): I beg to move,

That this House has considered the contribution of theatres, live music venues and other cultural attractions to the local economy.

It is a pleasure to speak under your chairmanship, Sir Charles, and I am delighted to have been able to secure this, my first lead Westminster Hall debate, on such an important topic. As the covid pandemic continues to threaten people's health and livelihoods, hon. Members across the House have rightly been highlighting sectors of the economy that remain at particular risk. I applied for this debate to highlight one such sector—arts and culture. In March, theatres closed their doors. Gig venues and clubs across the country turned off their sound systems, and museums and galleries turned off the lights. Some have reopened, with social distancing measures and other restrictions in place. Many in my own constituency, including the commercial theatres, remain unable to reopen because of the simple fact that it is not financially viable to operate within current restrictions. I hope that over the course of the debate, other hon. Members and I will be able to convince the Government and the public of the reasons why those businesses are vital to our communities and worthy of ongoing support.

I am keen for other hon. Members to play their part in the debate, as I am acutely aware that when I speak on these issues, representing the Cities of London and Westminster, I am often—and easily—accused of being London-centric. I hope, however, that through our contributions we will be able to show that the arts and cultural sector contributes massively to local economies up and down the country. I am incredibly proud of the vibrant arts and culture offer in my constituency, from theatreland to iconic live music venues such as Ronnie Scott's, the 100 Club and Heaven, as well as the Barbican centre, the Royal Albert Hall, the Royal Opera House and the Coliseum.

I hope that hon. Members will forgive me if I reel off some statistics to support the argument that arts and culture are vital to the economy. In 2019, 18,000 performances across west end theatres attracted more than 15 million audience members, providing a gross revenue of £800 million. In 2018, the gross value added of arts, museums and galleries in the west end alone was more than £1 billion. It is estimated that across London there are 97,000 jobs in music, performance and visual arts, and more than 17,000 in museums, galleries and libraries. VisitBritain research suggests that a quarter of tourists who come to London come specifically for its cultural offer. Those statistics show, I hope, the direct impact of the arts and culture in supporting the wider local economy. Modelling shows that for every £1 spent in theatres, for example, £5 is spent in the wider local economy—in bars, restaurants and shops.

Theatres, live music and cultural venues play a vital role in the ecosystem of the west end, and it is the same across the UK. Figures provided by UK Music suggest

that every £10 spent on a ticket for a live music venue is worth £17 to the local economy. One Ed Sheeran gig in Ipswich last year brought in £58 for every £1 spent by the council to put on the concert. The net value to the local economy was more than £9 million.

What impact has covid-19 had, and what impact will it continue to have? The Heart of London Business Alliance, a business improvement district in my constituency, is about to publish a report on the economic benefits of the west end and the heart of London arts and cultural sector for the wider economy, and the case for covid-19 support. It has been kind enough to provide me with an advance copy. The report models four scenarios and the predicted impact for the economic output of arts and culture in the west end. Scenario one is repeated lockdowns, scenario two is strict rules and social distancing in place, scenario three is seasonal covid with occasional softer social distancing remaining, and finally, scenario four, which is a return to normality—something I think we all wish for. For the arts and culture sector, scenarios one and two are modelled to have very similar outcomes. Employment in the sector in the west end would fall by 95% by 2024. Even in the best circumstances of a return to normality, the arts and culture sector is projected to produce 10% less in 2024 than in 2019. Those models make for challenging reading and I strongly encourage the Minister and her officials to read the report in detail.

Venues in my constituency have worked incredibly hard to find solutions to open under current social distancing measures. The Barbican centre in the City of London has been trialling a new approach to concerts with the Live from the Barbican series, involving 300 socially-distanced audience members in the hall alongside a pay-per-view live stream that enables audiences to watch from wherever they want. I am delighted to report that those concerts have sold out, with encouraging interest and early sales for live streaming.

In the west end, Andrew Lloyd Webber has undertaken heroic action to introduce measures to prove that theatres can be socially distancing-friendly at a capacity that works for safety and for his theatres' commercial viability. What can we do in this place and what can the Government do to support the sector in the return to normality scenario?

I pledge huge gratitude to the Culture Secretary and his team at the Department for Digital, Culture, Media and Sport, including my hon. Friend the Minister for Digital and Culture, who is responding to this debate. I know they have worked tirelessly since lockdown to support the arts and culture sector. I recognise their huge achievement in securing £1.5 billion in support for the arts. However, there is more to be done if we are to secure our arts and culture sector once we have beaten this dreadful virus.

I encourage the Government to continue funding jobs in sectors that remain unable to recover because of restrictions that are in place. As those businesses remain closed through no fault of their own, they will likely lose all access to current support measures when the furlough scheme ends. The sector has been hugely grateful for the support so far, but that support needs to continue. I ask the Minister to persuade the Treasury once again to reassess the support it offers the self-employed, as many in the sector are freelance and work in a mixture of self-employed and employed roles, depending on

their contract and the employer. Too many have gone without any support at all. Current Government support has been more focused on salaried staff, and there is a worry that freelancers will drop out of their profession, leading to a shortage of expertise when we are back up and running.

I think all of us in this hall accept that theatres, live music and cultural venues need clear signposting as to when they will be able to open. Theatre productions, for example, have lead times often in excess of six months before opening, so require as much notice as possible. I urge the Government to extend the 5% VAT reduction for at least three years, in line with recommendations from the Select Committee on Digital, Culture, Media and Sport. Finally, and perhaps most importantly, I support the introduction of a Government-backed insurance scheme for live music, theatre and performance to allow venues, producers and creators to proceed with developing projects in confidence that, should they not be able to do so, the Government will support them. We have launched a similar and very successful scheme for the film industry and, knowing how much it costs to put on a commercial theatre production, such an insurance scheme would prove beneficial for the whole industry. With that, I thank hon. Members for joining me to take part in the debate and I look forward to hearing their contributions and the Minister's reply.

Sir Charles Walker (in the Chair): Order. There will be a time limit of three minutes.

2.39 pm

Giles Watling (Clacton) (Con): As always, it is an honour to appear under your chairmanship, Sir Charles. This is an important discussion and I thank my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) for securing the debate. Theatres, live music and cultural venues are an essential part of what we are as an island nation. It is what sells Britain plc to the rest of the world and I have been heavily involved in it for years.

According to the Creative Industries Council, our industry is estimated to generate £48 billion in turnover and to support nearly 400,000 jobs. The building blocks of this national contribution are, of course, individual local economies. In Clacton, our local economy is hugely dependent on tourism; it represents some 17.4% of all employment in the area. We have wonderful venues, such as the Prince's theatre, the West Cliff theatre and my own Frinton summer theatre, which I used to run years ago. We also have 19th-century Martello towers, our two famous piers, the beautiful Walton backwaters, the sunshine coast and amazing beaches, all of which bring many people to our wonderful coastal area. Those people take advantage of our tourism offer and they come to our cultural centres.

Tourism in Tendring is worth some £392 million, and for a district such as Clacton that is vital. Without strong tourism in Clacton, we would be in real trouble, but that is what we could face if we lose the venues and attractions that bring people to our area. Yes, we have the culture recovery fund to keep these establishments open, but we now need to create domestic demand. We need to get people from the UK to come to UK resorts and keep us going.

We need to find a way to bring people safely back to the theatre. My hon. Friend the Member for Cities of London and Westminster mentioned Andrew Lloyd Webber. What a wonderful example—he fogs the Palladium, fills it with an alcohol gas and cleans everything up. The Palladium has self-cleaning handles. We must be creative; we are the creative industries, after all.

We need to get people back into theatres, but as my hon. Friend mentioned, that is also about the restaurants, the bars, the taxis and all the surrounding ecosystem. Those have to be supported too. Like the eat out to help out scheme, I envisage a voucher scheme that would help people to get back into the theatres, and I put that proposal to the Minister now. There must be some means whereby theatres, which would have to operate on a lower percentage in order to keep people safely spaced, could be helped to open with a voucher scheme. I am sure that it is not beyond the wit of man to come up with that. There could also be something to help with the food offer in our local restaurants around the theatres.

We need to begin to focus on returning people to these establishments in a safe way, because if we do not do that, when Government support for theatres ends we will be in real trouble. We have a global gold standard in our theatres and we must protect them. Finally, I have to say something about freelancers, such as actors and musicians. We must ensure that they are protected, so I say to the Minister, “Look after the freelancers too”.

2.42 pm

Kevin Brennan (Cardiff West) (Lab): I congratulate the hon. Member for Cities of London and Westminster (Nickie Aiken) on securing this debate, and I will also say how proud I am to see her leading the debate today. Not all hon. Members will know that I used to teach her at Radyr Comprehensive School in Cardiff. It is wonderful to see her leading our debate today and it is a privilege for me to participate in the debate with her. I am sorry that she ended up the way she did, Sir Charles. [*Laughter.*] It was despite my best efforts, but there we are.

I also congratulate the hon. Member for Clacton (Giles Watling) who, like me, is a member of the Digital, Culture, Media and Sport Committee, on his speech. As ever, he made his constituency sound like a wonderful place, although he was unable to establish, as the hon. Member for Cities of London and Westminster did with her constituency, that we can literally find heaven within it.

I always like to stress the importance of the value of the arts and culture in and of themselves, as well as their economic benefits. In and of themselves, they are valuable and we should encourage them. Nevertheless, it is important to note that places such as the Sherman theatre in Cardiff, which is in the constituency of my hon. Friend the Member for Cardiff Central (Jo Stevens), make a wonderful contribution—and an important economic contribution too. Cultural and creative industries contribute £10.8 billion a year to the UK economy and £2.8 billion in taxation, and they support over 360,000 jobs. This was also the fastest growing sector of the economy; we should not forget that.

In Cardiff, we have wonderful cultural facilities too. Recently, the Womanby Street campaign tried to protect our music venues—my hon. Friend the Member for

[Kevin Brennan]

Cardiff South and Penarth (Stephen Doughty) was very much involved in that. We have the wonderful Millennium centre in Cardiff, which is also in my hon. Friend's constituency, and the Chapter arts centre, a world-leading contemporary arts centre in my own constituency. All of these places are wonderful, but they have all been very badly affected by coronavirus and the lockdown.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I thank my hon. Friend for mentioning the Womanby Street campaign; I was proud to work with him on it. Does he agree that Eluned Morgan, our Welsh culture Minister, has been doing an excellent job in securing a package to support our industries, including freelancers, crucially?

Kevin Brennan: I agree. She is another of my protégés, and is doing a marvellous job as arts Minister in Cardiff.

Through the Minister, I say to the Chancellor that he must stop the talk about people in the creative industries going on to do something else. In a report today on the ITV website, the Chancellor suggests that musicians and others in the arts industry—actors, creatives and so on—may need to retrain and find new jobs. When asked whether he was suggesting that some of the UK's fabulous musicians, artists and actors should get other jobs, the Chancellor said that although there is still work available in the creative industries,

"as in all walks of life everyone's having to adapt."

That is true and all very well, but he is in danger of becoming the Aunt Mimi of Government if he is not careful. For those who do not know, Aunt Mimi was John Lennon's aunt, who brought him up and told him to get a proper job rather than going into the music industry. Those are proper jobs! Roles that are involved in our creative industries—actors, such as my brother or the hon. Member for Clacton; musicians; directors; or whatever freelance or employed role—are proper jobs in the fastest growing sector of our economy. It is about time that the Government acknowledged that.

In all fairness, some parts of the Government do, and I welcome the package that they have brought forward—although that money needs to be distributed now—but the view that those are not proper jobs has got to go. The Chancellor has to stop saying that. The Minister may not feel free or at ease to say so in the debate, but will she say privately in the halls of Government that that kind of talk has to stop? The Government's job is to provide a bridge to the future for what is a very viable creative sector. There is a bright future for it and for those who work in it. We need to acknowledge that and provide more support to enable it.

2.47 pm

David Warburton (Somerton and Frome) (Con): In the early 1970s, when I was seven or eight, I was taken to a performance of Bach's St John Passion because my mum was singing in it. It was electrifying and magical, and it changed the course of my life. Eight years later, Bob Dylan had a similar effect. That is because great music, art and live performances change lives. As the hon. Member for Cardiff West (Kevin Brennan) rightly said, it is about not just the economic cost, but the

social cost, particularly and ironically when, in a time of so much fear, uncertainty and loneliness, live performances and venues are so important to society.

Just outside my constituency sits the site of the Glastonbury festival—some of the far-flung campsites are in my patch—which brings in hundreds of thousands of visitors a year; supports gazillions of businesses such as pubs, hotels, restaurants, catering, transport, you name it; and brings in about £45 million a year to Somerset. Businesses are devastated. Many of them are really struggling because this year there was no Glastonbury festival.

This is not just about the big festivals, however; smaller venues are also affected. The Cheese & Grain in Frome is a member-owned social enterprise and registered charity that provides a huge boost to the cultural, economic and social life of Frome. It is now looking at making 40 of its 53 staff redundant and, having been closed for eight months, it may become insolvent. I know that the Chancellor is being held upside down so that people can steal money out of his pockets all the time, but if we do not help those businesses, they will go under and be devastated. I wrote to him and suggested a tourism and cultural resilience fund, with targeted support and grants to carry those businesses through the winter, and I urge the Minister and the Government to consider that carefully.

I have also said that the furlough scheme should be extended for businesses that are unable to open, and again, I hope that my words are being heard. In the west country, it is particularly important because the incidence of covid is very low, but the economic cost is very high. We must keep changing lives and supporting those whose businesses change lives.

2.49 pm

Andy Slaughter (Hammersmith) (Lab): It is a pleasure to be here under your chairmanship, Sir Charles, and to take part in this debate instigated by my fellow west London MP, the hon. Member for Cities of London and Westminster (Nickie Aiken).

For one of the smallest London boroughs, Hammersmith and Fulham packs a big punch creatively in the arts, theatre, live music and exhibitions. These institutions are the lifeblood of our cultural life, but also a main driver of the local economy. We have lost some iconic venues in the last few years, such as Hammersmith Palais and the Earls Court exhibition centre, but we have Olympia, which is undergoing a major renaissance, the Hammersmith Eventim Apollo and Shepherd's Bush Empire, and three fantastic theatres—the Lyric, the Bush and the Riverside—all of which were thriving before covid hit and had new or substantially enlarged premises.

We have a lot of good smaller venues, such as Bush Hall, which has provided live music for 20 years. They are particularly vulnerable, because they do not have good income streams or reserves of finance, and many of them are in danger of closing down as we speak. The Lyric is consulting on losing about 20% of its staff. None of these theatres can stage productions, because on a 30% capacity they cannot make productions commercially viable.

They all do excellent community work, which does not appear to be reflected in the Government's funding. Notably, the arts fund was directed to prioritise institutions

of national or international significance, but that does not cover the whole body of good work that the institutions do. For example, there would have been 45,000 visitors to Christmas shows at the Lyric on Hammersmith Broadway. The Bush theatre is in one of the most deprived parts of my constituency and it drives a large part of the local economy. That is all suffering at the moment.

What do we need? We need a payment support scheme—either grants or loans, as applicable to the type of institution—to keep those institutions above the water line for the next year; it probably will be a year. We need support for freelancers—70% of people who work in this area are freelancers—and that has not been in place throughout the crisis. We need insurance, because without proper insurance schemes it will not be possible to put together productions and put them on at the risk of another lockdown. We need clarity, because it takes at least three months to put together such exhibitions or productions. We need the Government to say: “We will support you until lockdown has ended”. That is the only way we will achieve something. Without that, I fear for the cultural sector across my borough, which I care for deeply, and across the country. I hope the Minister will respond to this.

2.53 pm

Florence Eshalomi (Vauxhall) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Charles. I thank my neighbouring colleague, the hon. Member for Cities of London and Westminster (Nickie Aiken), for securing this important debate and for her important work on this issue over the last few months.

My constituency in Vauxhall is close to Westminster and we have a fantastic cultural centre. It contains many of Britain’s iconic cultural institutions—familiar landmarks to many people around the world—including the London Eye, the National Theatre, the BFI on the south bank and the South Bank centre. The origins of the South Bank centre date back to the festival of Britain, and it houses the Hayward Gallery and the Royal Festival Hall, which is home to the London Philharmonic Orchestra.

The south bank area of my constituency not only contributes to our culture’s enormous identity, but generates so much income and employment. My constituents work in a number of these organisations, and in the many auxiliary bars, hotels, restaurants and shops that support millions of tourists and visitors every year. These people are skilled freelancers—the backstage workers—and they need our support. Without them, these organisations would not be able to function.

Alongside those big, hard-hitting cultural heritage sites, we have smaller but no less important sites: live music venues and theatres, such as the Young Vic theatre and the historic Royal Vauxhall Tavern. Aside from their cultural importance, what makes them so special is that they are embedded in the communities where they are located. They bring a cultural, economic and social enrichment to the lives of our residents in the form of employment, and artistic and creative support programmes.

Last month, I had the honour of attending a socially distanced 50th anniversary celebration for the Young Vic theatre. The Young Vic is an incredible, innovative theatre that is embedded in schools and the community.

Under the leadership of the inspiring playwright and director Kwame Kwei-Armah, it runs a year-round programme for residents, championing diversity. For those people who are traditionally under-represented in arts and culture, that is so important.

These organisations, from the smaller theatres to the big ones, will continue to suffer under the financial challenges of covid. We have seen a dramatic fall in audiences—and, in some cases, no audiences whatsoever. Many of my constituents who work in the sector will not return to business as usual, even as the lockdown eases. They will continue to be hit hard. In July, I welcomed the Government’s financial support, but it is now October and we have not seen that money come through. Will the Minister confirm when theatres will finally see the money, and will she lobby the Chancellor to ensure that our amazing culture sector gets the targeted support that it needs?

2.56 pm

Andrew Lewer (Northampton South) (Con): I thank my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken), a fellow former council leader, for securing the debate. When I was first elected as the Member for Northampton South, one of my hopes and aims was regeneration of the town centre, both physically and in what it had to offer those who seek a cultural experience. Northampton has a lot to offer, from the iconic Royal & Derngate theatre, which I have visited many times, to the host of historical, archaeological and artistic treasures found at Northampton Museum and Art Gallery. We look forward to that development. There are also a large number of community-run drama projects, historical attractions and music venues that add to the cultural tapestry in Northampton.

I thank the Government for the £1.57 billion support package for the sector. Many businesses have been in touch thanking me for that support, but my worry, which is shared by many, is that a further support package will be needed to keep many of our local theatres and attractions open. As a vice-president of the Local Government Association, I know that local councils would like the Government to adopt a place-based approach to recovery by ensuring that councils are at the table for discussions, including at the new cultural renewal taskforce and the Tourism Industry Council. Councils are one of the biggest investors in cultural activity, spending around £1.1 billion a year, so they should be part of future discussions.

One often overlooked part of the culture and leisure sector is betting and gaming organisations. I have visited both Aspers and Grosvenor casinos in my constituency and, as the lockdown eased, I was invited to look at the covid-safe measures being implemented at considerable cost, including limits on capacity, perspex screens, hand sanitisers and social distancing. I was impressed by their efforts to comply with Government guidance, but the 10 pm curfew has put at even greater risk what has been, in these changed times, a precarious survival. I hope the Government will look at the 10 pm issue urgently. Otherwise, I am afraid that many casinos, including those in my constituency, will not survive. That is not to say I am a great fan of gambling; I just think it is better in a regulated environment for reasons of taxation and supporting the vulnerable.

[Andrew Lewer]

I am grateful for the previous Government support, but, as we approach Christmas, the Government must look at how we can safely reopen this vibrant and vital sector, and focus on this. Although many economic sectors will suffer downturns and huge disruption as a result of the crisis, other distinct sectors either cannot operate at all, or cannot operate for practical purposes as a direct result of specific Government rules, sectorally or locally. They have an especial claim for direct compensation or support.

2.59 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate the hon. Member for Cities of London and Westminster (Nickie Aiken) on securing the debate. I draw attention to my entry in the Register of Members' Financial Interests with support from the Musicians' Union.

I start with a message to all who work in the creative industries, and to musicians in particular: you are viable, you do matter and you deserve better, because you are the lifeblood of my constituency and our country, not just economically but for our soul. Everyone in the Chamber knows that. I think of the Wales Millennium centre, the Glee Club's stand-up comedy, the theatre and events sector and the amazing film and TV that goes on in my constituency. I think of dance, live music and so much more, which is crucial for our economy and crucial for our soul. All of this is devastating for me personally, as a singer and performer—I know that many others in this room who have come from the industry, whether professionally or semi-professionally, will be feeling the same—and it is devastating for my constituents in Cardiff South and Penarth.

Yes, some are adapting. BBC Studios has adapted in a covid-safe way in Cardiff South and Penarth, and the world-leading Iris Prize lesbian, gay, bisexual and transgender film festival is starting tonight virtually, online. That is fantastic, but many others simply cannot adapt in a way that is economically sustainable for them and those who work in their industries, and unfortunately the response of the UK Government has been too slow and too little, and too many are falling through the gaps. One major local music body has told me in the past two days that the Chancellor's declarations about viable jobs are meaningless and insensitive in this context. I want to draw attention to the demands by the Musicians' Union and many others in this sector, who have said that not only do we need to get musicians back to work safely as soon as possible—70% of them are currently unable to do more than a quarter of their usual work, in order to get the income that they normally rely on—but we need to expand the self-employment scheme, because 38% of musicians are ineligible for the schemes the Chancellor has set out. We also need individual support.

Kevin Brennan: Did my hon. Friend see the protest outside Parliament today by the Let Music Live group, where musicians came together to play some of Gustav Holst's music? I join him in congratulating the Musicians' Union on their work, including that of Horace, the

general secretary, and Naomi Pohl, the wonderful assistant general secretary. I declare my own interest as a member of that union.

Stephen Doughty: I totally endorse my hon. Friend's comments. The scenes outside Parliament today were incredibly powerful; I was not able to be there in person, but I saw them online. They show the scale of devastation in the sector, but also those people's wish to be able to perform and earn their livelihoods as they otherwise would.

We are well aware of the concerns that are affecting individual freelancers in Wales. The Welsh Government have announced a specific fund for freelancers; I am told that Arts Council England has been told that the money cannot be used to support individual freelancers in England, and I wonder if the Minister can explain why that is the case.

I am aware that over the past 24 hours, there have been some concerns and frustrations in my own constituency about being able to get funding from the freelancers' scheme in Wales, which shows the huge demand and desperation that is affecting so many people. I want to reassure those who have raised concerns that I have been speaking to Ministers, as have others, and we have been assured that a second phase will be opening very soon, because the Welsh Government recognise that the demand is there. However, that scheme does not even operate in England. In Wales, a total fund of £53 million has been announced for the arts and culture sector; that is the most significant fund across the UK, and £7 million of it is ring-fenced for freelancers.

I will end by reflecting on a couple of the heart-rending messages I have received from constituents, showing the human cost of this crisis. One constituent, who is a friend and a musician, wrote to me saying, "I know many fully professional musicians who are in utter panic. It is their sole livelihood, and it is devastating to see them with distress etched on their faces." He is thinking of leaving this country. We will lose this talent; it will go elsewhere. Another writes, "I am leaving the profession. There is no hope."

We need to see better from the Chancellor and from Ministers. I was deeply concerned by the Chancellor's comments today, when he said,

"It's a very sad time...I can't pretend that everyone can do exactly the same job".

We all need to do better. We need to do better as a country, and we need to support these people through this crisis; otherwise, the cost will not only be to our economy but, crucially, to our country's soul.

3.3 pm

Stephen Hammond (Wimbledon) (Con): It is a pleasure to serve under your chairmanship this afternoon, Sir Charles, and to see the Minister in her place. Like many others, I express my thanks for the package the Government have put in place for the arts sector, and I congratulate my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken). She is right that as London MPs, we are extraordinarily proud of our city's cultural offering and the economic benefit it gives to this nation. It would be remiss of me to not point out that this cultural offering is not just in central London. In Wimbledon, we have the New Wimbledon

theatre, the home of panto; the Polka theatre, which is the best children's theatre in the country; the Lantern arts centre, of which I am a patron; and many other small venues.

I will focus my remarks on the events industry. Back in March, I first mentioned in the House the problems that the supply chain into the hospitality industry and the live events industry was likely to have if support packages were not in place. The people who work in that industry—caterers, photographers, event planners, exhibition organisers, audio-visual engineers, musicians, actors, and more—simply have not been able to work at all, because events and exhibitions have all been stopped by the pandemic. I would suggest that it has affected this industry more than most others, and perhaps most of all. The Chancellor has put in place an extensive package, but there is a good case for looking at the industry.

In Wimbledon, as in so many parts of the country, we have extraordinary businesses—viable businesses—such as White Light and Oxygen Event Services. Only yesterday, the managing director of another events company—Nineteen Group—wrote to me saying that the sector does not want to go into hibernation; the exact opposite is true.

Like everybody, those businesses would like certainty. Like everybody, they want more help with money for jobs. I rarely agree with the hon. Member for Hammersmith (Andy Slaughter), but he is right to say that one of the things the Government could do would be to put in place a guarantee package that would allow the industry to start having some certainty for planning for events for when we finish covid, hopefully at some stage next year. At the moment that certainty is not there, and a Government guarantee would work.

I had a Zoom meeting with my constituents Mark and Judy Faithfull last week. They pointed out that the Department for Digital, Culture, Media and Sport and other Government Departments have been involved in test events. There was a test business trade exhibition, a test trade event at the Hilton in Canary Wharf in September and a test banqueting event. The industry does not understand this when other parts of Europe and the world are looking at opening up test events. Will the Government look again at the test events they attended, which proved that such events could be covid-secure? Will they look to open those up, so that the industry can thrive?

3.6 pm

Taiwo Owatemi (Coventry North West) (Lab): It is a pleasure, once again, to serve under your chairmanship, Sir Charles. I thank the hon. Member for Cities of London and Westminster (Nickie Aiken) for securing this important debate.

I am delighted that Coventry is set to become the UK city of culture in 2021. In the run-up to that event, however, our theatres, live music industry and other cultural attractions have been hard hit by the pandemic, with too little support promised far too later. Concerns raised by people in the arts and culture sector have been ignored by the Government. The arts and culture sector in Coventry enriches lives and employs hundreds of my constituents. Venues have rightly closed their doors to the public because of the pandemic but have, unforgivably, not been supported enough financially by the Government

to ensure their viability once they open their doors again. Our theatres, live music venues and other cultural attractions play a big role in our local economy. Not only do they provide jobs to my constituents, but they ensure that other local businesses surrounding them benefit from increased footfall.

I want to pay tribute to community institutions such as Imagine theatre and Belgrade theatre, which have brought tears of laughter and joy to adults and children alike across Coventry. It is what they do best, but there is no such joy for them now. Without urgent care and consideration from the Government, my constituents might not have access to theatres to look forward to once the pandemic ends. Both of those prestigious theatres are confronted with potentially 22 months with no income whatever, with their productions postponed to 2021. They have no income, but the Government expect them to take back staff from 1 November through the job retention scheme.

Can the Minister tell me how the Government expect our theatre businesses to survive? The sector is facing mass redundancies, and many businesses will be bankrupt. How can we expect such industries to thrive post covid, or to be part of rebuilding our society, if the Government are not investing in them now to ensure the viability to safeguard jobs? If a better package is not delivered soon, up to 800 jobs could be lost from those two theatres in Coventry alone. That is 800 jobs too many.

We must do everything we can to support businesses in our arts and culture sector, both in Coventry and across Britain. Venues are a shining source of entertainment and culture, showcasing the very best of our country. The post-pandemic viability of the industry will depend on action—not taken later, not taken if or when it folds, but taken now. I am willing to work with partners, including the Government, to safeguard the sector.

3.9 pm

Andy Carter (Warrington South) (Con): It is a pleasure to appear before you, Sir Charles, for my first Westminster Hall debate. I thank my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) for securing it.

My son's realisation that we were not living in normal times came about two weeks ago. We were talking about what we will do for Christmas, and he said to me, "We're not going to be able to go the pantomime this year, are we?" That is something that really struck me. Going to the theatre to watch a live show, especially with children, not only brings families together; it makes everything great about being in Britain.

We all know why difficult decisions to pause performances have been taken, but we must not underestimate the wider, long-term impacts of those decisions. Understandably, a lot of the discussion around the theatre world is focused on the west end and major regional theatres such as the opera house in Manchester or the Liverpool Empire. This debate, however, is also about the contribution to the local economy. Just for a second, I want to highlight the contribution that live events make to our sense of community, such as the amateur dramatics society that uses the village hall to put on a run just for three or four nights. Those am-drams

[*Andy Carter*]

are the training grounds for future performers and technicians; everything that will make our vibrant theatre sector just as vibrant for years to come.

I want to highlight the impact for Warrington's local economy of the closure of our local theatres. I am grateful to the team at Culture Warrington, which has provided me with some detailed insight into what has happened in the sector. The Pyramid arts centre and the Parr Hall stayed empty since mid-March. Losses for Culture Warrington are likely to top £1 million. I know they have been able to use some of the Government schemes but, sadly, redundancies are following. It is not just that performances are not going ahead, it is that the pre-theatre dinners, the after-show drinks and the wider impact also are not happening.

I am grateful to the Minister and the Secretary of State for the £1.5 billion package the sector has benefited from. In recent weeks, however, I have been particularly struck by conversations with my constituents Dale and Adam Wilson from Great Sankey, a father and son who own sound and lighting company WH Leisure, which, in normal times, would be distributing and setting up equipment all over the country right now. They need additional support through the months when, frankly, they would have been making the money that would keep them afloat through the slower periods next year. With venues closed, we know that thousands of highly skilled technicians who work behind the scenes and put on the shows cannot return to work. Those are the people we need to offer additional support to. Their jobs will return once the Government allow performances to return.

3.12 pm

Kim Johnson (Liverpool, Riverside) (Lab): It is a pleasure to serve under your chairmanship, Sir Charles. I have the honour to represent Liverpool, Riverside, covering the city centre and the waterfront, with its world heritage status, which attracts hundreds of thousands of visitors in a normal year. There are five art galleries and four museums, including the International Slavery Museum, which is the only one in the country dedicated to the history of the transatlantic slave trade. People will have seen our streets and listed buildings in shows and films. In 2017, 289 films and TV shows were shot, contributing over £11 million to our local economy. We have five theatres, including the Everyman and Playhouse, two large arenas and music venues—too many to count. Liverpool is not a UNESCO city of music for nothing.

We might be synonymous with The Beatles, but the city has a rich and diverse music history that reaches back to the 18th century. Our Royal Liverpool Philharmonic Orchestra is the UK's oldest continuing professional symphony orchestra, and it marks its 180th anniversary this year. We are a city that leads culturally, from the Merseybeat sound to Eric's and the punk scene in the 1970s and 1980s to the global clubbing brand Cream. We are home to the annual Africa Oye, the largest festival of African music in the UK, and the Liverpool International Music Festival, which was the largest European music festival in 2018.

Liverpool has gone from strength to strength since its capital of culture days in 2008, doubling its visitor numbers and becoming synonymous with cultural

innovation and creative excellence. We have a thriving independent sector and when our city does culture, it does it big, it does it loud and it draws people in. We only have to view the numbers who have visited our Giants spectacular. Liverpool boasts around 68 million visitors annually, bringing more than £5 billion to the city region and creating 57,000 related jobs—or it did, until covid-19. What was a booming sector is now facing a serious threat to its existence. While the additional culture recovery grant funding announced earlier this year by the Chancellor was very welcome, it is short term, a stop gap, a sticking plaster on a gaping wound: it does not address the looming funding crisis for many of our arts and cultural venues.

Liverpool is now under further local restrictions, which will severely limit visitor numbers and will pose a significant threat to the sustainability of our venues. At the heart of our famous and rightly celebrated scouse culture are people—performers, actors, musicians, producers, technicians and support staff. They are what makes Liverpool's cultural sector punch above its weight. I will end with a quote:

"If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him."

That means financially supporting all of our artists.

3.15 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) on securing this debate. She represents the west end—the national showcase for the world-leading UK theatre industry. However, it is an industry that extends throughout our four countries, and it is important that the roots are nurtured so as to ensure that the industry does not wither away.

In Waveney, there are five main theatres, which complement each other well and are deeply embedded in their communities—the Marina, in the centre of Lowestoft, with its 800-seat auditorium, the Players theatre at the nearby former Bethel church run by the Lowestoft Players—one of East Anglia's premier amateur theatre groups, for whom I am an ambassador—and the Seagull theatre in Pakefield, the Fisher theatre in Bungay and Beccles Public Hall, which are all run by volunteers. I shall briefly outline why those theatres are so vital in the area.

First, they are crucial to the future of our town centres, which are facing enormous pressures and undergoing dramatic change, not only as a result of covid but also due to the fast-changing face of retail. Secondly, the theatres are doing so much great work in the community. The Seagull runs dementia classes and engages with care homes and schools, as does the Marina, which, in 2019, in addition to performances, clocked up more than 5,000 engagements through its community outreach work. Thirdly, theatres nurture talent and enable people of all ages and all backgrounds to fulfil their dreams and realise their full potential. In 1953-54, Sir Michael Caine spent a year in Lowestoft in rep at the Arcadia, which is now the Hollywood cinema.

Finally, we must not forget what goes on back-stage. UK theatre has a well-established world-leading supply chain, which cannot function when there are no

performances. In Lowestoft, Scenic Projects designs and builds sets and scenery, which it transports around the country.

The theatres in Waveney are getting out and helping themselves. The Marina has launched its survival fund and the Fisher theatre and Beccles Public Hall will be putting on special socially distant pantomimes, "Raiders of the Lost Panto" and "Inside the Snowglobe". However, covid-19 has stopped them all in their tracks. The cultural recovery fund is welcome, but the money needs to get out quicker and get right across the country. Moreover, more support is required, as my hon. Friend the Member for Clacton (Giles Watling) has articulated in his role as chair of the all-party parliamentary group for theatre.

3.18 pm

Rachel Hopkins (Luton South) (Lab): It is a pleasure to speak under your chairmanship, Sir Charles. I thank the hon. Member for Cities of London and Westminster (Nickie Aiken) for securing this important debate.

The Minister will have heard me speak last week when I was very proud to have an Adjournment debate on grassroots arts and culture in my home town of Luton, which I am proud to represent. Our creative sector promotes community cohesion, develops social capital and fosters happier, healthier lives. As many others who have spoken have said, so much of our culture takes place in our town centres, and that is why it is so important that we must secure the vibrancy of our cultural sector once more. I am proud that Luton town centre has had its purple flag status since 2018, which means it is safe, diverse and enjoyable for a night out in arts and culture. Like others today, I was infuriated by the display by the Chancellor of apparent contempt for those working in the creative sector, saying that musicians and artists should get another job if they are struggling due to coronavirus. Yesterday, I was contacted by many local pubs and music venues who say that there is demand for live music and that they want to operate safely. We must try to do what we can to save them.

We all enjoy and consume arts every day, as they have numerous social and economic benefits. People working in the creative sector should not be left excluded and their role in society deemed unviable. Last week I was proud to take part in the WeMakeEvents demonstration outside Parliament, supported by BECTU and Equity, because the sector is so vibrant and important in all our lives. The sectors are viable. They will be important after the pandemic and will play a crucial part in building back better. They must receive support. We cannot afford the skills to be lost.

This weekend I had the best and the worst of it. The best was that I went back to the Hat Factory in Luton and watched live theatre. In a 100-seat theatre there were 21 of us. We were socially distanced and covid-secure, and it was great to see the staff so proud to open their venue again. The same weekend I had the worst of it with Cineworld announcing tens of thousands of jobs being lost, including those in the Cineworld in my town centre. That is terrible news, and I have already had constituents getting in touch because they have been laid off with such little notice.

I have mentioned before to the Minister that Luton is a brilliant case study of how embedding culture in a local area's growth strategy could provide a basis for

building back better. Last year, our programme of culture, "People, Power, Passion", employed 84 artists and trained 13 young people from diverse backgrounds. That is something to be proud of in our town. I will make sure I write to the Minister to invite her to visit Luton and our cultural offer.

3.21 pm

Alison Thewliss (Glasgow Central) (SNP): It is great to see you in the Chair, Sir Charles. I am going to speak up for Glasgow Central and our renowned cultural offer. We are also a UNESCO city of music. I want to talk about the many people that work in the communicative sectors, both in the limelight and behind the scenes. The band Ash tweeted earlier:

"Not just musicians though is it? It's our technicians, our engineers, our management, our agent, our promoter. It's the venues, their staff, the production companies, transport, storage. It's roughly one million people you're throwing on the job market", by not supporting the industry further. I would add to that the restaurants, bars and hotels and all of the people that work in them. An entire local ecosystem is at risk without further support in a sector that is worth £111 billion to the UK economy.

Some of the comments from the Chancellor and the Treasury have been quite hurtful to many people in terms of their role within the sectors. I will read a comment from one of my constituents, Jazz Hutsby. He writes,

"My partner and I are freelancers within Live Events and The Arts. To call this a career would not describe what our jobs mean to us. We have dedicated our lives to our practice, we trained specifically for this role. We are specialists in our field, make no doubt that we do not need to "get better jobs", or to "upskill". What we need is effective support. The rhetoric from Westminster over the last week has been, quite frankly, disgusting. Our vocation, our lives, have been deemed unviable. This was, as I'm sure you are aware, quite literally what the Chancellor suggested."

I can tell the Minister that that was written before the comments on ITV earlier today. There is so much more that Jazz points out that needs to be done to support the sector by all Governments and by local government, and I will seek to pursue those issues with whoever can help.

I want to talk about the events and conferences sector because the Scottish Event Campus in my constituency of Glasgow Central employs more than 200 people, with additional people that come in for events. Exhibitions are worth more than £11 billion to the UK economy, but they and their suppliers have little or no support, and the ending of furlough could mean unemployment for around 114,000 people in the exhibitions sector, which is completely avoidable if the Government choose to support the sector. It is and will be viable. It just needs bridging to get to that point. Further job losses have been announced in Cineworld, and potentially the Odeon, which will affect my constituency.

Lastly, I want to talk about the museums sector. Museums Galleries Scotland has pointed out that as of last week only 160 of Scotland's 423 museums and galleries are open. That is 38%. That might be a high point for the year as we go into winter and some have to close down for that. Some museums cannot open because they do not have the capacity to do so safely, social distancing makes their business model unviable, and their staff have been redeployed, or their volunteers are too vulnerable to come back in. The Association of Scottish Visitor Attractions found that only 28% of

[*Alison Thewliss*]

attractions that have reopened are opening at an economically sustainable level.

We need such sectors. We need them to survive for all our health and wellbeing, and for the cultural joy that we draw from these things. The Government need to get their finger out to provide the extra support to see them through the winter.

Sir Charles Walker (in the Chair): There has been great self-discipline from Back-Bench colleagues and we have had two no-shows, so the Front-Bench speakers each have at most 11 minutes, which leaves the mover of our debate two minutes at the end. I call Gavin Newlands.

3.24 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I do not intend to take up 11 minutes, Sir Charles, unless I am intervened on several times. It is a pleasure to see you in the Chair. I congratulate the local MP, the hon. Member for Cities of London and Westminster (Nickie Aiken), on securing this important debate. She set out the stark statistics, and the real issues facing the creative sectors, very well.

There have been some fantastic speeches this afternoon. I do not have time to touch on them all, but the point made by both hon. Members for Cardiff, the hon. Member for Cardiff West (Kevin Brennan) and the hon. Member for Cardiff South and Penarth (Stephen Doughty), who is no longer in his place—[*Interruption.*] Apologies: he is lurking behind me—we can do the panto bit now. The point about the Chancellor's attitude to those who work in the creative sector was very well made and one with which I very much concur.

I also agreed with the hon. Member for Warrington South (Andy Carter) when he mentioned the importance of panto. My children would ordinarily be very much looking forward to Paisley's PACE Youth Theatre panto this Christmas, but sadly that will no longer take place.

Of course, in the contribution from my hon. Friend the Member for Glasgow Central (Alison Thewliss), that great Renfrewshire commuter town that lies to the east of my constituency, we heard some fantastic points, particularly about the Scottish Event Campus in hers, which I frequent often.

As we enter the fag end, as I like to call it, of 2020—it has been that sort of year—we are looking to put this pretty desperate year behind us. If there were any justice in the world, we should be looking forward to Paisley celebrating its tenure as UK city of culture 2021. I have never spoken again to the Economic Secretary to the Treasury since he, as a Department for Digital, Culture, Media and Sport Minister, announced Coventry as the winner of that competition—but in all seriousness, I wish Coventry well in 2021. I am sure that, despite the difficulties presented by the situation that we all face at the moment, it will deliver a fantastic and impactful programme and secure a great cultural, economic and social legacy from that.

The word “culture” still elicits a curious response from many. Culture is for everyone, but many still instinctively think of highbrow sophistication, snobbery and elitism at the opera or theatre. That is a long-held but unfair reputation. People are just as likely to sit next

to a snob at a stand-up comedy act—as I did at the Stand in Glasgow last time I was there—as at the opera. In case anyone thinks that I am doing opera down, I should say that in my stint as the branch fundraiser, one of the more risky events—that ended up being one of the most successful and enjoyable events that Renfrew SNP ever held—was an opera concert at Renfrew town hall.

The truth is that culture, in whatever form, enriches us all, individually and collectively. That is the case whether it is live music in stadiums, village halls or the pub; theatre, including panto, and opera and theatre productions big and small; stand-up comedy; or, of course, museums and galleries.

Alison Thewliss: Missing from my hon. Friend's long list is ballet, of course, and Scottish Ballet is based in my constituency. Does he share my sadness that its Christmas productions will not be going ahead as normal this year? And unless there is further support from the Government, there might not be theatres for it to host its productions in in the future?

Gavin Newlands: I thank my hon. Friend for that intervention. Of course—how remiss of me to forget ballet, particularly as my daughters are both dancers themselves. My hon. Friend made a very good point, and I hope that the Minister was listening to it.

In many of these sectors, the people who derive a livelihood from them, be they performers or staff who facilitate and assist the performers, are in severe financial peril. Of course, the Scottish Government have acted when the UK Government would not, or before the UK Government when they did. The Scottish Government were proactive and announced a £30 million creative, tourism and hospitality enterprises hardship fund, and £10 million has been provided to protect vital performing arts venues, with an additional £59 million announced in August.

We need the UK Government to step up. One has just to look, as others have mentioned, at the announcement by Cineworld of 5,500 people losing their jobs as the chain mothballs itself until the spring. That decision just proves the utter inadequacy of the so-called job support scheme. The Chancellor says that the scheme exists to provide support for viable jobs, so does the Minister think that cinema and the jobs that support it are no longer viable? Of course they are. These are the sorts of jobs that any job support scheme worth its salt should be protecting.

There are also the 125,000 jobs supported by concerts in the audio-visual and events sector, with companies such as Adlib and FE Live in my constituency, without which concerts just could not be delivered.

While we are on the subject of supporting those who earn their livelihood from this sector, let us turn to the self-employed, whom many have mentioned and who constitute a large number of workers in the creative industry because of the preponderance of freelance actors, performers, technicians and so on. We have heard today from Members across the Chamber that the Chancellor's support for the self-employed is simply not enough. Not only is the level of financial support not enough, but not enough people qualify for support. Whereas the UK Government have failed to help those people, the Scottish Government have provided

£185 million of targeted support for SMEs and the self-employed, and £5 million for creative freelancers specifically. The Chancellor must rethink his approach or a great many people across the UK will face a long, difficult winter.

Creative industries in Scotland account for 70,000 workers and 15,000 businesses, and are estimated to support about £9 billion of activity within the wider Scottish economy, contributing £5.5 billion to Scotland's GDP. Edinburgh of course, has its world-renowned festival and fringe. The fringe alone provides 3,000 jobs and £173 million to the Scottish economy. We absolutely recognise the vital role played by creative businesses, which employ tens of thousands in Scotland. As others have said, the UK Government's focus on financial viability alone ignores industries' true value. Local live music venues provide meeting places and community hubs, and cultural events such as the Edinburgh fringe elevate global awareness of Scottish and British arts and culture. Not only that, but they bring culture and entertainment from all over the world to our doorstep.

The cultural sector is vital for preserving our national heritage, and connecting people. Its preservation is more important than mere economics. However, of course, the vast majority of Scots' cultural engagement and entertainment is found not at the Edinburgh festival but in communities, towns and cities the length of the country. Ninety-three per cent. of the grassroots venue network faces permanent closure, and 34% of musicians are considering abandoning the industry completely. Those are stark figures, so I am glad that the £2 million-plus grassroots music venue stabilisation fund was announced by the Scottish Government. One of the recipients of that lifeline grant was the Bungalow in Paisley, a well-known venue and community interest company, which, for the past 40 years or so, has put on its stage every musical genre of up-and-coming-talent, spanning punk to big band jazz. Bungalow co-director Tommy McGrory said:

"This money is our lifeline. Without this money, we would find ourselves in a very serious position. We have just been limping on."

It must be said that the Scottish grassroots music fund is, in relative terms, six and a half times the size of the UK Government's comparable scheme for England. They must do more for this vital sector.

I have, despite what my colleagues may think, relatively broad cultural taste, but, to be honest, it is grassroots venues, be they live music or stand-up comedy, that I really miss—even some that are outwith my constituency, such as the 180-year-old Gellions bar in Inverness, the city's oldest venue, which has bands such as Schiehallion featuring among the 650 gigs played there in a normal year. Live music is critical to venues like the Bungalow and Gellions bar, and as long as clinical advice continues to ensure that no indoor live music or comedy can be performed, the venues and performers must be supported.

I mentioned in my opening remarks that Paisley was robbed of the city of culture award, and it should be warming up to embark on its 2021 programme with the ninth year of the Spree festival, an extremely popular and growing celebration of music, arts and comedy, which should have kicked off this very Thursday. Sadly, it is just another event that has been cancelled because of the pandemic. It is fair to say that the bid itself will leave a legacy in the town for years to come, with £22 million being spent on plans to preserve Paisley

town hall's place at the heart of life in the area and turn it into a landmark performance venue, and £42 million on the transformation of Paisley museum into an international-class destination telling the story of the town's pattern, heritage and people. I very much look forward to those great venues reopening, but I sincerely hope that, when they do, Renfrewshire will not have lost many of its grassroots and small venues, for that would amount to a pyrrhic legacy.

The SNP Scottish Government have supported the Scottish creative industries, but would like to do more. To do so, they need the financial powers and funding. The UK Government have tools at their disposal. As others have mooted, they could extend the 5% cultural VAT rate on tickets, in line with the recommendations of the Digital, Culture, Media and Sport Committee. They could also provide a Government-backed insurance scheme to provide the music industry with the necessary confidence to reopen. Whatever they choose to do to support reopening they need to act now to deliver fuller support for those vital businesses, so that the Scottish Government can use the consequential to support the Scottish creative and cultural industry. The UK Government must act now, or the damage of collapsed businesses and lost talent may be irreparable.

3.35 pm

Tracy Brabin (Batley and Spennings) (Lab/Co-op): It is a real pleasure to serve under your chairmanship, Sir Charles. I thank the hon. Member for Cities of London and Westminster (Nickie Aiken) for securing this important debate. No one is a more passionate advocate for the west end than the hon. Lady.

Is it not delightful to be back in Westminster Hall, having proper debates? I cannot say how grateful I am to everyone who spoke in this debate. We have seen, across all parties, how everyone in the debate really cares about the cultural sector and the cultural industry. That includes people who worked in the industry, such as the hon. Member for Clacton (Giles Watling), or as I did for three decades as a freelance actor and writer; musicians such as my hon. Friend the Member for Cardiff West (Kevin Brennan), who is a fantastic musician, and I urge everyone to buy his album; or people whose children are interested in the arts. We all know, too, the impact that the arts have on our own communities, for wellbeing, tourism and so on.

Obviously, we are in a difficult time. I will go through some areas on which great points have been made. On the events sector, the hon. Member for Wimbledon (Stephen Hammond) talked about tests being done—can we see those tests being rolled out to open the sector up? The events sector feels absolutely abandoned and left to one side.

On community and how mental health is supported by work done in communities, my hon. Friends the Members for Luton South (Rachel Hopkins) and for Hammersmith (Andy Slaughter) talked about the work in their constituencies. In Hammersmith, I know that work is being done on equality, inclusion and diversity. My concern is that, as we get our sector back on its feet, such work will be the low-hanging fruit that we will lose across the piece—that work with communities and schools, and on bringing on new writers from diverse communities. It is vital for such work not to be cut as we try to survive.

[Tracy Brabin]

Pantomime is the first chance that most young working-class kids have to go to a theatre. The concern for pantomime was mentioned by the hon. Members for Waveney (Peter Aldous) and for Warrington South (Andy Carter). Last week, in a great demonstration, in the panto parade we saw a lot of the freelancers in their pantomime dame costumes. The dedication they give to their sector is really a joy to behold.

In Vauxhall, we have the Young Vic. I am so excited about the work being done there, and about its anniversary. We have our museum sector, and as my hon. Friend the Member for Liverpool, Riverside (Kim Johnson) said, when we go to Liverpool we all know about the vibrancy and energy we get just from being on the streets, because the music-based passion for culture is at every corner.

Concerns were expressed about the involvement of councils and how we should support them. Theatres and music venues are civic centres. The hon. Member for Northampton South (Andrew Lewer) said that the council is one of the biggest investors, and that is absolutely true.

With tourism, we cannot get away from this—in the majority of our communities, tourism is held up by our cultural offer. My friend from the all-party parliamentary group for theatre, the hon. Member for Clacton, talked about his constituency and about the voucher suggestion—seat out to help out. Any support for our regional theatres to open would be welcome.

Let us not forget the issue of freelancers. My hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) knows this perhaps more than others, because the BBC is in his constituency, but the BBC is held up by limited companies, freelancers, PAYE freelancers and creative freelancers, who come in and out for shows. They really need our support. The hon. Member for Glasgow Central (Alison Thewliss) has done so much to raise the issue of the excluded and freelancers.

The Minister has shown great dedication in this area. While the Chancellor clarified his statements to ITV by saying that they were not specifically about musicians, there is a sense that the creative industries feel misunderstood, as we heard this afternoon. They will be the last to come back and the least supported. There is a sense that they are not viable or that the people in them could retrain. As we know, musicians spend all their lives, day in day out, learning their musical instruments. To be told to become a care worker instead will only lead to poor mental health and depression because they are not doing the thing they have trained for. The Minister is assiduous and I am sure she will take that point back to the Chancellor. What was said on ITV has impacted us all and deeply upset the industry, which does not feel that the Government understand its value.

We all want to see our venues get back to normality. We have heard today about their financial impact. We have also heard about the cultural hub of a community in terms of visitors, support for local restaurants, taxi firms, employment and our local economies more widely. During the summer months when restrictions were easing, we had a sense of positivity and excitement, but with local restrictions it is unfortunately unlikely that those activities will flourish.

The Government's furlough scheme and self-employed income support scheme are very welcome. I am very grateful and I know other hon. Members are also grateful that that has been extended. However, it has been extended in a way that makes it impossible to use. How does a venue that cannot open contribute to a workforce's salary? Sadly, we heard today about the RSC potentially laying off hundreds of its staff, which will be devastating for them and their communities. We have also heard from the sector that delays in the cultural recovery fund have brought great anxiety.

I thank the Minister for her letter, which I received today, regarding my concern around the "crown jewels". In my mind, the crown jewels are our community offer as well as the west end—the ecosystem of regional and community theatres that the west end needs. We are all intertwined—push over one domino and the rest of the dominoes will fall. It is really important that the money does not only go to the crown jewels.

When I put a call-out on social media for freelancers to tell me their experiences of what is happening—perhaps slightly foolishly—my inbox exploded and I received over 4,000 responses from people I know and care about. Couples have lost a year's work and still have childcare costs and a mortgage, and they are leaving the sector. We have heard from the Musicians Union that one third of musicians are thinking of leaving the sector. The support for freelancers could not be more needed. Cineworld's 5,500 workforce is a tsunami of job losses. The training is not there for people who want to retrain. We have to put support in as fast as possible.

In the time I have left, I have a number of questions for the Minister that I hope she will address in her response. I work with a culture committee of people in the sector and we had a meeting this morning. My understanding is that there is still no news of who has the money. Will the Minister explain the delay? On what date will the successful organisations receive their funding? A number of organisations did not apply for funding, because of the restrictions. For example, to show that they have tried everything to stay afloat, they have fired all their staff, or they were unable to show that they could spend all the money from the Government by 31 March. With stage 5 now kicked further into the year, have those criteria changed? Does that mean that those organisations that originally did not apply because they did not fit the criteria will now have an opportunity to apply? Clarity on that would be extremely helpful. What was the total number of organisations that applied and what was the total amount of funding applied for?

For concerts and theatre to return with confidence, we really need an answer about insurance. I asked the Minister a question about insurance in DCMS questions, but she was unable to give me an answer. I am sure that there are lots of conversations going on with the Treasury. We have insurance for film and TV, and that is why they are back up and running. What does she know about the negotiations that are happening around insurance? Can she at least give us a chink of hope around that issue?

Have the applications for loan supports been greater than expected? If so, will the cost of additional loans be taken from other funding pots? Would the Minister explain the 10 pm curfew that applies to music venues but not to theatres? What evidence can she share with us that the 10 pm curfew will save lives? In order for venues

to reopen, they have to spend money on covid safety costs. Will they get that money back, even if they do not get money from the ACE funding? Is there a contingency fund in place to help venues that reopen but have to close again? What framework is in place to support local authorities and metropolitan Mayors to work together to support those who need support? Finally, I was surprised to learn that the cultural taskforce has been wound up for now. Can she elaborate as to why that is? Is there a feeling that its job is now done? I look forward to hearing from the Minister.

Sir Charles Walker (in the Chair): The Minister has a lot to get through. Will she leave two minutes at the end for the Member who proposed the debate?

3.46 pm

The Minister for Digital and Culture (Caroline Dinanage): It is a great pleasure, Sir Charles, to serve under your fantastic stewardship, and to be back in Westminster Hall.

I will begin by congratulating my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) on securing this really vital debate and on presenting her case so articulately. I also congratulate everyone else who has taken part. I feel like I have been on a whistle-stop tour up and down this country of some of the marvellous and magnificent arts and cultural venues that we have from Liverpool to Lowestoft, and from Clacton to Glasgow. We are world-renowned for our incredible arts and cultural sector, and we are very lucky to have great champions up and down our nations to support it here.

I thank the hon. Member for Batley and Spennings (Tracy Brabin) for her contribution. I must put on the record the fact that she is always very pragmatic and supportive in the way in which she approaches her role, and she asks legitimate questions; I will try to answer most of those she asked, but if there are any that I do not manage to answer today, I will, of course, write to her with the answers. This is a terrible time and it is really important to work as constructively and co-operatively as we can to support this sector, which we care so passionately about.

It has been evidenced today by what people have said that our cultural and creative sectors are one of the UK's greatest success stories; in this regard, I think that we are all singing from the same hymn sheet. My hon. Friend the Member for Cities of London and Westminster speaks on behalf of a London constituency, as did many other speakers, but up and down the country the attractions that we are discussing are the heart of an ecosystem.

My hon. Friend talked about the co-dependence of west end theatres and live music venues, museums and galleries, and the health of the hospitality sector, including hotels, bars, restaurants, shops, taxis and, of course, the night-time economy. That situation is reflected up and down the country, with a theatre or gallery offering a cultural heart to a community. The hon. Member for Vauxhall (Florence Eshalomi), who I think is no longer here said that in many cases cultural institutions were embedded in the heart of a community and driving economic prosperity in a range of other sectors that support or surround them.

The hon. Member for Cardiff West (Kevin Brennan) very kindly invited me to articulate my commitment to those who work in this sector and of course I am very proud to do so, as I am committed to them. These are proper jobs; these are jobs that are vital. Indeed, the people doing these jobs can do something that very few other people in this world can do. They can not only entertain but educate, they can lift spirits, they can improve mental health and wellbeing, they can take us to places that we have never been to before and open our eyes to the world around us, and they can genuinely offer young people from some of the most difficult and disadvantaged backgrounds a glimmer of hope as to what they can be, where they can go and what the world can potentially offer them.

I recognise the devastating impact that covid-19 has had across the arts and culture sector, on businesses and their staff, on freelancers, on those who rely on the sector and on many other people who helped to make it such a success.

As many hon. Members have articulated, the Government stand with the culture sector. We are making the biggest ever one-off investment of £1.57 billion, with hundreds of millions in loans and grants due to be allocated in the days ahead. That is in addition to the £160 million emergency fund that Arts Council England made available at the outset of the pandemic to venues that were struggling over the summer.

I will leave the hon. Member for Coventry North West (Taiwo Owatemi) to pick a fight with the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) about which city was the most deserving of the city of culture. I am looking forward to coming to Coventry to celebrate with her in the year ahead. She said nothing had been done, but Coventry alone has had £2,123,690 in support from Arts Council England this year. Of that, over £730,000 was emergency funding for support through the covid crisis. That is before we have started finally allocating the rest of the culture recovery fund.

We are doing everything we can. The funds will be used to help support the performing arts, theatres, museums, heritage, galleries, independent cinemas and live music venues across the country, and we are determined that every region of the UK should benefit. It is also vital that the work of the Department is able to continue to support and celebrate people who are so vital to the cultural life of the nation and the communities that they work in. We want the money to go right across England. We want to ensure they get that funding, as well as the funding from the Barnett formula. That money will help the levelling-up agenda, and that is why we included the geographical balancing criteria in the fund. I am pleased that the first funds to be allocated went to grassroots live music through the emergency grassroots music venues fund, and to independent cinemas through the £30 million British Film Institute fund.

Of course, our world-beating cultural and creative industries are absolutely nothing without the people who work in them. Without such people, they are just buildings. We know the importance of protecting jobs and livelihoods in the creative arts sector. Through the furlough scheme we have protected 303,000 jobs, with claims totalling £1.47 billion. The self-employed income support scheme was taken up by 64% of eligible arts and entertainment workers, with grants totalling

[*Caroline Dinenage*]

£153 million. The Chancellor has announced that the scheme will be extended. The universal credit system has been extended and made more generous, but we know that so many people are still falling through the gaps and are not being supported.

The situation is heartbreaking. My father has been in broadcasting for what feels like many hundreds of years, but I think it is about 55. He was a freelancer for all of my childhood. I know how stressful it is for a family—now more than ever. The one thing that such people want to do, more than anything, is to get back to work. The £1.57 billion culture recovery fund will help to do that. It will help to secure the future of the performing arts and live events sector, and it will help to protect jobs. However, the sector needs money in the meantime. That is why, to complement the Government funding, ACE has announced £95 million of additional support for individuals and freelancers. It is also opening another round of “Developing your Creative Practice”, which is an £18 million project to help individuals in the arts to develop new creative skills.

I understand that operating with reduced seating capacity is just not viable for some venues at the moment. I want to see such institutions reopen their doors as soon as it is safe for them to do so, and we are working extensively with the sector on how to achieve that. The hon. Member for Batley and Spen asked about what sorts of committees and cultural hubs are working on this issue. We have various working groups that sit under the main cultural board. In some cases, the working groups have been meeting weekly since February, and they continue to do so. The work on this issue is by no means done, and it continues regularly.

Last week, I visited the Bournemouth Symphony Orchestra at the Lighthouse in Poole. It shows that the dedication and passion of such cultural institutions is bringing our arts back to life. The stage has been enlarged so that the whole orchestra can fit on it and play in a socially distanced way. By doing that, it has ensured that the orchestra’s weekly Wednesday night performances have now restarted, with a mixture of live—socially distanced—and livestreaming audiences, courtesy of the venue’s incredible first-class digital team. They have already sold 11,500 tickets for performances between now and Christmas. That is an absolute credit to their tenacity, talent and overwhelming determination to bring their magic back to the audiences who utterly depend on them. I give credit to them and to others up and down the country who are doing the same.

A number of west end theatres have made steps towards reopening: Nimax Theatres, which owns the Apollo, Duchess, Garrick, Lyric, Palace and Vaudeville theatres, is planning to welcome audiences back with a combination of some previously running shows, as well as some new stuff. The National Theatre is preparing the Olivier auditorium for some socially distanced in-the-round performances.

We are aware that many in the sector would like greater clarity on the potential transition to stage 5, given the planning that they need to do to remobilise and the lead-in time required for programming, casting and rehearsing. We have always said that, of course, further openings will depend on the public health context. We have a venue-steering group, including representatives

from leading sector organisations, as well as Public Health England and other experts, to develop an action plan for maximising activity under stage 4 and for how we proceed to stage 5, which is the silver bullet—opening everything up. DCMS will continue to work with the sector to establish an appropriate pilot process for testing and return to stage 5 activity when appropriate, and we are working closely with the Department of Health and Social Care on its Moonshot project.

Many hon. Members have asked me about an insurance scheme. We are aware that there are many calls for something similar to the one that we have produced for film and TV production. Of course, Members must understand that there is a high bar for intervention in the insurance market. The film and TV restart scheme that we introduced worked because it was the absolute last barrier. We were 100% clear that access to insurance was the final remaining obstacle to them being able to reopen. We are looking at that for theatres, but to intervene, I need evidence that insurance is the only obstacle to opening the doors again. I am really grateful for the evidence that has been provided and am keen for Members and their constituents to keep it coming. I know that DCMS and Treasury colleagues are working closely together and are monitoring the situation in the sector.

We want to see full audiences return as soon as possible, but we have always been clear that moving to stage 5 will ultimately be determined by the public health context. We are working at pace with the sector on innovative proposals for how full audiences can return when it is safe to do so. I really hope that hon. Members across the House are reassured that my ministerial colleagues and I are absolutely dedicated to doing everything that we can to support this incredibly important sector, which not only makes a difference to people’s lives but, in some cases, saves lives. We are acutely aware of the harm that covid-19 has done across the whole of the country, and we understand its significance to the people and organisations who make up our globally recognised sectors.

I assure my hon. Friend the Member for Cities of London and Westminster and other hon. Members that we are doing everything that we can to help, so that when we emerge from the pandemic, our cultural organisations will once again be ready to welcome international tourists, visitors from across the UK and those who live and work here.

3.58 pm

Nickie Aiken: I thank all hon. Members who have taken part in the debate, and thank the Minister for her words. It is obvious that she is passionate about the arts and culture sector, and I take her assurance that she will look into the insurance scheme—we will provide more evidence to her—and that DCMS is keen to get to stage 5 as soon as it is safe.

Although I am a central London MP, the reason I wanted to secure this debate is because this issue affects every single one of us in the House—that was clear from everybody who spoke. It really hit me when my hon. Friend the Member for Warrington South (Andy Carter) mentioned that his son said that he cannot go to pantomime this year. The speeches today brought back so many memories: going to my first pantomime at the

New Theatre in Cardiff with my nan; taking my kids to their first pantomimes at the Lyric Hammersmith and the New Wimbledon Theatre; taking them to Liverpool to see the fantastic offer there last summer; taking them to the Tate; and taking my daughter to her first production of Shakespeare at the National Theatre.

It has been a real delight for me to hear hon. Members' speeches, but it has also been very sad. We have talked about the local economy, but this is also about health and wellbeing and the memories that arts and culture leave us, our families and our constituents. It is so vital that we continue to campaign to ensure that we can open our arts and culture venues as soon as it is safe to do so.

Motion lapsed (Standing Order No. 10(6)).

IHRA Definition of Antisemitism: Universities

[MR CLIVE BETTS *in the Chair*]

Mr Clive Betts (in the Chair): Before we begin, I remind hon. Members as they take their seats that, with the new rules, they should make sure to wipe their microphones and everything else. That is part of the arrangements that we have all agreed to. I have just done mine. Welcome to the debate. Four Members have indicated that they would like to make speeches—please keep speeches very short as the Minister needs to have time to reply. I call Christian Wakeford to move the motion.

4.2 pm

Christian Wakeford (Bury South) (Con): I beg to move,

That this House has considered the adoption by universities of the IHRA definition of anti-Semitism.

It is a pleasure to serve under your chairmanship, Mr Betts, I am grateful to be leading my first Westminster Hall debate on such an important and timely subject, which has been widely publicised in recent days. It is extremely important not only to the Jewish community in my constituency, but to Jewish communities, students and their families across the country.

I wish to start by saying that this debate is not a means of attacking the Government. In fact, I wish to put on record my thanks to the Government for their efforts on this issue, which go back over three years. The former hon. Member for Orpington, the soon to be Lord Johnson, first wrote to all universities in February 2018 to encourage them to adopt the IHRA definition of antisemitism. In May 2019, my right hon. Friend the Member for Kingswood (Chris Skidmore), as Universities Minister, again wrote to all universities, urging them in stronger terms to adopt the definition. More recently, in January this year, the Secretary of State for Housing, Communities and Local Government, my right hon. Friend the Member for Newark (Robert Jenrick), wrote to all universities demanding that they adopt the IHRA definition of antisemitism or face funding cuts.

Following those ministerial interventions and successive freedom of information requests undertaken by the Union of Jewish Students, we are now in a position where 29 out of 133 higher education institutions have adopted the IHRA definition of antisemitism, with half of the Russell Group of universities among that number. Although that number is low, at 21% of higher education institutions, it is a marked increase on where we were three years ago. I thank my right hon. Friends for their part in making that progress. While I am heartened to see that a further 17 higher education institutions are to discuss the IHRA definition and its adoption in the coming months, it is extremely concerning that 80 institutions have confirmed that they have not adopted the IHRA definition, nor do they plan to do so. For those doing the maths, seven institutions failed to respond to freedom of information requests, which is of further concern.

[*Christian Wakeford*]

Saqib Bhatti (Meriden) (Con): Does my hon. Friend believe that universities have a moral duty to do everything they can to combat antisemitism and that failing to take up the IHRA definition is a dereliction of that moral duty?

Christian Wakeford: I completely agree. All universities have not just a moral obligation but a duty to ensure that our Jewish students are safe on campus.

The main reason that those institutions gave was that they believed their current policies were sufficient. I do not agree. The IHRA definition sets out clear examples of what is or is not antisemitic to defuse any conflation with anti-Zionism and anti-Israel sentiment. Their second reason was that there is no need for a specific definition of antisemitism. Again, I disagree, with my thoughts in line with those on the first reason: it is for Jewish students and the wider Jewish community to define what antisemitism is. With IHRA now having universal acceptance, they have my support in pushing for that definition to be adopted as soon as possible.

The third and perhaps most disturbing reason given for not adopting the IHRA definition is that institutions consider it a threat to academic freedom of speech. That is of particular concern as, where the IHRA definition of antisemitism has not been adopted, that has given academic staff more influence in defining what is and is not antisemitic. Prior to its adoption at the University of Bristol, we saw in July 2019 it refuse first to open any disciplinary action against controversial lecturer David Miller and then to use the IHRA definition once the case was opened. That said, the university has since adopted the definition, for which I am grateful.

The University of Warwick has refused to adopt the IHRA definition of antisemitism and has no plans to change its view. In August, it found that a lecturer who said

“The idea that the Labour party is antisemitic is very much an Israeli lobby kind of idea”

had not been antisemitic, despite that being contrary to the IHRA definition.

This debate—and, indeed, previous requests by Members to universities—is intended not to be a stick with which to beat the higher education sector or its institutions but as a first step in ensuring that our many world-leading institutions across the sector take accusations of antisemitism seriously and do their utmost to protect all Jewish students and staff members. The IHRA definition and its clear examples are indeed a cornerstone in combating antisemitism in a manner in which Jewish students and the wider Jewish community can be confident. Those universities that have not adopted the definition need only to look to their peers to see what benefits there are from doing so. As we approach a point at which we have a greater proportion of football clubs adopting the IHRA definition of antisemitism than higher education institutions, now is the time to act.

To make universities safe for Jewish students, why stop at adopting IHRA? We must go much further, ensuring that no-platforming, whether overtly or through the back door by imposing unreasonable security and higher charges, is brought to an end. When a university has

effectively boycotted the Israeli ambassador, stopping him attending and speaking at an event, that is not right.

I have heard further concerning evidence of this nature where pro-Israeli speakers and, indeed, the ambassador have been turned away due to security concerns. Several Jewish students have been in contact about the issues they face just by being a member of a Jewish society, whether that be casual racism along the lines of, “I don’t mean to be Jewish but you owe me money” or having to provide their own security for events because the university refuses to support them. Although I have nothing but praise for the work that the Community Security Trust performs in the community, students should not be put in a position where they have to keep event locations secret or provide security for themselves because their university refuses to support them.

Saqib Bhatti: I put on record my thanks to the CST for all the work it does. I certainly hope that, with the work that the Government are doing and what my hon. Friend is saying, we can build a future where our children can go and pray freely and we can speak about these issues without fear.

Christian Wakeford: My hon. Friend makes another excellent point. I am extremely fortunate that the Community Security Trust is based in the neighbouring constituency to mine, and that I have a very good relationship with its directors.

To return to the fact that universities are not supporting their students, I will use this forum right now to speak to my old university, the University of Lancaster: if they expect an alumnus who is pro-Israel to stay away, they should think again. I welcome the work done by my hon. Friend the Member for Chippenham (Michelle Donelan) in her role as Minister for Universities, in ensuring that Jewish students are not discriminated against as timetables are extended to cover Fridays and even Saturdays, so that no student is forced to attend a lecture or seminar if they are observing shabbat.

Public opinion and the views of the Jewish community show that there is a demand for change and swift action to be taken. I call on our world-class higher education institutions to take note before future students vote with their feet.

4.11 pm

Robert Largan (High Peak) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Bury South (Christian Wakeford) on securing this important debate. It is not a theoretical debate about a definition and which words are just about right; it is a real issue. Antisemitism is a very real problem on our campuses.

I will talk about my experience when I was at the University of Manchester between 2005 and 2008. It was just after the Iraq war. A group of students from the Socialist Workers party had seized control of the students union. The atmosphere on campus was absolutely horrendous. A friend who was Jewish and had the temerity to be elected to the students union was subject to death threats. The incident that sticks out most in my mind was back in 2007, when the union voted to twin with the An Najah University on the west bank, a

university that is repeatedly linked to Hamas, a terrorist organisation that is openly committed to the genocide of the Jewish people.

Following the union's successful vote to twin with that organisation, I was standing with a small group of Jewish students while hundreds and hundreds of students stood on the union steps chanting, "2, 4, 6, 8, let's destroy the Zionist state; 3, 5, 7, 9, death to Jews in Palestine." That happened in the centre of Manchester, one of our major cities, on our streets, in our lifetime. That was an absolute disgrace.

The situation was so bad that groups of Conservative students, Labour students and LibDem students worked together with a local Jewish society to try to take down the cabal that was running the students union. The irony is that many of those who fought together against antisemitism on the campus have since left the Labour party, and many of the members of Socialist Workers party have found themselves to be big supporters of the previous Leader of the Opposition.

I am pleased to see that the University of Manchester has now adopted the IHRA definition, but I am disappointed that the University of Derby, which I partly represent with the Buxton campus, has so far not done so. I call on it, and other universities, to adopt the definition. Failure to do so is a dereliction of duty and lets our students down.

4.13 pm

Jonathan Gullis (Stoke-on-Trent North) (Con): It is a pleasure to serve under your chairmanship, Mr Betts, and I thank my hon. Friend the Member for Bury South (Christian Wakeford) for securing this important debate.

I am disgusted that we stand here today, in 2020, to condemn the ways in which universities have not only refused to engage with or listen to students, but, as in the instance of the University of Warwick, have been gaslighting Jewish students and the wider Jewish community. The institutional hijacking of freedom of speech that is currently being used as a façade for universities and professors to scurry behind is appalling.

In May 2019, a previous Minister for Universities sent a letter to all universities in the United Kingdom to encourage them to adopt the IHRA definition. Hot on the heels of the letter was the president of the Jewish/Israeli society at the University of Warwick, who sent his own letter, as a representative of Jewish students at Warwick, further imploring the vice-chancellor Stuart Croft to heed the advice of the Government and adopt the definition. The Jewish/Israeli society president was met with nothing but silence for over six months. When a copy of this letter was hand-delivered to Stuart Croft's office, the response that came one week later was that the definition offered "no added value."

Two inconclusive meetings were held, and a promised third in March was delayed initially, but never rescheduled. A further letter was sent in mid-July by Jewish community leaders, which has also gone unanswered.

In November 2019, a lecturer became the epicentre of the university's apathy when academic Dr Goldie Osuri declared that antisemitism in the Labour party was "an Israeli lobby kind of idea",

evoking the age-old trope of malign Jewish power. When a formal complaint was made, Osuri emailed all students on the module to say that they should look at the work of Jewish Voice for Labour which, in her words, believed Labour's antisemitism problem was "orchestrated". The investigation was spearheaded by the head of sociology, Professor Virinder Kalra, who had previously expressed public opposition to the IHRA definition. He concluded that Osuri's comments remained "within the principles and values of tolerance and free speech".

An appeal was rejected, and students were left feeling unsafe, attacked and gaslit. The process of complaint has now been exhausted. It is unimaginable and unacceptable, and such people should be removed from our university sector.

4.16 pm

Nicola Richards (West Bromwich East) (Con): I thank my hon. Friend the Member for Bury South (Christian Wakeford) for securing today's debate. It is important that we keep pressing universities to adopt the IHRA definition of antisemitism, and I am proud that our Government have been helping the Union of Jewish Students and others such as the Jewish Leadership Council, the Antisemitism Policy Trust, the Community Security Trust, and local champions such as Ruth Jacobs in the west midlands who work really hard to get councils and universities to adopt the definition.

However, I am deeply saddened when the argument is made that in order to protect freedom of speech, the IHRA definition cannot be accepted. What world are we living in where we are more concerned about protecting our right to be racist than the right of minorities to live without fear or intimidation on our university campuses? Too often that argument is made by those concerned about the consequences of their own language. I ask those people to learn, engage, and understand why it is so important to adopt this definition, so that institutions can have the tools genuinely and fairly to distinguish between what constitutes antisemitism and what does not. Adopting the definition harms no decent person, but allows communities to trust that these institutions are doing what is right.

I want to use this opportunity to briefly highlight what more universities can do to tackle this age-old hate crime, as my hon. Friend the Member for Bury South has acknowledged. So many universities are going above and beyond, and I am proud that the Government have provided another three years' funding for the Holocaust Educational Trust and the Union of Jewish Students to continue their joint venture, educating students about the Holocaust and the consequences of antisemitism. So far, 30 senior leaders and 95 sabbatical officers from 47 English universities have attended the project. As a result, at least 24 universities marked Holocaust Memorial Day in 2019, reaching over 6,000 people. As well as holding commemorative events, participants in the project invited survivors to speak and share their testimony on campus, brought forward motions to combat antisemitism at their student union, and hosted events with speakers highlighting the dangers of antisemitism and hatred.

Thanks to support from the Ministry of Housing, Communities and Local Government, the Holocaust Educational Trust and the Union of Jewish Students will be expanding the "Lessons from Auschwitz" universities project for student unions and campus leaders. That will bring together almost 450 student leaders from

[*Nicola Richards*]

across English universities through education on the Holocaust, anti-racism work, British values and faith values. I pay tribute to all that HET and UJS do to tackle antisemitism wherever it may appear.

Adopting the IHRA definition of antisemitism is just the start. It is the beginning of universities' efforts to prevent this age-old hate crime from having a safe space on our university campuses. Universities should be places where all should thrive, and no one should fear not belonging because of who they are or where they are from.

Mr Clive Betts (in the Chair): Order. I think we are just about to have a vote, so rather than interrupt the Minister as she is responding, it is probably best if we suspend the sitting for 15 minutes. I will certainly not resume the sitting until the Minister and the hon. Member for Bury South (Christian Wakeford) get back, and then hopefully we can get down in the queue and move forward.

4.19 pm

Sitting suspended for a Division in the House.

4.31 pm

On resuming—

The Parliamentary Under-Secretary of State for Education (Vicky Ford): It is a delight to serve under your chairmanship, Mr Betts. I wish to congratulate my hon. Friend the Member for Bury South (Christian Wakeford) on securing this important debate, as well as my hon. Friends the Members for Meriden (Saqib Bhatti), for Stoke-on-Trent North (Jonathan Gullis) and for West Bromwich East (Nicola Richards) for their contributions. I also acknowledge the very personal contribution from my hon. Friend the Member for High Peak (Robert Lorgan), who recalled his own experiences of religious hatred during his student days.

It is very good to be back in Westminster Hall, where views can be aired openly. I am grateful for the opportunity to discuss this topic as I stand in for my hon. Friend the Minister for Universities, who has been self-isolating today awaiting a covid-19 test, which I am glad to report has come back negative.

The Government are clear that there is no place for religious hatred in our society. Racism of any kind should not be tolerated anywhere, including in our higher education institutions. Higher education providers should be at the forefront of tackling the challenge of antisemitism and, indeed, all racism and religious hatred, making sure that the higher education experience is a genuinely fulfilling one and a welcoming experience for everyone. Higher education providers have obligations, in particular under the Equality Act 2010, and their policies and procedures must be appropriate to ensure that they are complying with the law.

In 2016, the Government adopted the IHRA definition of antisemitism. We were the first country to adopt that definition and it is an important tool in tackling antisemitism. Universities have a big role to play. We expect them to be welcoming and inclusive to students of all backgrounds, and the Government continue strongly to encourage all higher education providers to adopt

the IHRA definition, which would send a strong signal that higher education providers take those issues seriously. However, they are autonomous institutions and that is also set out in law. As such, the decision on whether to adopt the definition rests with individual providers.

The Government have taken action, however. In 2019, the then Universities Minister and the Secretary of State for Housing, Communities and Local Government wrote to 130 institution heads to outline the importance of the definition and to strongly encourage the providers to consider adopting it. On Holocaust Memorial Day this year, the Secretary of State for Housing, Communities and Local Government announced new funding of £500,000 over three years for a programme supporting universities in tackling antisemitism on campus. The Government will continue to call on providers to adopt that important definition. It is a decision for vice-chancellors, but I urge them all to listen to their staff and students, as well as to the wider community and, indeed, our proceedings.

Without doubt, the university experience of many Jewish students is overwhelmingly positive. However, the number of antisemitic incidents in the UK remains a cause for concern, including in our universities. The Community Security Trust statistics for 2019 show record numbers of antisemitic incidents. Furthermore, in the first six months of this year, the number of incidents of antisemitism involving universities rose by an alarming 34%, compared with the same period in 2019. That is absolutely unacceptable and shows how much further the sector has to go to tackle the issue. Recent statistics also show that the way in which antisemitism is manifesting itself is changing—for example, there are increased reports of online incidents. I am concerned at the way in which religious harassment has evolved at this time of global crisis.

Throughout the pandemic, the Government have made it clear that higher education providers have a responsibility to their students to ensure that they continue to be able to access support and the complaints procedures. As universities begin to teach the autumn term, it is more important than ever that students feel able to report incidents of antisemitism and other hatred. We expect higher education providers to have a zero-tolerance approach to all racial harassment and religious hatred and to act to stamp it out, whether it is on campus or online.

I call on all leaders to step up their efforts to address this issue within their institutions. Adopting the IHRA definition is one way of showing that antisemitism is not welcome, although adoption alone does not mean that our work is done. Hon. Members are no doubt aware of activity to tackle antisemitism that has already happened across the higher education sector. For example, in 2015, the Government asked Universities UK to set up a taskforce to address harassment and hate crime. That taskforce resulted in the “Changing the culture” framework, which was published in 2016. Much of that has shaped work across the sector.

In 2019, Universities UK published a report on the impact of “Changing the culture”, and it showed that progress had been made, especially in certain areas of focus, particularly student-to-student sexual harassment, but work remained underdeveloped in other areas, including hate crime. In particular, the report emphasised the requirement for further senior leadership buy-in and

investment to enable culture change. UUK then committed to convening an advisory group on racial harassment in higher education, which would include vice-chancellors. That group is soon to publish guidance for the sector.

The Government have worked with partners, including UUK and the Office for Students. Through ministerial guidance, the Government have tasked the Office for Students with supporting efforts to tackle harassment and hate crime in higher education. As a result, the OFS has provided £4.7 million for a range of projects over four years.

In conclusion, we will continue to work across Government to ensure that racism and religious hatred of any kind are not tolerated anywhere, particularly our world-leading universities. We call on leaders across the sector to do more to ensure that a zero-tolerance approach is taken. As a Government, we have adopted the IHRA definition of antisemitism and have encouraged universities to do so. We will ask them to do this again and we will be clear that there is much more progress to be made. Our universities should be inclusive and tolerant environments. They have such potential to change lives and society for the better. I am sure that our universities are serious in their commitment to tackle racism and hatred, but much more work remains to be done.

Question put and agreed to.

Alternative Fuelled Vehicles: Energy Provision

4.41 pm

Matt Western (Warwick and Leamington) (Lab): I beg to move,

That this House has considered energy provision and alternative-fuelled vehicles.

It is a pleasure to serve under your chairmanship, Mr Betts; it is very good to see you in the Chair. I thank all those who were involved in granting me this debate today.

Let me start with an uncomfortable, some would say inconvenient, truth:

“Each one of us is a cause of global warming, but each one of us can make choices to change that with the things we buy, the electricity we use, the cars we drive; we can make choices to bring our individual carbon emissions to zero. The solutions are in our hands, we just have to have the determination to make it happen. We have everything that we need to reduce carbon emissions, everything but political will.”

Those were the words of Al Gore some 14 years ago. The real truth, however, is that while we have some, possibly many, of the solutions, we are perhaps showing insufficient will.

In that same year, Lord Stern produced his climate change report. Fortunately, those calls were heard by the last Labour Government and they acted fast. In a global first, Labour legislated, with the Climate Change Act 2008 establishing the Committee on Climate Change, which has been responsible for recommending carbon budgets and a series of rolling targets for greenhouse gas emissions, to take the UK on a path to reduce emissions by 80%, compared with 1990 levels, by 2050.

Gore said that we must have the determination to bring about change. The inconvenient truth is that if we do not have it, and if the Government do not lead the way with the necessary determination and conviction, we will all be the victims of permanent climate change. He said that it is about making choices, both as individuals and as Governments. Labour’s Climate Change Act was a turning point. The carbon targets or budgets have been met primarily through addressing power generation, but transport remains an issue.

For the past decade or more, the contribution of carbon dioxide emissions from surface transport has remained broadly flat, at around 27%, having fallen just 3% between 2008 and 2018, according to a Committee on Climate Change report. That is the context in which we must view the importance of challenging the sector. It cannot be left to the vehicle manufacturers or the energy providers to take financial risks in the absence of certainty from Government. Nor should consumers, who rightly want to do the right thing, be penalised or disadvantaged by being first movers, only to find that the Government fail to match their ambition.

Certainly, the industry strongly supports the decarbonisation of road transport, recognising the need to reduce greenhouse gas emissions, both today and on the pathway to achieving net zero. Across the sector, it is investing significantly to deliver smart and sustainable mobility, and it is rightly calling for the right ecosystem and for enablers to support consumers with their transition to ultra-low or zero-emission vehicles. As such, a comprehensive, multi-sector strategy is needed,

[*Matt Western*]

including key elements of energy decarbonisation, investment in infrastructure and transitional consumer incentives to enable it to happen.

Let me consider in turn the strategies required for the market, industry, energy and skills, for each of which the role of Government is fundamental. It would be easy to leave it to the market and say, “Well, it’s not working. The upfront investments are too great to choose the wrong product or technology.” Manufacturers certainly cannot transform the market alone. Market frameworks and certainties are required to give consumers and businesses confidence to take the leap into these technologies and to power our transition towards alternative fuels. Understandably, until these vehicles are as affordable to buy and as easy to own and to operate as conventional cars or other vehicles, the consumer or business will not travel with the technologies. In the first half of the 2010s, fewer than 25,000 new plug-in cars and vans were sold in total. Last month, battery electric and plug-in hybrid cars made up one in 10 registrations of new models, which is a substantial amount.

It would be easy to compare and contrast with countries such as Norway, but it has a very different industrial base, and very different consumers and energy provision. It is far better to look at our peers, such as France and Germany, and see what is going on there. We need to avoid over-deliberating about technologies and make a decision—not a UK-only decision, but one that reflects where other primary markets and tech developers are moving. We need to decide the appropriate energy power unit for passenger vehicles, both solo and multiple occupancy, as well as for commercial vehicles, both autonomous and manned. The same applies to buses and mini-vans; heavy goods vehicles and specialist industrial, commercial and military vehicles, including refuse vehicles, such as those produced by Dennis Eagle in my constituency; and earth movers and others such as JCBs and those produced by businesses such as Thwaites, just outside my constituency in Warwickshire.

I turn to the industrial strategy that is required. Naturally, we all want to ensure that the UK is at the forefront of any new technologies. Of course, the UK should have the ambition to take a lead in the ultra-low emission vehicle market and be a leader in manufacturing. We need to attract new investment, including upskilling the workforce, which I will come back to. We need battery factory investment, with the supply chain development to go with it, and strategic research and development investment at a globally competitive level, such as that at the Advanced Propulsion Centre at Warwick University. We also need the UK Battery Industrialisation Centre, which is currently being built just outside Coventry and is due to open later this year. The Government supported the collaboration by Coventry City Council, the local enterprise partnership and Warwick Manufacturing Group, which were awarded £80 million.

Developing the technology is one thing; commercialising it is another. We presently have zero gigafactories, while other countries already have them or are establishing them. Sadly, we missed out on Tesla, which decided to invest in Germany, in a factory just outside Berlin, to produce batteries, battery packs, powertrains for use in Tesla vehicles, and to manufacture the new Tesla Model Y. It will produce 500,000 units a year, employing 7,000 people.

The company was attracted to the UK, so Elon Musk says. However, it wanted to be at the centre of Europe, so, sadly, the Brexit decision meant that it was a safer bet for Tesla to invest elsewhere.

As Tesla shows, an industrial strategy needs to be underpinned by a super-low-carbon energy strategy. The energy needs of manufacturing must be supplied by renewables and low-carbon sources, particularly given that the manufacturing processes demanded in EV production cost up to one-third higher than those for an internal combustion engine vehicle.

Energy strategy is a crunch area for the UK and, ultimately, a deal breaker. UK electricity prices are 68% above the EU average, according to data from the Department for Business, Energy and Industrial Strategy in 2018, having risen by 55% since 2010. It is a seriously burdensome premium that the manufacturing sector has to pay. A 2018 University College London report found that our European neighbours had reaped the benefits of better interconnections, more cross-border trading and long-term supply contracts. Although the Prime Minister announced in the last 24 hours more offshore wind-generation capacity, we need to embrace more onshore wind, to seriously drive down energy costs.

I turn to network and planning and the importance of delivering energy locally to manufacturing and to the consumer. The present infrastructure is far from adequate. Significant and urgent investment is required to create an accessible, ubiquitous and interoperable network of public electric charging—likewise for natural gas and hydrogen refuelling points—so that consumers find it as easy as filling up from a petrol pump.

National Grid says that net zero will require significantly higher levels of electricity generation. In one scenario, it forecasts that by 2050 we will require almost three times more capacity than we have today. Even in the slowest decarbonising scenario, it foresees a 75% reduction in total energy demand for road transport, which is really positive. Although hydrogen will play a role, electrification is key to the decarbonising of transport, with at least 60% of all road transport being electrified in National Grid’s forecasted scenarios.

Critical to this is a massive increase in the number of charge points, which will require a strategic national plan, delivered locally. I appreciate that the Government announced Project Rapid 12 months ago, with a £500 million investment. According to Frost & Sullivan’s analysis for the Society of Motor Manufacturers and Traders, however, a total of 7 million charge points will be needed by 2030, of which just under 2 million would be public. By 2035, the requirement will increase to a total of just under 12 million.

For motorway travel, 7,000 150 kW charge points will be needed in motorway service areas. According to the electric vehicle charging app Zap-Map, the UK currently has only 19,000 on-street charge points. That means we will need to install more than 500 chargers across the UK every day to meet our 2035 target. Although those numbers seem huge, they are what is needed if we are to address consumer perceptions and recharging fears. According to a recent Savanta ComRes survey on behalf of the Society of Motor Manufacturers and Traders, 44% of car owners are discouraged from buying an EV because of a perceived lack of local chargers. If we are to meet this challenge, Governments

at every level need to work with the private sector and the local energy distribution networks, and in partnership with charge point providers such as Tesla, BP Chargemaster and others, to deliver the EV charging infrastructure.

According to the Renewable Energy Association, the number of companies developing charging networks in the UK has increased significantly in the past 24 months. Few of the UK networks—major or minor—are members of interoperability platforms, which stands in contrast to other countries, where that is rapidly becoming the norm. The Netherlands is probably one of the best examples. One of the solutions is interoperability or roaming platforms, which would allow the consumers of individual charge point operators to charge on other networks that are also associated with that hub. The hub would monitor EVSE—electronic vehicle supply equipment—usage and could settle payments between operators. The roaming platform does that for a small fee.

A second solution is peer-to-peer arrangements, which involve the negotiation of direct commercial relationships and agreements between chief procurement officers, to allow for a consumer to use multiple networks while using a single app or account without the involvement of a roaming platform.

We also need to ensure that we deliver smart charging. National Grid has estimated that 80% of electric vehicle drivers will use smart charging by 2050, which will help balance almost half of the UK's energy demands brought on by the move to zero-emissions driving. Imperial College has done a huge amount of work with Nissan looking at this issue, and there is a massive opportunity for the parking of electric vehicles to be a huge energy storage for the grid.

Let me turn to the strategy for heavy goods vehicles and large vehicles, because it is very easy to talk simply about passenger vehicles. I appreciate that the Prime Minister has talked about massively investing in hydrogen, but we are falling behind other nations on hydrogen mobility. In Germany and elsewhere, a number of buses are being run on hydrogen. I appreciate that plans are afoot in certain parts of the UK for this to be introduced, but we need to get it behind it urgently. I know there is news of a hydrogen hub in the Tees Valley, which is really welcome, but the South Korean Government have set a target of 200,000 hydrogen vehicles and 450 hydrogen refuelling stations by 2025. Why can the UK not set similar ambitions?

Let me finally turn to education and skills, because while we need strategies, we also need to ensure that we have the skillset to deliver them. That will involve not just higher education, which is always highly regarded, but the development and supply of skills through our further education colleges, which is critical, as is developing science, technology, engineering and maths subjects through our schools. That applies not just to the research and development of new technologies; it also means providing training for those who will maintain and service the huge number of vehicles that will come on to the UK's streets, whether they be passenger cars, commercial vehicles or heavy goods vehicles.

This is a really important sector for the UK economy. It is worth £82 billion in turnover and £20 billion in additional value to the UK economy. It is the UK's largest exporter of goods, accounting for 13% of all UK goods exported. It employs 168,000 people in manufacturing,

supporting 820,000 people across the wider automotive sector. It is critical that we invest heavily in this incredibly precious industry, and show support and direction.

The Government have made great progress in encouraging EV ownership, through VAT exemptions and the plug-in car grant, but more needs to be done in the rapid development of charging infrastructure, as well as in encouraging consumers to consider switching over to electric vehicles. We should consider tax breaks; free or reduced parking costs; generous, long-term plug-in grants; and readily available, reliable, fast EV charging on streets and in shopping centres and at places of work. We need better battery tech and more ambition from the Government to secure the giga-manufacturing plants in the UK. I and other west Midlands MPs wrote to the Government to see if we could secure investment in a gigafactory in Coventry, to support companies such as Jaguar Land Rover and, of course, Aston Martin.

The grid and direct district network operators need a clear road map from the Government for the transition in electricity use. We need a joined-up, multi-sector strategy and road map that targets long-term, positive consumer messages on all technology choices. It is Labour's policy to end the sale of new petrol, diesel and hybrid cars and vans by 2030. We talked about the electric car revolution at the last general election, with our plans to invest £3.6 billion in EV charging networks and £2.5 million in interest-free loans for the purchase of electric vehicles, saving buyers up to £5,000. The Government need to get behind the agenda urgently.

We need new cleaner diesel as part of the mix, because without that, we will not ensure a managed transition. Diesel, together with plug-in hybrids, battery electric vehicles and hydrogen-powered vehicles are, as Al Gore said, the solutions that are there. We need a managed transition, which is critical in ensuring that manufacturers and consumers are not left high and dry by legislation, and Government policies that impact on the value of their investments or purchases. A willingness and, above all, an ability to invest is premised on the immediate profitability and future returns, but the sector needs a coherent industrial strategy, conjoined with the market strategy, underpinned by major public investment in infrastructure, in parallel with the private sector. Together, we can achieve that ambition of delivering zero-carbon vehicles by 2030 or 2035.

Mr Clive Betts (in the Chair): We have seven Members on the call list, so that is three minutes each. I will have to enforce that, as the wind-up speeches will start at 5.20 pm. I call Tom Randall.

4.59 pm

Tom Randall (Gedling) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for Warwick and Leamington (Matt Western) on securing this debate. I will focus my remarks mainly on electric vehicles, a concept whose time has well and truly come.

I consider myself to be a relatively young man whose childhood was not very long ago, but when I was a child, the epitome of an electric vehicle was the Sinclair C5—a low-volume, hopelessly impractical vehicle that could only ever appeal to the eccentric. Only a short few

[Tom Randall]

decades later, the exemplar of an electric vehicle, as the hon. Gentleman has outlined, is the Tesla, a car which has made manufacturers

“sit up and take notice.”

Those are not my words; they are the words of *Top Gear* magazine.

I am grateful to Malcolm and Mark of Vehicle Procurements in Mapperley in my constituency for building my knowledge of electric vehicles. They run a vehicle leasing business and have been champions of electric car use. They even offer one of their electric charging points to any local business free of charge, and that is a fantastic example of corporate social responsibility.

I do appreciate that there are barriers to the market. Price is an obvious one, but, as with any consumer good, that is falling and will fall over time as more are produced. There are also fears about batteries. We have mobile phones and we worry that their batteries will run out. A car battery running out is an even bigger fear, because that causes more problems. I understand that that is a worry, but most journeys, such as commuting to work or shopping, are local, and there are now more and more electric cars with longer ranges. I saw some in Mapperley with ranges of up to 200 miles that could do significant long journeys.

Electric vehicles are therefore becoming increasingly like so-called ordinary motorcars. That confidence will be reinforced by Government funding alongside private sector investment that has provided 24,000 public charging points—one of the largest networks in Europe. I appreciate, however, as the Member for Warwick and Leamington said, that more needs to be done to expand that provision. I further understand that charging points will be made compulsory in homes, and I welcome that.

We are 14 years on from the release of the documentary “Who Killed the Electric Car?”—a film that has not aged well. Electric cars are now part of our everyday conversation. Noah and Ethan, pupils at Arnold Mill Primary School in my constituency, wrote to me about the need to protect the environment, and both cited the need for electric car production. I completely agree. The electric car is not dead, and long may it flourish.

5.1 pm

Ben Lake (Ceredigion) (PC): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate the hon. Member for Warwick and Leamington (Matt Western) on securing this important debate. Recent news on the hydrogen front has been heartening, with the recent pilot of the first hydrogen train. We can all congratulate the scientists and engineers behind that important stepping stone on our hydrogen pathway, yet within the wider hydrogen economy it is clear that the UK needs to make further progress in certain key regards. As the hon. Member for Warwick and Leamington mentioned, when we compare ourselves with countries such as South Korea, which has set a target of 200,000 hydrogen vehicles and 450 refuelling stations by 2025, we see that the UK lacks a clear hydrogen industrial strategy. I therefore add my voice to those calling for a clear and ambitious hydrogen strategy that works for all, and with all four nations of the UK.

I will concentrate my remarks on hydrogen-fuelled personal vehicles and the need for a balanced approach towards both the supply and demand sides of the hydrogen economic equation if we are to make significant and swift progress along the pathway. In case the clock gets the better of me, I contend that a local approach offers the best way forward. People may be surprised to learn that hydrogen—a fuel of the future—has a long association with Wales, a country that is perhaps best renowned the world over for its coal deposits. Indeed, the first ever hydrogen fuel cell was developed way back in 1842 in Swansea by a lawyer and physicist called Sir William Robert Grove. Perhaps I may cheekily suggest that, when he sums up, the Minister could be tempted to consider the idea of establishing a specific industrial strategy challenge fund on hydrogen fuel, perhaps named after Sir William Grove.

Returning to the present, it is easy to see why it is suggested that hydrogen as an energy source had in mind Wales—an energy-rich nation with an abundance of water—at its very inception. Wales is also blessed with a world-leading hydrogen sector, from the hydrogen centre in Baglan Park to Riversimple, a hydrogen vehicle manufacturer. However, a supply-side focus risks missing the opportunity offered by Wales’s strategic depth in hydrogen.

I urge the Government to consider how they can support the development of small and commercially viable markets based around individual hydrogen refuelling stations. That could involve exploring different models, such as leasing personal and commercial hydrogen vehicles around individual stations, and encouraging hydrogen vehicle use for shorter, more local journeys, thereby stimulating manufacturing demand for those vehicles in the local area. Such an approach could work for Wales, addressing our often hyper-local use of transport, while allowing for more a geographically distributed manufacturing and infrastructure base for the hydrogen economy.

We have a golden opportunity to rebalance the way we fuel our economy and protect the environment. Let us not miss it.

5.4 pm

James Sunderland (Bracknell) (Con): Once again, I commend the hon. Member for Warwick and Leamington (Matt Western) for giving me the opportunity to support him. He has been a proud champion of this subject for many years, and I am proud to join him in this debate.

For me, the issue is a no-brainer. It is about the environment, cost and pollution. Embracing this important issue is the right thing to do. It is also a huge opportunity for the UK. It is what I call non-discretionary; we have to act, and we have to act quickly. It pleases me that both the major parties are aligned on this. Last year’s Labour manifesto aspired to end

“new sales of combustion engine vehicles”

by 2030. I agree with that. The Conservative manifesto wanted to invest £1 billion in

“a fast-charging network to ensure that everyone is within 30 miles” of a charger. Again, I commend both.

I want to talk briefly about electric cars and charging, and then I will make some recommendations. First, the electric car market is growing quickly, with more than

142,000 pure electric cars on the road as of today, and 339,000 plug-in models, or so-called hybrids. Electric models accounted for 6.4% of all new registrations this year and hybrid 10%. In August 2020, notwithstanding covid-19, there was a 78% increase in pure electric registrations compared with the same month last year. This is happening whether we like it or not. It will be consumer-driven to the point where the Government might follow suit rather than lead it.

Charging is a major issue. As of 2019, there were just over 8,000 petrol stations in the UK that could fill up more than one car at one time. Some 50% of the charging points are fast, but it still takes three hours to charge each vehicle. Changes are therefore needed rapidly to expand the number of charging points across the UK.

I will finish with some recommendations. The roads are good in the UK, so, ultimately, this is about improved charging points. The rapid charging fund of £500 million should be expanded. I agree that there should be an expanded role for local government. Let us invest in it the power to make changes locally. Motorsport, of which I am a huge fan, needs to race in this area. At Pikes Peak, two records were broken in successive years with electric vehicles. Formula E is also an exemplar. The lessons from motorsport can certainly drive this issue.

I want the UK to be a world leader. Why not? We did it with McLaren and ventilators, and other car manufacturers. It is something we have to do. We have an opportunity post Brexit to lead the world on this, and I commend that idea.

5.7 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to see you in the Chair, Mr Betts. The last time I spoke on this issue, I cautiously welcomed the Government's consultation on the acceleration of the phasing out of new petrol and diesel vehicles to 2035, with the important caveat that it still lagged behind the Scottish Government's target. There has been no confirmation yet of that, but it was progress, as was the doubling of investment in EV charging infrastructure, which was absolutely necessary as England lags considerably behind Scotland in charging points per head of population.

In the year to March this year, ultra-low emission vehicle sales in Scotland grew by 46%—40% faster than in England. That is thanks not only to the better charging network that I have described, but to the more generous support provided by the Scottish Government in the form of interest-free loans to purchase electric plug-in hybrid cars to the value of £35,000, which is over and above the UK Government's plug-in grant. More than £85 million has been provided by the fund to help to drive the behavioural change that we want to see. We are not yet Norway, where roughly half the cars that are bought are ULEVs. We have a lot more to do, but we are heading in the right direction and taking bold action within the parameters of the fiscal envelope that devolution allows. Perhaps if the UK Government were to show more urgency in this area, we could ramp up our own ambition and help to deliver carbon neutrality even earlier.

Although the cost of electrics are coming down, it can still be prohibitively high for many, particularly for family-sized cars. In the used market, which perhaps is not yet fully mature owing to availability, cost remains high, with no support offered to those who purchase new vehicles—until last Monday. Last week, used ULEVs in Scotland became eligible for an interest-free loan of up to £20,000. That is fantastic news, particularly for those who are priced out of the new market. I am sure that as the availability of used ULEVs improves, the take-up will accelerate. I urge the Minister to convince colleagues to incentivise the purchase of used ULEVs, perhaps by extending the reduced plug-in grant to the used market.

I do not have time to discuss the advances in rail and aviation, although I was pleased to see the ambitious plans outlined by Airbus in the past fortnight, and I am forever hopeful that Rolls-Royce will continue to expand its excellent work in this area, and utilise its expertise and space at its Inchinnan plant in my constituency. However, nearly 400 million bus journeys a year are made in Scotland—four times the number of ScotRail journeys—so getting some of our older, more polluting vehicles off the road, to be replaced by electric or hydrogen buses, is one of the easiest fixes available to us, and that must be accelerated.

The £3 billion bus fund is welcome. We have not seen hide nor hair of it yet, but since then thousands of tonnes of carbon have been emitted, and hundreds of bus manufacturing jobs have gone. To summarise, the Government's intentions and rhetoric on climate change issues have improved, but our generation and the Government will be judged by their actions, not their slogans.

5.11 pm

Alexander Stafford (Rother Valley) (Con): I draw Members' attention to my entry in the Register of Members' Financial Interests. I thank the hon. Member for Warwick and Leamington (Matt Western) for introducing the debate.

Members may or may not know that until December last year I worked on exactly the subject of the debate, for Shell oil, looking at the future of fuel and of transport. One thing that is clear from all the work that has been done is that there is no one future—no one size fits all. We have heard great advocates for electric and for hydrogen, although we have yet to hear anyone talking about biofuels. I am trying to say that there is no one solution. There may be someone here with an electric car, and someone with a hydrogen car, but we must look at the issue in the round. It is important that we, and the Government, consider all options. There is no single track that leads forward in the right direction. We need to look at everything.

My concern about the debate generally is that there is a lot of talk about electric. I agree that the future for most passenger vehicles will be electric; that is undeniable. However, I also care about UK plc and our economy, and I fear that if we—the Government and the nation—put all our eggs in the electric basket, we will miss the boat. Germany, China and even south America are doing so much great work with battery technology. Can this country get the financial dividends from investing heavily in electric? I say, "Not necessarily." We need to invest in

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it for the good of the climate and the country, but for the good of the economy I argue that we need to try to steal a march on areas of transport that have not yet fully taken off. Hydrogen is incredibly important for heavier vehicles—HGVs, trains, planes and boats, which cannot electrify. We have to stop kidding ourselves. For large chunks of the sector, electricity is not the answer. Heavy haulage will not be electrified. We cannot talk about that; we have to be realistic.

Aviation is also relevant. When coronavirus is over, people will go back to flying. Batteries are not going to be the answer for planes—not for 50, 60 or 70 years. We need to look at alternatives—hydrogen—but also at sustainable aviation fuel and biofuels. We need to look at the whole thing in the round. Once again, not that much work has been done internationally on sustainable aviation fuels, so the Government need to look at those options. If we get the formula right, whether for aviation fuels or hydrogen, we can develop those things in this country—in my constituency, I hope—and export that technology and those fuel supplies to the wider world. Not only can we then get to a low-carbon future, which we all want, but we can make money for the country, and financial dividends.

We have only a short window in which to do that—I would say five to 10 years—before other countries steal a march on us; but if we invest heavily in those new technologies, while also using electric vehicles, we can bolster our economy. I want to use this opportunity to implore the Government to look at the whole range of options. Do not just go down the electrification route, which is important for passengers and consumers, but look at the technologies that we can develop as British technology—good Sheffield and south Yorkshire technology—and export across the world once again. This can be the industrial revolution of the next 150 years.

5.14 pm

Kerry McCarthy (Bristol East) (Lab): It is always a pleasure to see you in the Chair, Mr Betts. I congratulate my hon. Friend the Member for Warwick and Leamington (Matt Western) on an excellent and comprehensive speech. As he said, fuelling vehicles through alternative means will be vital if we are to meet net zero, and there are exciting developments in the field.

I confess that I was a sceptic about the role that alternative fuels would play in significantly reducing carbon emissions from aviation. It seemed that often they were put forward to deflect discussion of the demand for flights. However, since taking up my current role as shadow Minister for green transport I have spoken to a lot of firms in the sector, such as Velocys, which will be producing sustainable aviation fuel sourced from waste in the UK, and the Electric Aviation Group, which hopes to have hybrid electric planes operating in UK skies by the end of the decade. It is not the only answer to rising aviation emissions, but it is part of the mix. I have discussed alternative fuels with Maritime UK, and we are closely watching ongoing and planned trials of battery-fuelled and ammonia-fuelled shipping in Scandinavia.

Electric and waste biofuel buses are already on our roads, including the biogas buses in Bristol. However, they need additional support, particularly now that the

bus industry is struggling with collapsing revenues because of the pandemic. The same is true for rail firms, which want to move away from dirty diesel rolling stock. However, they have been failed by the Government on electrification and need support to develop or purchase trains fuelled by renewable alternatives. We also need sectoral support for aviation, conditional on climate action. Many others have spoken about hydrogen, and I do not have time to go into that now.

On electric vehicles, recently, along with my colleagues from the shadow Business team, my hon. Friend the Member for Southampton, Test (Dr Whitehead), who is replying to the debate today, and my hon. Friend the Member for Greenwich and Woolwich (Matthew Pennycook), I wrote to the Transport Secretary calling on the Government to bring forward the planned phase-out of petrol, diesel and hybrid cars and vans to 2030—at the moment, the manifesto commitment is 2040—and plans to make that transition smooth and feasible. That is important not just to meet our carbon objectives, but to support our car manufacturing sector. I do not quite agree with the hon. Member for Rother Valley (Alexander Stafford) that we have missed the opportunity to develop electric vehicle production in the UK. We also need to think about electric bikes and electric cargo bikes. We used to be so good at producing bicycles in this country, and I think we need to do more of that.

We have only 5% of the charge points that we need if we are to stick to the 2040 target and have half of all new car sales represented by zero-emission vehicles by 2030. If we bring that date forward to between 2030 and 2032, we will have to accelerate installation of those charging points. I hope the Minister can reassure us on that point.

Mr Clive Betts (in the Chair): We now move on to the Front Bench Members, who I am sure will be equally co-operative. I am getting ahead of myself. Anthony Browne, you have sat there patiently.

5.17 pm

Anthony Browne (South Cambridgeshire) (Con): Thank you, Chair. I thank the hon. Member for Warwick and Leamington (Matt Western) for securing a debate on this important issue. We are all committed to combating climate change and getting down to net zero. As chair of the all-party parliamentary environment group, I spend a lot of time pushing for that. When I was environment editor of *The Observer* and *The Times* more than a decade ago, electric cars were just a pipe dream. I drove some early models, but they are now a reality. I have long seen the internal combustion engine as a dirty, smelly and polluting Victorian technology. The sooner we see the back of it, the better.

I only have two and a half minutes, and there are eight things I think the Government should do. I will have to keep this brief. First, we should commit to 2035 rather than 2040. It is the minimum under the Committee on Climate Change recommendations and the Intergovernmental Panel on Climate Change recommendations for meeting net zero by 2050. Indeed, we should consider whether we can bring it even further forward. There is huge industry support for that, from a wide range of different people, and it will probably be cheaper for motorists in the long run.

Secondly, we should continue the subsidies for the schemes. They are not self-sufficient yet, and we definitely need to carry on providing the money to help people to buy them, install charging points and so on. I know the Government are doing that, but we should not turn off the taps just yet.

Thirdly, the Government should provide real clarity, certainty and absolute conviction to industry that this is the direction we are going in. For the big investment decisions from energy companies on charging points and so on, there has to be a real sense of national mission that we can all buy into.

Fourthly, we must make sure that charging is provided for all properties. Consultation is taking place about requiring charging points in new build, and that should be mandatory. Huge numbers of houses are being built in my constituency of South Cambridgeshire, and they should all have charging points, otherwise they will be outdated within a decade or so. How do people living in flats access charging points? Some 30% of homes do not have driveways. Are we saying that people in those homes should carry on driving petrol cars? Clearly not.

Fifthly, we need to get from 18,000 charging points to more than 200,000. That must be done in a way that is as consumer-friendly as possible; we must make sure that they are interoperable and put them in supermarket car parks, or in all car parks. Sixthly, we must unleash the private sector. That is happening already, but I have followed very closely the roll-out of cable, mobile and 4G. That was done by unleashing the dynamism and investment of the private sector, and we should carry on doing the same here.

Seventhly, do not make us an island that is incompatible with the rest of the world. We have different electrical sockets from everywhere else, which is an accident of history, but let us make sure that when drivers leave the UK and drive over to France, they can still use their electric cars.

Eighthly, as the hon. Member for Warwick and Leamington said, smart charging is the way to go. I know that we are doing that but it should be key. It improves energy efficiency, reduces costs and is good for our energy resilience.

Mr Clive Betts (in the Chair): I thank all Members for their co-operation, including Anthony Browne. Over to the Front Benchers.

5.20 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): I hope that I will not disappoint given that you were so keen to get to me earlier, Mr Betts.

I, too, congratulate the hon. Member for Warwick and Leamington (Matt Western) on securing the debate, as well as those who have contributed to it. It is quite clear that topic is important and needs a lot more time than the hour we have today.

We keep hearing about a green recovery in the UK being “world leading”, but for that to be a reality, we need coherent, interlinked strategies, and the policies to achieve them. That means the publication of the overdue energy White Paper, the national infrastructure plan, a heat decarbonisation plan, and a possible update to the transport decarbonisation plan. I hope that the Minister

will provide an update on those and how they will be implemented, now that the Budget and spending review have been cancelled.

Although I will concentrate my speech on land transport, there are, as Members have said, opportunities for the production of sustainable aviation fuels—SAF—so will the UK Government provide the support that is needed to top up the private investment that is actually available so that we get a number of production plants up and running in the UK? Will the Government look at the renewable transport fuel obligation to further incentivise the use of SAF?

With road and rail, the main choices are electricity and hydrogen. Hydrogen is an obvious solution for HGVs, and it is part of the mix for trains and buses. That requires coherent hydrogen production policies. The Prime Minister’s announcement today about increasing the deployment of offshore wind is welcome, but that needs to be aligned with the production of green hydrogen. Blue hydrogen also needs to be part of the mix in the short term, which requires the implementation of carbon capture and storage. Will the Minister tell us when Peterhead will finally be given the proper backing to get up and running?

In the north-east of Scotland, Aberdeen has led the way with the introduction of 15 of the world’s first hydrogen-powered double-decker buses. The Scottish Government invested more than £3 million in that project, but another £8.3 million actually came from the EU. Where will the replacement funding come from for that type of scheme? For Aberdeen, another 10 hydrogen-fuelled buses will be procured, and they will be constructed by Wrightbus, protecting jobs in the UK. The Transport Secretary promised hydrogen bus-only town trials, but we are still waiting for the outcome. Where has he been, and when will the UK Government catch up with what is happening in Scotland? Will there be alignment with the manufacturers of hydrogen buses in the UK?

The Scottish Government have awarded £7.4 million to bus operators through the Scottish ultra low emission bus scheme. That will result in the manufacture of 35 electric buses by Alexander Dennis Ltd. Again, the UK is lagging behind on a proposed electric bus town. When will that go live, and will it result in orders for Alexander Dennis Ltd, too?

I welcome the fact that the UK Government are trialling the first hydrogen train in the world. That might make up for their dereliction of duty on electrification and the previous Transport Secretary’s obsession with hybrid diesel trains. The Scottish Government have published a real decarbonisation strategy with an end date of 2035, but Network Rail has only an interim programme in the UK targeting 2050. When will we get a final determination that is ambitious enough?

One simple ask on a hydrogen strategy is a starting point of £11.4 million for a clean fuel metrology centre in East Kilbride. Although we do not think about it, we actually need a measurement and calibration centre. That East Kilbride proposal would be a world first. Will the Minister update us on when BEIS will give the go-ahead for that centre?

We have heard about the UK being world leading on domestic electric vehicles but, in fact, it is not. As my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands) said, the UK needs to match

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the Scottish Government's ambition. We really need to move on this. We need large investment. As hon. Members have said, we need a greater roll-out of the charging infrastructure network. I will tell the Minister how that can be paid for: cancel the plan for two nuclear power stations that is going to cost £40 billion. That will allow the upgrade in infrastructure, greater investment in renewables and a bright and green future, with a proper green industrial revolution.

Mr Clive Betts (in the Chair): I now call Dr Alan Whitehead to speak for the Opposition—five minutes again, please.

5.25 pm

Dr Alan Whitehead (Southampton, Test) (Lab): First, I congratulate my hon. Friend the Member for Warwick and Leamington (Matt Western) on not only securing the debate, but proceeding in such a thoughtful way that has allowed us to hold a genuine, wide-ranging debate, rather than just scoring a few points. That was an excellent approach, because when we debate this issue, we have to proceed without scoring points.

We are moving together on what we need to do about vehicles for drivers and passengers in the future: phase out the internal combustion engine by 2030 or 2035—the date does not actually stand in the way of the key points that need to be made about how we get to that point. At the moment, we have 170,000 or 180,000 EVs and 30 million petrol and diesel vehicles; by the early 2030s, that will be reversed. An enormous change will therefore have to take place in our vehicle fleets, and we not only have to make that change, but need to ensure that the infrastructure that goes with it is there before that change takes place, not after, because if we leave it that long, we will not actually get change in the first place.

Hon. Members have been pretty united in talking about the need for turbocharging, or hypercharging, the roll-out of infrastructure for electric vehicles. The grid reckons that it can cope with the changes, but of course the national grid is a national grid. It is not a grid that extends down, through the distributed networks, into localities, and there are serious difficulties in various parts of the country with not only the roll-out of charging points, but the structure of distributed grid systems and how they will deal with those issues.

The need for an overall strategy, which my hon. Friend the Member for Warwick and Leamington mentioned in his opening remarks, is therefore tremendously important. It needs to be not only a strategy with the right numbers nationally, but one that actually percolates down to ensure that everywhere in the country is properly served by charging points for electric vehicles. We are currently very far from that.

Various statistics can be cited regarding what percentage of the overall charging points we need are already in place. Some commentators say that we have only about 5% of what we will need by the early 2030s. And that percentage is not properly distributed across the country, as I know to my cost. I tried to drive from Southampton to Penzance this summer, in an area of fast-charging deserts, and ended up parking my car overnight in a Tesco's car park—hoping that it would not be clamped—so that it could be properly charged.

On fast charging, we need to get our skates on urgently, and I do not think the market is going to come to the rescue by getting fast chargers in. There needs to be a plan—Government backed, and based on Government funding—that is rolled out nationally, with an absolute assurance that we will get those charging points out in the right place, with the right levels of charge, for the motorists whom we know are going to come forward.

Hon. Members quite rightly mentioned the fact that we also need to look at other renewable, low-carbon fuels. I particularly agree that electric is not likely to be the fuel of the heavy transport and logistics of the future; that will probably be hydrogen and biomethane. We need to take steps to get hydrogen charging points in as early as possible for that sector of our transport fleet.

My ask of the Minister this afternoon—not in any partisan way—is a forward plan to get fast chargers in place as quickly as possible, well in advance of the changeover, so that we can make that change in the secure knowledge that we can get where we want to go, and how we want to go there, in the best and most environmentally sustainable way possible.

5.30 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): It is a pleasure to serve under your stewardship, Mr Betts. I thank the hon. Member for Warwick and Leamington (Matt Western) for initiating this important debate, as well as other colleagues present: my hon. Friends the Members for Gedling (Tom Randall), for Bracknell (James Sunderland) and for Rother Valley (Alexander Stafford), and the hon. Members for Ceredigion (Ben Lake), for Paisley and Renfrewshire North (Gavin Newlands) and for Bristol East (Kerry McCarthy). Of course, I also thank my hon. Friend the Member for South Cambridgeshire (Anthony Browne) for his eight-point plan. I also thank the shadow Minister, the hon. Member for Southampton, Test (Dr Whitehead), for the collegiate way in which he tackles this important national endeavour.

The transport sector is a vital part of our future prosperity. As we recover from the coronavirus pandemic, we have an outstanding opportunity to speed up the development of clean technology, which I guess is the theme of today's debate. For decades, we have talked about the phasing out of fossil fuels from motoring, and now that is actually happening as we make the transition to alternative-fuel vehicles. This country has led the way in developing clean growth. Between 1990 and 2018, our economy grew by 75% while carbon emissions fell by 43%, faster than any other G7 nation, so anyone who says that it cannot be done is wrong. We followed that by making an ambitious commitment in 2019 to end our contribution to global warming by 2050, making that the law of the land, and countries around the world then began to follow suit. Of course, none of us here underestimates the scale of that challenge. Although battery electric vehicles represent nearly 5% of the new car market in the year to date, transport is still the sector in the UK that emits the largest amount of greenhouse gases, accounting for 28% of emissions in 2018.

It is clear to me that we need to go much further and faster to decarbonise transport. Throughout 2020, we have been working on a new, overarching transport

decarbonisation plan, covering all modes of transport, which we expect to publish by the end of this year. That plan will set out the path that we need to take to deliver our net-zero objectives, together with our partners across the transport sector. The need for rapid renewal of the road vehicle fleet with zero-emission vehicles is well understood and will deliver substantial emissions reductions over the long term. We are already investing £2.5 billion to support the transition to zero-emission vehicles, with grants for plug-in vehicles and funding to support charge point infrastructure, which many colleagues from across the country have mentioned today.

If we are to meet our targets, there is no time to lose. That is why we have consulted on bringing forward the end of the sale of new petrol and diesel cars and vans from 2040 to 2035, or earlier if a fast transition appears feasible, as well as including hybrids for the first time. As part of that consultation, we asked for views on what package of support will be required to enable the transition and to minimise the impact on both consumers and, of course, manufacturers—businesses that have invested so much in the United Kingdom. The consultation closed on 31 July, and we will announce its outcome in due course.

Our approach to delivering our transport decarbonisation ambitions is technology-neutral—my hon. Friend the Member for Rother Valley quite rightly reminded us of the need to remain technology-neutral. As the market develops, it is becoming clear that it may be favouring different technologies for different applications. Today, electric vehicles are a small but fast-growing percentage of cars and vans on the road. Such vehicles are being adopted as a key technology for decarbonising road transport, particularly light vehicles, and over 300,000 ultra low emission vehicles are now registered in the UK. A fit-for-purpose infrastructure network is required for the mass uptake of electric vehicles—that is the message I will take away from today's debate. Many more charge points will be needed, and we want improvements to the consumer experience when using the network.

In fact, our vision is to have one of the best electric vehicle infrastructure networks in the world. That means a network for current and prospective electric vehicle drivers that is affordable, reliable, accessible and secure. The Government and industry have supported the installation of more than 18,000 publicly available charging devices, as colleagues mentioned, including more than 3,200 rapid charging devices, giving us one of the largest networks in Europe. Our home, workplace and on-street charging schemes, and the £400 million charging infrastructure investment fund, will see thousands more electric vehicle charge points installed across the UK.

Alan Brown: Will the Minister give way?

Nadhim Zahawi: I do not have the time; I have so much to try to get through and to share with the hon. Gentleman. I apologise.

In May, we announced our vision for a rapid charging network. Today, a driver is never more than 25 miles away from a rapid charging point anywhere along England's motorways and major A roads. By 2023, we aim to have at least six high-powered open-access charge points at motorway service areas—open access is an important aspect of this in England—with some larger sites having

as many as 10 to 12 charge points by 2035, which was the challenge that the hon. Member for Warwick and Leamington gave to us. We expect the number to increase to around 6,000 high-powered chargers across the network. This vision will be supported by the rapid charging fund, announced in the March Budget by our excellent Chancellor, as part of a £500 million investment over the next five years.

It is vital that consumers can charge efficiently and safely. We will consult on using powers under the Automated and Electric Vehicles Act 2018 to mandate minimum standards, such as requiring contactless payment for rapid charge points, to improve the consumer experience. While the electrification of transport will increase demand for electricity, we are confident that energy networks will support this transformation. Hon. Members heard from the Prime Minister today about our ambitions for offshore wind. The Government are working with the energy industry to plan for future electric vehicle uptake, to ensure that the energy system can meet future demand efficiently and sustainably. We have set a clear ambition for almost all cars and vans to be zero emission by 2050, in combination with the recent consultation on bringing forward the end-of-sale date. Setting long-term targets ensures that there is enough time to ready the electricity system for the mass transition towards cleaner, more efficient vehicles.

Colleagues mentioned the opportunities of hydrogen. We see a real opportunity, so we will follow up the energy White Paper with an ambitious hydrogen strategy, because hydrogen is a game changer. Hon. Members have referred to the Prime Minister talking about the Tees Valley announcement today. We have a much bigger ambition for both blue and green hydrogen going forward. The role of green hydrogen in transport will be set out in full in the transport decarbonisation plan, which is due for publication at the end of the year.

On low-carbon fuels, which are important to colleagues, we are clear that our transition to zero-emission vehicles does not mean that we can ignore measures to reduce emissions from conventional road vehicles in use today. Increasing the supply of low-carbon fuel will continue to help us to reduce the environmental impact of every journey. It is equally clear that we should not ignore the potential for low-carbon fuels to decarbonise those transport modes that are harder to reach through electrification. Low-carbon fuels have played an important role in reducing emissions already. Through the renewable transport fuel obligation—the hon. Member for Kilmarnock and Loudoun (Alan Brown) asked about this—we have seen average greenhouse gas savings through biofuels increase from 46% in 2008-09 to 83% in the latest available statistics.

The hon. Member for Warwick and Leamington asked about incentives for electric vehicle drivers. We are considering long-term future incentives for zero-emission vehicles alongside our consultation on bringing forward the end-of-sale date. In the meantime, the Chancellor announced in the Budget a further £530 million of extra funding to keep the plug-in vehicle grant for another three years.

The hon. Gentleman also asked what we are doing to ensure that people can access and pay for public charging points. That is a big focus for this Government. The system that we deliver—the system of systems, if I can

[*Nadhim Zahawi*]

describe it that way, as someone who was an engineer in a previous life—is important and will ultimately deliver on something that we both want to see happen rapidly.

5.40 pm

Matt Western: I thank the Minister and all Members who have participated in the debate. We have had a healthy discussion and there is lot of consensus.

Some interesting points have been raised. As the hon. Member for Bracknell (James Sunderland) said, this is not discretionary—we have to do this. We are all very excited about the prospect and there is a huge challenge. The hon. Gentleman cited Formula 1, and the great research and development that has been happening in the UK has been driven by Formula 1. We lead much of that sector. McLaren and others are developing so much in the electric vehicle sector, which is being used in bicycles as well as cars, buses and trains.

The hon. Member for Ceredigion (Ben Lake) was right when he made his interesting point about the hydrogen pathway and the development of the first

such energy cell. I agree with the point made by the hon. Member for Rother Valley (Alexander Stafford) about expertise on the breadth of sectors and how we need to look at them all, particularly HGVs, as they are big drivers of the emissions that we need to bring down.

I agree with the point about the barriers to market that was raised by the hon. Member for Gedling (Tom Randall). With consumers, we have to overcome concerns about price, fear about access to charging points, range anxiety and so on. There is a lot that needs to be done through Government communications to bring that about.

The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) made an important point about renewables. I welcome what is going on in Scotland and have a long-held admiration for the renewables sector there. The work that is being done on used vehicles is very interesting as well.

My hon. Friend the Member for Bristol East (Kerry McCarthy) talked about biogas buses in Bristol—Bristol is doing so much great work.

5.42 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 6 October 2020

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Renewable Energy

The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma): Today, the Prime Minister announced new investment of £160 million to support offshore wind, and a new level of ambition for the next round of the renewable contracts for difference energy auction.

This funding will support major new port-side manufacturing hubs, so that the UK can host the factories making the next generation of offshore wind equipment.

The Government also confirmed a boost to their previous target to deliver up to 30GW of offshore wind to delivering 40GW by 2030.

The Government also announced a new ambition for 1GW of the new 40GW by 2030 target to come from floating offshore wind—a brand new technology allowing windfarms to be built further out to sea in deeper waters, boosting capacity even further. This will put the UK at the forefront of the next generation of clean energy.

Together with planned stringent requirements on supporting UK manufacturers in Government-backed renewables projects, these measures will help the industry to reach its target of 60% of offshore wind farm content coming from the UK, helping to also boost lower carbon supply chains.

To help deliver these ambitious targets and accelerate the country's progress towards net zero emissions by 2050, the Government have confirmed that the next round of the renewable energy auction will open in late 2021 and aim to deliver up to twice the capacity of last year's successful round—potentially providing enough clean energy for up to 10 million homes.

Today's announcement marks the latest stage of the Government's support for renewable energy and acceleration of the transition to net zero. The Prime Minister has set out new plans to build back better and build back greener by making the UK the world leader in clean wind energy—creating jobs, reducing carbon emissions and boosting exports.

[HCWS491]

HOME DEPARTMENT

Independent Inquiry into Child Sexual Abuse Report on Anglican Church

The Secretary of State for the Home Department (Priti Patel): Today the Independent Inquiry into Child Sexual Abuse has published its latest report, which can be found at: www.iicsa.org.uk.

This report relates to its investigation into institutional failures to protect children from sexual abuse within the Anglican Church. I pay tribute to the strength and

courage of the victims and survivors who have shared their experiences to ensure the inquiry can deliver its vital work.

The Government will review this report and consider how to respond to its content in due course.

I would like to thank Professor Jay and her panel for their continued work to uncover the truth, expose what went wrong in the past and to learn the lessons for the future.

[HCWS489]

JUSTICE

HM Prison Five Wells: G4S

The Minister of State, Ministry of Justice (Lucy Frazer): Today I can announce that, following a rigorous and robust evaluation process, G4S has been successful in its bid to provide prison operator services at the new build resettlement prison at Wellingborough.

I can also today announce that following public consultation in 2019 and a meeting of local community representatives in February 2020, the new prison will be named "HMP Five Wells". This was the most popular submission from members of the public and reflects the five historic wells that surround the town, and also appear on Wellingborough's coat of arms. I am grateful for the public's submissions to name their new prison and I am proud that HMP Five Wells will provide a significant boost to the local economy by creating hundreds of long-term jobs, support our commitment to a role for the private sector in operating custodial services, and improve rehabilitation and security in the prison estate.

The contract for the operation of HMP Five Wells follows the first mini competition launched in July 2019 under the prison operator services framework. Four of the six framework operators (G4S Care and Custody Services UK Ltd, Serco Ltd, Sodexo Ltd and a new entrant, Management and Training Corporation Works Ltd) bid as part of the competition.

Bidders were required to submit proposals that addressed specific requirements in relation to our aspirations for the new resettlement prison and set how they would deliver all aspects of the custodial service from arrival to resettlement ensuring this is safe, decent and secure. Bidders also set out how the prison would be mobilised and resourced effectively, how they would provide effective property and facilities management, and demonstrated financial robustness.

As the successful bidder, G4S demonstrated its capability to deliver a high quality, value-for-money service which will ensure that the prison is safe, decent, secure, rehabilitative and fit for modern times. All bidders should be proud of their submissions.

HMPPS did not bid in the competition but provided a public sector benchmark against which bids were rigorously assessed. If bids had not met our expectations in terms of quality and cost, HMPPS would manage the new prison itself.

It is important to recognise that the operator competition for the operation of HMP Five Wells was about driving quality and value across the system, which we have shown can be done through a balanced approach to custodial services provision, which includes a mix of public, voluntary and private sector involvement.

The result of the operator competition for HMP Five Wells, with strong bids from all bidders, bodes well for the next competition we will run for the new prison at Glen Parva in 2021 and potentially further competitions for new prisons and existing private prisons as their contracts expire over the course of the next five years.

It is another crucial milestone in this Government's commitment to delivering around 3,500 modern places

at HMP Five Wells, the new prison at Glen Parva, and via a new houseblock at HMP Stocken. This is on top of the 10,000 additional prison places being created by investing up to £2.5 billion to reform the prison estate, improve standards of decency across the estate, and reduce reoffending.

[HCWS490]

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