

Thursday  
15 October 2020

Volume 682  
No. 120



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 15 October 2020**

---



# House of Commons

*Thursday 15 October 2020*

*The House met at half-past Nine 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

### ENVIRONMENT, FOOD AND RURAL AFFAIRS

*The Secretary of State was asked—*

#### **Tree Planting: England**

**Harriett Baldwin** (West Worcestershire) (Con): What steps he is taking to increase tree planting in England. [907579]

**Jane Stevenson** (Wolverhampton North East) (Con): What steps he is taking to increase tree planting in England. [907582]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: We are committed to increasing tree planting throughout the UK to 30,000 hectares per year by 2025, and we are working with the devolved Administrations on that, too. We have announced a nature for climate fund to increase planting in England, and we recently consulted on the new England tree strategy.

**Harriett Baldwin**: Across the valley of the River Severn, the River Teme and the River Avon we are grateful for the support we are getting to improve our flood defences. Will the Minister tell the House how tree planting can improve flood resilience across river catchments?

**Rebecca Pow**: My hon. Friend raises an important point. Our new £640 million nature for climate fund will do a lot to drive up tree planting. We will also do a lot of planting with the emphasis on river corridors and floodplains and on nature-based solutions, working with the Environment Agency. In that way, we aim to slow the flow, control flooding and increase tree planting. Lots of plans are in place, and I hope my hon. Friend's constituency will benefit.

**Jane Stevenson**: I am absolutely thrilled that the Government-funded National Brownfield Institute will soon open in Wolverhampton North East. Will the Minister tell me how, as we move forward in the Black Country with building sustainable homes on reclaimed land, we can ensure that tree planting is not forgotten in new developments on brownfield sites?

**Rebecca Pow**: We are very much looking forward to Wolverhampton's National Brownfield Institute coming to fruition and to all the work it will do on sustainable development. Of course, trees will be an important part of sustainable development. This issue was referred to in our England tree strategy, and we are exploring ways to incorporate trees into the development of brownfield sites.

#### **Air Pollution: Motor Vehicles**

**Kate Osborne** (Jarrow) (Lab): What recent discussions he has had with Cabinet colleagues on the level of air pollution from motor vehicles since covid-19 lockdown restrictions were eased in August 2020. [907580]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: Nitrogen oxide levels are rising again after lockdown as traffic levels increase. We continue to take urgent action to curb the impact of air pollution on communities throughout England through our ambitious clean air strategy and the delivery of a £3.8 billion plan to clean up transport and tackle NOx pollution. The Government continue to engage with local authorities to deliver clean air zones, and through the Environment Bill we will take greater action on tackling air pollution.

**Kate Osborne**: As the north-east seeks to reduce its level of air pollution, will the Minister join me in supporting initiatives such as that proposed for the Tyne tunnel, where a new free-flow payment system will reduce carbon emissions from vehicles using the tunnel by a massive 90%? Furthermore, will the Minister commit to working with colleagues in the Department for Transport to ensure that orders to implement the system are introduced to the House when available, so that air quality improves in the Jarrow constituency and in the region more widely?

**Rebecca Pow**: The hon. Lady raises an important point. I am really heartened that she is thinking about the health of her constituents, because air pollution, especially fine particulate matter, is the single greatest health impact that we currently have to deal with. I would be happy to meet the hon. Lady to discuss any actions. She is absolutely right to point out that her local authority is taking action on many of these measures. The Government have provided a number of funds to support local work on reducing pollution levels in traffic.

#### **Air Pollution**

**Ellie Reeves** (Lewisham West and Penge) (Lab): What plans the Government have reduce air pollution. [907581]

**Vicky Foxcroft** (Lewisham, Deptford) (Lab): What plans the Government have reduce air pollution. [907588]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: I am like a jack-in-the-box this morning, Mr Speaker, with one question after another.

Our clean air strategy sets out an ambitious programme of action to reduce air pollution from a wide range of sources. We have also put in place a £3.8 billion plan to tackle roadside nitrogen dioxide concentrations. The Environment Bill makes a clear commitment to set a

legally binding target to reduce fine particulate matter and will enable local authorities to take more effective action to combat pollution in their areas.

**Ellie Reeves [V]:** Prior to covid-19, polluted air was contributing to more than 40,000 premature deaths each year. If we are to reduce that awful statistic, we must set enforceable targets to bring air pollution down below harmful levels, so does the Minister agree that the Government's Environment Bill must have air quality targets that follow World Health Organisation guidance and have an attainment deadline of 2030 or before?

**Rebecca Pow:** The Environment Bill does introduce a duty to set a target for PM<sub>2.5</sub>. We are committing to ambitious action on this pollutant, which has the most significant impact on health. The Government are committed to an evidence-based policy on this issue. We will consider the WHO guideline levels when setting our targets, but it is imperative that we take all the right advice from all those who are working on the issue before we commit exactly to what we are going to do and how we are going to do it.

**Mr Speaker:** We remain in Lewisham with Vicky Foxcroft.

**Vicky Foxcroft [V]:** That just shows how important this issue is to the people of Lewisham.

New data published by City Hall on 3 October show a dramatic improvement in London's air quality since 2016, due in no small part to the ambitious measures implemented by Mayor Sadiq Khan. However, air pollution remains a major public health challenge and complacency is not an option, despite the current crisis. Will the Government commit to setting ambitious national targets and give local authorities the powers and the funding that they need to achieve them?

**Rebecca Pow:** I want to highlight that, through our landmark Environment Bill, we will be delivering on parts of our clean air strategy, which will introduce a target for concentration levels of PM<sub>2.5</sub>. We will be setting an additional long-term target on air quality, which actually goes beyond the EU requirement. We will also have in the Bill measures that will improve local air quality management frameworks used by local authorities to make them much simpler and easier to use, and all those measures will tackle the issues that the hon. Lady so rightly raises.

**Ruth Jones (Newport West) (Lab):** Campaigners, activists and our constituents are all waiting with bated breath for the return of the Environment Bill, which has dropped off the Order Paper for more than 200 days now and counting. When the Bill finally returns to the House, will the Minister commit to including the World Health Organisation's guideline air pollution limits in it? She has already said today that she wants the evidence base to be in it, but the WHO has done the work, so can we not have a commitment to accept these guidelines?

**Rebecca Pow:** I thank the hon. Lady for asking about the Environment Bill. As we say constantly, it will be returning very soon, but we do have an out-date for it, which is 1 December, so she can just work backwards from that, and I look forward to seeing her in the

Chamber. On the point about the World Health Organisation, she should remember that these are guidelines. We have been praised for our outstanding clean air strategy, which is considered world-leading, and there is an absolute commitment to that. I think the hon. Lady came to one of the evidence sessions where we heard how complicated it is to set the actual target. There are many contributors to this particulate matter, and we have to look at them all before we set the target.

### Plastic Pollution

**Mark Pawsey (Rugby) (Con):** What steps he is taking to reduce plastic pollution. [907583]

**Damien Moore (Southport) (Con):** What steps he is taking to reduce plastic pollution. [907591]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow):** We are committed to tackling plastic pollution. We introduced a microbeads ban and reduced single-use plastic carrier bag usage by 95% in main supermarkets. We are also increasing the single-use carrier bag charge to 10p and extending it to all retailers. We restricted the supply of plastic straws, stirrers and cotton buds the other day, we are seeking further powers in the Environment Bill to charge for single-use plastic items, making recycling more consistent, and we will be reforming packaging waste regulations.

**Mark Pawsey:** It has been suggested that one way of reducing pollution is to make greater use of oxo-degradable plastic. This involves using an additive in conventional plastics that causes them to break down and fragment into microplastics that, in the marine environment, can be digested by organisms. In addition, oxo-degradable material in the waste stream is a contaminant and causes a reduction in the levels of recycling. Will the Minister commit the Government to acting on the call from the Ellen MacArthur Foundation and join the EU in banning the use of oxo-degradable plastic?

**Rebecca Pow:** I thank my hon. Friend for that question. The Government recognise that innovative packaging types can help reduce the environmental impact of plastic if disposed of in the right way, and I know that he has a lot of knowledge in this area owing to his constituency connections. However, there is currently only limited reliable published evidence on the environmental impacts of oxo-biodegradable plastics—that is a mouthful. DEFRA and the Department for Business, Energy and Industrial Strategy published a call for evidence last year to better understand the effects of these and compostable plastics on the environment, and we will be publishing the results later in the autumn.

**Damien Moore:** What steps are the Government taking to ensure the responsible disposal of face masks and other personal protective equipment?

**Rebecca Pow:** Of course, that is a question that many people are thinking about, and I thank my hon. Friend for it. The covid-19 pandemic has led to an increase in PPE, but we are starting to see businesses rise to the challenge, producing items such as reusable face coverings—we are seeing a whole lot in Parliament—that can be washed and reused, but, obviously, hygiene must

be taken very seriously. The Government have published guidance on the disposal of face coverings and other PPE during the pandemic.

### Countryside Protection

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What steps he is taking to protect the countryside. [907584]

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice)**: I am delighted to give my hon. Friend the Minister a rest from the Dispatch Box after a marathon session.

Within the rich diversity of the English countryside, our existing national parks, areas of outstanding natural beauty and sites of special scientific interest have the highest status of protection. The Prime Minister has signalled our ambition in this area and is committed to protecting 30% of our terrestrial land by 2030. The £640 million Nature4Climate fund announced in this year's Budget will drive our progress towards this goal.

**Mr Sheerman** [V]: The Secretary of State will know that he is popular in the House, and he is a very mild-mannered, pleasant chap. I want him to turn into some sort of ravening big beast, because he has been in the job nine months, and we have soil degradation, habitat loss and species extinction, while none of our rivers and streams is fit to paddle in, let alone swim in. When is he going to wake up to the crisis that is facing our countryside and do something about it? It is not "What's the plan, Stan?"; it is "What's the plan, George?"

**George Eustice**: The hon. Gentleman paints an accurate picture of the environmental degradation that has taken place, particularly in the past 50 years or so. As we think about the future, it is not enough just to protect particular sites; we need to build back nature in some of these areas. We will be doing that through our new environmental land management policy to replace the common agricultural policy, creating new habitats and creating space for nature. We will also be delivering this through the new approach and governance framework outlined in our Environment Bill.

**Daniel Zeichner** (Cambridge) (Lab): Our familiar countryside is as it is today because of protection and management, but, as we have heard, the Environment Bill that is needed to maintain that protection has gone missing, and financial support for farmers, who of course do so much to manage our countryside, is just weeks away from major upheaval. The Secretary of State talks about sustainable farming initiatives without bringing any detail to this House, and that is a worry for everybody. Come 1 January, will farmers have the financial information they need to make informed decisions, and will the promised Office for Environmental Protection actually be in place and operating properly?

**George Eustice**: The Environment Bill will be resuming its passage in Committee shortly. The hon. Gentleman will be aware, for instance, that the Government have recently been consulting on our new approach to introduce due diligence in the supply chain to prevent deforestation. There are good reasons why the Bill has been paused while that consultation is considered. In answer to his

question, yes, farmers will have all the information they need by next year, and we will begin the transition to the new policy next year.

### Water Companies: Leaks and Wastage

**Rachel Hopkins** (Luton South) (Lab): If he will make it his policy to publish an annual league table to assess water companies' performance on tackling water (a) leaks and (b) wastage. [907585]

**Grahame Morris** (Easington) (Lab): If he will make it his policy to publish an annual league table to assess water companies' performance on tackling water (a) leaks and (b) wastage. [907586]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: I am back—I would like to say by popular demand, but I am not sure about that.

Water company performance data, including on leakage, is already published annually on the DiscoverWater website, and companies provide data to the Environment Agency on water losses. I encourage hon. Members to visit the DiscoverWater website.

**Rachel Hopkins**: This month's Environment Agency report found that four out of the nine water companies are now rated as poor or requiring improvement—the worst result since 2011. Does the Minister agree that losing 3 billion litres of water a day through leakage is wholly unacceptable? Are her Government reconsidering the privatisation of water companies that have damaged the environment and left customers in my constituency with unaffordable bills?

**Rebecca Pow**: Our 2018 water conservation report sets out an ambitious target of a 50% reduction in leakage by 2050. The water companies have made progress towards this, but quite clearly, they need to do a great deal more. On water quality, in our 25-year environment plan, we aim to bring three quarters of our waters as close to their natural state as possible. However, there is clearly a great deal more to do. I have met water companies recently to rattle the cage and raise the issues. My right hon. Friend the Secretary of State is also meeting water companies soon to discuss the same issues.

**Grahame Morris**: I thank the Minister for that response, but, although daily losses through leakage did fall during the 1990s from 4.5 billion litres a day to 3 billion litres, that figure is still too high, and a recent report by the Public Accounts Committee stated that the reduction had been followed by

"a decade of complacency and inaction".

Does the Minister agree that the Government are failing to hold the water companies to account over their inability to deal with this level of leakage?

**Rebecca Pow**: The hon. Gentleman raises a pertinent point, but the 2019 price review set out a £51 billion five-year investment package, and water companies committed to reducing leakage by 16% by 2025. They have definite goals and targets to do that, but they do indeed need to do a great deal more. We also have much discussion about reducing the overall amount of water that people use every day, with an ambition to reduce it

to 110 litres a person. At the moment, it is about 143 litres, so a raft of measures are needed to tackled that.

**Stephanie Peacock** (Barnsley East) (Lab): A study by the National Audit Office shows that some parts of England will run out of water by 2040. Does the Minister agree that the targets set by the Department to cut water leakage in half by 2050 will be too little, too late to keep our taps running?

**Rebecca Pow:** I have already mentioned that target of a 50% leakage reduction, but that is just one of many measures. There is a whole raft of measures, as I have just explained, that we are working towards. We have the policies in place not just to reduce leakage, but to reduce consumption in an efficient way, always being mindful of consumers' bills and always looking after the vulnerable. On top of all that, we have our flood policy statement, which looks very closely at the whole water space—where the water comes from, where it is going, where the supply is and where the reservoirs are. The Government are absolutely on the case as far as water is concerned.

#### Animal Welfare Standards

**Dr Neil Hudson** (Penrith and The Border) (Con): What steps he is taking to improve animal welfare standards. [907587]

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice):** This country has some of the highest animal welfare standards in the world. We have modernised standards for dog breeding, pet sales and other licensed activities involving animals. We have introduced a world-leading ivory ban and mandatory CCTV in slaughterhouses. Our Agriculture Bill will recognise animal welfare as a public good and reward high standards of animal welfare, and we are also delivering on our manifesto commitments to end excessively long journeys for the fattening and slaughter of farm animals, to ban primates as pets and to introduce new laws on animal sentience.

**Dr Hudson [V]:** As a veterinary surgeon, I was absolutely gutted that the amendment to the Agriculture Bill to uphold our high animal welfare and farming standards in trade deals was defeated this week. I am pleased that the Government have reassured us that products such as chlorinated chicken and hormone-treated beef will remain banned in the UK, but does my right hon. Friend agree that a practical solution to confirm that, along with bans on other products such as ractopamine-fed pork and those with excessive use of antimicrobials or growth promoters, would be to write those products into animal welfare chapters in trade deals? Does he agree that that makes sense and would make it clear that those products are off the table, allowing other acceptable products to be traded, and driving up animal welfare standards around the world?

**George Eustice:** We will be using a range of tools to deliver on our manifesto commitment to protect food standards and animal welfare in all our trade agreements, we have three principal tools that we can use. First, we have the option to prohibit sales, as we already do, for instance, for chlorine-washed chicken and hormones in beef. Secondly, as my hon. Friend points out, we can use

the sanitary and phytosanitary chapter, which is a feature of all trade agreements, to dictate the terms of access when it comes to food safety in particular. Thirdly, when it comes to issues such as animal welfare, we will use tariff policy to prevent unfair competition for our farmers.

#### Agricultural Imports

**Neil Parish** (Tiverton and Honiton) (Con): What recent discussions he has had with Cabinet colleagues on management of agricultural imports at UK borders after the transition period. [907589]

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice):** DEFRA is working with officials across Government to ensure that the flow of agricultural imports at UK borders continues after the transition period. We will introduce a phased approach to import controls for EU countries, to give businesses impacted by covid-19 time to adjust, while maintaining biosecurity controls.

**Neil Parish:** As the Environment, Food and Rural Affairs Committee said in its report, covid-19 has showed that we need to get food through the borders very quickly. We have a just-in-time food system, so getting imports in after the transitional period is exceptionally necessary. I am also very concerned about exports. Imports are largely in our hands, but exports are largely in the hands of the French. In any agreement we get, we must ensure that we have the right veterinary certificates, enough vets to write them and a process that will be recognised and honoured when we try to get exports of lamb and beef into the continent, because there will be a real problem otherwise.

**George Eustice:** My hon. Friend makes an important point. We have been doing a lot of work on business readiness with the sector—in particular, with meat processors—to ensure that they understand what will be required of them. Whether or not there is a further agreement with the EU, meat processors will need export health certificates. We have been working with the Animal and Plant Health Agency to ensure that there is capacity in the veterinary profession to deliver those export health certificates, and we are also ensuring that those companies understand the customs procedures that they would need to go through.

**Deidre Brock** (Edinburgh North and Leith) (SNP): It was recently revealed that the UK Government withheld information from the devolved Administrations about the risk of food shortages at the end of the transition period. How was the Department involved in discussions on that risk, and why were such vital assumptions, which the documents acknowledged would impact on devolved Administrations' planning, hidden from them for so long?

**George Eustice:** I do not recognise the claim that this was hidden from them. I regularly meet Fergus Ewing and other devolved Administration Ministers to discuss this. They now join the EU Exit Operations Sub-Committee, which is a part of the Cobra Committee, planning for the end of the transition period. The devolved Administrations are fully engaged in all our planning.

### Food Production Standards: Trade Deals

**Mr Virendra Sharma** (Ealing, Southall) (Lab): What steps he is taking with the Secretary of State for International Trade to maintain British food production standards in future trade deals. [907590]

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice)**: Our manifesto made clear that, in all our trade negotiations, we will not compromise on our high environmental protection, animal welfare and food standards. We have retained in law our existing standards of protection, and we have laid before the House our negotiating objectives, stating that we will uphold them.

**Mr Sharma** [V]: I thank the Secretary of State for his response, but in that case, why did the Government reject the pleas of their own Back Benchers only two days ago to protect our food standards, in line with the manifesto promises they made in December?

**George Eustice**: The answer is simple: we have all the powers that we need in law to deliver our manifesto commitment already. As I said earlier, we will use a range of tools, including tariff policy, to prevent our farmers from being undermined by lower standards of animal welfare in other countries, and the sanitary and phytosanitary chapter of trade agreements. We do not need new powers to be able to deliver on our manifesto commitment.

### Flooding: Grant Schemes

**Joy Morrissey** (Beaconsfield) (Con): What steps his Department is taking to help ensure grant schemes are available to (a) homes and (b) businesses affected by flooding. [907592]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: For localised flooding, we expect local authorities to have established contingency measures. In exceptional circumstances, the Government activate their flood recovery framework, which was last triggered following the severe flooding in February 2020. It is designed to support communities affected by meeting immediate recovery needs, and comprises the community recovery grant, the business recovery grant, council tax discount schemes and business rate relief schemes. Additionally, the Government may activate a property flood resilience recovery scheme.

**Joy Morrissey**: The beautiful market town of Marlow sits adjacent to the Thames and is also on a floodplain. Can my hon. Friend assure the House that we will be fit for the future when it comes to flood defences?

**Rebecca Pow**: I would like to give my hon. Friend every assurance that we have been working extremely hard on this. The Government have doubled their funding in the next flood defence programme to £5.2 billion—more than ever before—which will better protect 336,000 properties. In the summer, we allocated £170 million to shovel-ready flood defence projects, and we have another £200 million for some innovative projects, because we realise that the demands are changing with climate change. That is why the new flood policy statement that

the Secretary of State and I have worked on sets out a holistic approach to tackling this changing canvas, and nature-based solutions will be a big part of that.

### Pick for Britain and Seasonal Agricultural Workers Schemes

**Richard Thomson** (Gordon) (SNP): What assessment he has made of the effectiveness of the (a) Pick for Britain scheme and (b) seasonal agricultural workers pilot scheme. [907593]

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice)**: The Pick for Britain campaign generated huge interest—the website has received nearly 2 million unique page views since its launch—resulting in a significant increase in the numbers of UK-based workers filling seasonal roles in horticulture. DEFRA and the Home Office have been working closely to ensure the successful operation of the seasonal workers pilot and to undertake an effective assessment. The evaluation of the pilot is ongoing, and the results will be announced in due course.

**Richard Thomson** [V]: Giving evidence to the Environment, Food and Rural Affairs Committee several weeks ago, the Secretary of State claimed that one third of the seasonal horticultural workforce in 2020 was from the UK workforce. Could the Secretary of State provide the evidence to support that claim, and could he confirm what plans his Department has to meet the industry urgently to plan for next year's labour requirements?

**George Eustice**: During the last summer season, I had regular dialogue and discussions with a number of companies involved in the horticulture sector. The general picture is that, at the beginning of the season, they did find a reasonably good or significant number of domestic workers who were keen to take these roles, and in many cases it was about a third of the workforce. Anecdotally, reports say that it then drifted down during the course of the season and was typically below about 20% by the end of the season, but this came from a range of anecdotal evidence provided to us directly by growers.

### Topical Questions

[907637] **Barry Gardiner** (Brent North) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Environment, Food and Rural Affairs (George Eustice)**: Next year is a really important year for the environment internationally, with the UK hosting COP26 on climate change in October, but also with the convention on biological diversity taking place, where biodiversity targets to replace the Aichi targets will be agreed. The UK has been working on a leaders' pledge for nature, which over 70 world leaders have now signed. We are also working to secure better targets on biodiversity and to make nature-based solutions a key part of our approach to tackling climate change.

**Barry Gardiner**: The world needs to stop the loss of species, and endangered species need the conservation work of zoos, so I applauded when the Government

announced their £100 million package to support zoos and the vital conservation work they do, but then I discovered the eligibility criterion that they must have less than 12 weeks' reserves. The trustees of any zoo with less than 12 weeks' reserves would already have declared voluntary liquidation, so will the Secretary of State look again at the criterion, replace it with one based on percentage of revenue lost and—

**Mr Speaker:** Order. Topicals are short and punchy, not full questions, please. This is to help other people, and to help me get through the list. I care about other colleagues even if colleagues do not care about each other.

**George Eustice:** I understand the point the hon. Gentleman was making. It is important to note that we had a smaller zoo fund to support small zoos, which was announced earlier. This fund is for the very large zoos, and many of them do have large reserves. It is right that we expect them to use those reserves before they come to us, but they can apply for the fund before those reserves run out, and we have increased it from six weeks to 12 weeks.

[907640] **Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): The Agriculture Bill has prompted a lot of discussion within parties, but does my right hon. Friend not agree with me—surely the whole House agrees—that the creation of a framework to allow the fair distribution of the meat levy across the United Kingdom is a very good thing? The Scottish livestock sector has been calling for it for many years.

**George Eustice:** There has been a problem for some years in the fact that the levy is collected at the point of slaughter, and Scottish farmers have raised with us a concern that animals crossing the border meant they did not capture all of the levy. We have now put in place the powers to address that, which is indeed very good news for our Scottish farmers.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): Can the Secretary of State confirm that he has a plan to let food produced to lower standards into Britain if a few extra pence are charged on tariffs, meaning that our farmers will still be undercut if tariff protection is introduced as an excuse for allowing lower-quality food into our country?

**George Eustice:** I think the hon. Gentleman perhaps misunderstands the current situation in that it is already possible for these countries to sell us goods at a particular tariff provided they meet our sanitary and phytosanitary standards, and that will not change. However, tariff policy is the best tool in the box to address issues such as animal welfare.

[907643] **Damien Moore** (Southport) (Con): What steps is my right hon. Friend taking to maintain food standards at the end of the transition period, so that there is no cliff edge in food standards?

**George Eustice:** At the end of the transition period, the existing animal welfare regulations and the prohibition on sale, for instance, of hormones in beef will be retained in UK law, but our new Agriculture Bill will also strengthen animal welfare and reward farmers for high systems of animal welfare.

[907639] **Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): Will the Secretary of State explain what the Government are putting in place, in the event of a deal not being concluded by 31 December, to allow the UK distant waters fishing fleet to continue to fish for Arctic cod?

**George Eustice:** There has been a long-standing arrangement between Norway and the EU under which, broadly speaking, Norway has some access to blue whiting in the North sea and in return the EU—we have a share of this—has some access to Arctic cod. Those negotiations are about to commence again. This year there will be an EU-Norway bilateral to decide these matters.

[907654] **Paul Girvan** (South Antrim) (DUP): Concerns have been raised about the possible requirement for pet passports after the transition period. People from Northern Ireland want to know that, as part of the United Kingdom, they will have the same right to travel to the UK with their dogs, particularly guide dogs, without additional documentation or pet passports.

**George Eustice:** The hon. Gentleman raises an important point. We are aware of this, and it is one of the issues that we are seeking to address at a technical level and through the Joint Committee process for resolving how these finer details of the Northern Ireland protocol will work.

[907648] **Jane Hunt** (Loughborough) (Con): Farmers are being sold short on payments for their milk. That is destabilising the market and is not providing a fair price to farmers from processors. Please will the Secretary of State say what he plans to do to rectify this, and please will he have a meeting with one of my dairy farmers, Mr Andrew Birkle?

**George Eustice:** In the summer, we issued a consultation on having mandatory contracts in the dairy sector. That is something that I have long felt is important, since dairy farmers, perhaps more than any others, all too often are price takers. We will be considering that consultation and the responses we received, and we intend to introduce regulations under the future Agriculture Act. I will of course be delighted to meet my hon. Friend's constituent.

[907656] **Jessica Morden** (Newport East) (Lab): Food price increases due to harvests and Brexit, combined with cuts in support for those needing help in the pandemic, will hit the poorest families in our communities hardest. In the light of Louise Casey's comments this morning, what is the Government's plan to tackle food poverty, and will they follow the Welsh Government in guaranteeing free school meals during holidays until Easter 2021?

**George Eustice:** We introduced a number of measures to support those struggling to afford food during the initial lockdown and over the summer months. It is the case that, as unemployment rises, we are likely to see more such need, so the Government keep this under review. Obviously, through projects such as FareShare, we do support the redistribution of food to help those people, but we keep all these matters under review.



[907664] **Jonathan Gullis** (Stoke-on-Trent North) (Con): Cleaner air for residents in Stoke-on-Trent North, Kidsgrove and Talke is a priority for me and my neighbouring colleagues. The air quality directive from my right hon. Friend's Department to close key roads in the city of Stoke-on-Trent, however, is not the solution to the problem. We have recently seen a drop in the level of dangerous emissions at key locations, and we are no longer above the Government's threshold, so will my right hon. Friend meet me urgently to discuss a review of this project and enable Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council to offer a range of alternative methods?

**George Eustice:** My hon. Friend makes an important point. Of course I would be happy to meet him to discuss this matter. I think that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow), has already met him and others to discuss it, but we are of course happy to meet again.

[907660] **Alan Brown** (Kilmarnock and Loudoun) (SNP): Fruit and vegetable growers have relied on skilled European seasonal workers to get food into shops and stop it rotting in the fields. The Secretary of State's idea to fill vacancies is to use the unemployed in the UK. How does he think horticultural work can be taken on by people who do not have the relevant skills or experience?

**George Eustice:** I used to run a strawberry farm, so I am familiar with this challenge, but everybody needs to be trained at some point to do this sort of work, whether they are a foreign worker or a domestic worker. We are looking at the mix of this and are in discussions with the Home Office about arrangements for next year.

## HOUSE OF COMMONS COMMISSION

*The hon. Member for Perth and North Perthshire, representing the House of Commons Commission, was asked—*

### Covid-19: Parliamentary Estate

**Mr Philip Hollobone** (Kettering) (Con): How many and what proportion of people with permanent passes to the Parliamentary estate have tested positive for covid-19. [907539]

**Pete Wishart** (Perth and North Perthshire) [V]: The House of Commons Commission does not hold data on the proportion of people with permanent passes to the Parliamentary estate who have tested positive for covid-19. Where data is recorded in relation to the House of Commons, a total of 11 positive test results have been recorded for the period March to October 2020.

**Mr Hollobone:** Getting the flu jab is never more important than this year. What proportion of passholders does the hon. Gentleman think will be taking the flu jab this year?

**Pete Wishart:** My hope is that as many Members as possible will take the opportunity to have the flu jab this year. The House of Commons does not collate any particular information on that, but I think all of us in

the House would encourage all our constituents and all Members of Parliament to do what they can to secure the flu jab to keep everybody safe.

## CHURCH COMMISSIONERS

*The hon. Member for South West Bedfordshire, representing the Church Commissioners was asked—*

### Church Attendance and Participation

**Dr Neil Hudson** (Penrith and The Border) (Con): What plans the Church of England has to increase the number of regular church attendees during the covid-19 outbreak. [907540]

**Mrs Sheryll Murray** (South East Cornwall) (Con): What progress the Church of England is making on increasing participation in worship, weddings and other ceremonies. [907545]

**The Second Church Estates Commissioner (Andrew Selous):** The "A Church Near You" website advertises 17,000 regular Church of England virtual services and events, and those are only a portion of all that is on offer. Weddings and funerals are also often livestreamed, as my own daughter's wedding was in the summer, and my hon. Friends will be pleased to know that Carlisle cathedral streamed ordinations earlier this month and that St Martin's, Liskeard will have a drive-in carol service in Morrisons' car park on 20 December, which will also be livestreamed.

**Dr Hudson [V]:** I thank my hon. Friend for that encouraging answer. Throughout the coronavirus pandemic, it has been at first impossible and latterly difficult to enable church congregations to meet physically as they used to. However, churches up and down the land have done amazingly by offering virtual services, prayer sessions and courses such as Alpha courses, meaning that many additional people who had never been to church before are now involved in a church. Will my hon. Friend join me in thanking churches of all denominations who have done so much during the pandemic to serve their local communities, ranging from worship opportunities to physical care, food distribution and pastoral support?

**Andrew Selous:** I thank my hon. Friend very much indeed for what he said. Of course, I am delighted to do so. I am sure, in fact, that the whole House would like to thank clergy, staff and volunteers who have risen to the challenge of maintaining worship and meeting need in a magnificent manner. They have been astonishingly present throughout the pandemic.

**Mrs Murray:** Government guidance talks of including participation in livestreaming of services, as my hon. Friend mentioned in relation to his daughter's wedding. What technical help is being given to assist churches to allow them to include more participation?

**Andrew Selous:** I can tell my hon. Friend that the Church made a significant investment in a new digital communications team back in 2016. The training has been used by over 4,000 clergy. Over 7 million people have used our daily prayer apps. Nearly 3 million people have watched national online services, with about a fifth of those being people who rarely go to church or do not go at all. The good news is that the Church is reaching more people than ever before.

### Baptisms, Weddings and Funerals: Attendance Restrictions

**Karl McCartney** (Lincoln) (Con): What recent discussions the Commissioners have had with Government Ministers on covid-19 attendance restrictions for baptisms, weddings and funerals. [907541]

**The Second Church Estates Commissioner (Andrew Selous)**: The Government have kept in constant touch with the Church of England, all denominations and all faiths throughout the pandemic. Dioceses, parishes and cathedrals are quickly notified of any changes in law or guidance.

**Karl McCartney** [V]: I thank my hon. Friend for that answer, but how can we ensure that we do not put any further restrictions on baptisms, weddings and funerals? Does my hon. Friend agree that those ceremonies must be supported and that we cannot have another six months of cancellations?

**Andrew Selous**: I strongly agree with my hon. Friend. I am very pleased that baptisms, weddings and funerals can continue in some form in all three covid alert tiers. I am pleased that the Government recognise the huge significance of those services in people's lives.

### Independent Inquiry into Child Sexual Abuse

**Cat Smith** (Lancaster and Fleetwood) (Lab): What plans the Church of England has to implement the recommendations of the Independent Inquiry into Child Sexual Abuse investigation report on the Anglican Church, published in October 2020. [907542]

**The Second Church Estates Commissioner (Andrew Selous)**: As the Archbishop of Canterbury has said, the findings of the independent inquiry are "shameful and disgraceful" and remind us how badly we have treated and continue to treat victims and survivors. All the recommendations are going to the House of Bishops on Monday for urgent response and action.

**Cat Smith**: Any Church should be a haven for children and young people to be able to grow in Christ but to do so in safety. The report found that 390 clergy and leaders in the Church of England were convicted of child abuse between the 1940s and 2018, but many more will have evaded punishment for their crimes. In fact, we learned that in 2018 alone, 449 concerns were raised about child sexual abuse relating to church leaders, so does the Commissioner agree that historical complaints against living alleged perpetrators must be investigated and justice brought for their victims? Can he outline what action the Church is taking to ensure that those found guilty of offences are removed as a threat to children?

**Andrew Selous**: I can indeed. The House of Bishops is urgently and very seriously considering the recommendations, including deposition from holy orders. We will address both practice and culture within the Church and are working on a redress scheme for victims and survivors, and we fully co-operate with all police investigations.

### PARLIAMENTARY WORKS SPONSOR BODY

*The right hon. Member for East Hampshire, representing the Parliamentary Works Sponsor Body, was asked—*

#### Parliamentary Estate: Planning Authority

**Henry Smith** (Crawley) (Con): What assessment the sponsor body has made of the potential merits of establishing the parliamentary estate and its immediate environs as a planning authority. [907543]

**Damian Hinds** (East Hampshire): The sponsor body has not assessed the merits of the approach recommended by my hon. Friend, but that was considered by the Joint Committee on the Draft Parliamentary Buildings (Restoration and Renewal) Bill. It recognised that there was no easy way to streamline the process but that engagement is key, and that is the advice that the programme seeks to heed.

**Henry Smith** [V]: I encourage the Parliamentary Works Sponsor Body to look again at Parliament creating itself as its own planning authority, as in the past there have been difficulties carrying out parliamentary works when that has involved Westminster City Council, the Greater London Authority and others. I believe that that would create a much easier method for restoration and renewal. Will my right hon. Friend look at this issue again?

**Damian Hinds**: I am grateful to my hon. Friend. Of course, wider planning considerations affecting the parliamentary estate are a matter for the parliamentary authorities rather than the programme itself. I just mention that enacting the change that he mentioned would require primary legislation or an amendment to the Parliamentary Buildings (Restoration and Renewal) Act 2019, which, as they say in House business management circles, would have to compete against other priorities.

### SPEAKER'S COMMITTEE ON THE ELECTORAL COMMISSION

*The hon. Member for City of Chester, representing the Speaker's Committee on the Electoral Commission, was asked—*

#### Digital Campaigning

**Peter Grant** (Glenrothes) (SNP): What representations the Committee has received from the Electoral Commission on the regulation of digital campaigning. [907544]

**Owen Thompson** (Midlothian): Digital technology offers significant opportunities to engage voters, but the commission's report on the 2019 general election highlighted significant public concerns about the transparency of digital election campaigns. At its meeting on 24 March 2020, the Committee approved the commission's interim corporate plan, which includes plans to address voter concerns about digital campaigning. This includes voter awareness work, with a particular focus on digital campaigning, and the commission will also support the UK Government as they develop and implement new requirements for imprints on digital campaign material.

**Peter Grant** [V]: I am grateful to my hon. Friend for his full answer. Other than an all-out military attack, there are few things that pose a greater threat to our way of life than concerted foreign interference in our election processes. The commission has repeatedly warned of the need for greater regulation of online campaigning, and the Intelligence and Security Committee found that Russia is actively seeking to use social media and other online methods to exert a malign influence on elections in the United Kingdom. What commitments have the commission or the Speaker's Committee had from the Government that they will take effective action to address these threats before our national and local elections are scheduled for next year?

**Owen Thompson:** The commission works to protect the integrity of elections and the public's confidence in it. There are limits to the activities that it can lead. The legal powers and remit stop at the UK borders. It looks to others to lead important activities outside political finance regulations, such as ensuring that elections are free from foreign interference. It supports the UK Government and security services in that area of work. It has made recommendations to the UK Government that would improve the transparency of digital campaigning, ensuring that voters know who is trying to influence them online, and provide the commission with better powers. That would reduce the risk of interference from overseas organisations or individuals.

#### Chair of the Electoral Commission

**Mr Peter Bone** (Wellingborough) (Con): What discussions the Committee has had on whether to recommend the reappointment of the chair of the commission. [907546]

**Owen Thompson** (Midlothian): As required under the Political Parties, Elections and Referendums Act 2000, the Speaker's Committee put in place and oversees the process for selecting candidates for appointment as electoral commissioners, including the chair. The Committee's duty encompasses the recommendation of candidates for reappointment. There is no presumption in the statute either for or against reappointment. At its meeting on 16 July, the Committee took the decision to commence recruitment for a new chair to replace Sir John Holmes, whose term comes to an end in December. That recruitment process will begin shortly.

**Mr Bone** [V]: I thank the hon. Gentleman for his response and I pass on my best wishes to the hon. Member for City of Chester (Christian Matheson), who would normally be here but I think is unwell at the moment.

I congratulate the Speaker's Committee on what it has done; it has effectively fired the chairman of the Electoral Commission. Does the hon. Gentleman agree that one of the reasons for firing him was the fact that he oversaw the persecution of innocent people whose only so-called crime was wanting to take part in the democratic process and to ensure that the UK left the European Union?

**Mr Speaker:** He was not fired; he just was not reappointed.

**Owen Thompson:** Thank you, Mr Speaker. Yes, it is not unusual for public appointments to end after one term. The Committee is grateful to Sir John for his four years of service in this very important role. The chair, and all commissioners who are appointed by Her Majesty

the Queen following a recommendation from the House, work under a strict code of conduct during their time as commissioners. That requires and ensures impartiality and fairness, and is policed assiduously.

#### May 2021 Local Elections: Registration and Participation

**Liz Twist** (Blaydon) (Lab): What steps the Electoral Commission is taking to ensure widespread electoral (a) registration and (b) participation in the May 2021 local elections. [907547]

**Rachel Hopkins** (Luton South) (Lab): What steps the Electoral Commission is taking to ensure widespread electoral (a) registration and (b) participation in the May 2021 local elections. [R] [907554]

**Owen Thompson** (Midlothian): The commission is experienced at driving voter registration across the UK and across demographics. That is delivered through paid advertising, the generation of media coverage, and partnership activity with local authorities, charities and others. Most recently, ahead of the 2019 general election, 2.6 million people were registered during the period of the commission's campaign. Ahead of the next elections, the commission's work will include additional public information communications to ensure that voters understand how their experience at polling stations may differ from normal, and the measures that will be put in place to ensure that they can vote safely.

**Liz Twist:** The Minister for the Constitution and Devolution recently confirmed that no new funding will be available to local authorities for the running of the May 2021 elections. Is the Electoral Commission content that enough funding is available to put in place the necessary measures to ensure that the May 2021 elections are covid-secure?

**Owen Thompson:** The commission has been working with colleagues across the electoral community to consider the potential impacts of the pandemic on the delivery of polls in May 2021. It is also liaising with the relevant public health authorities to ensure that its work is informed by the latest analysis and advice. The commission is now preparing to deliver its core functions in relation to public awareness and information for voters, and the provision of guidance to ensure that electoral administrators and campaigners have what they need to ensure that the polls are delivered safely and efficiently.

**Rachel Hopkins:** A key pillar of democracy is that everyone should have access to an equal vote without discrimination based on wealth, class or race. The Minister for the Constitution recently confirmed that no legislative changes would be made to enable more flexible forms of voting for the May 2021 elections in the context of covid-19, so what is the Electoral Commission's view on introducing new innovative ways of voting to reduce queuing and ensure social distancing, such as early voting and drive-through voting, so that people do not have to choose between their health and the right to vote?

**Owen Thompson:** The commission will ensure that people understand the full range of voting options available that will enable them to participate safely in next May's polls, including the process and timelines of how to appoint a proxy or apply for a postal vote. Its

priority will be to ensure that voters have all the information that they need to make the right decision for their individual circumstances. Voters at local government by-elections in Scotland can now appoint a proxy to vote on their behalf if they require to do so following medical or Government advice to isolate or quarantine on polling day. The commission recommends that the UK and Welsh Governments should implement similar proposals for elections in May 2021.

### CHURCH COMMISSIONERS

*The hon. Member for South West Bedfordshire, representing the Church Commissioners was asked—*

#### Renting of Church Premises

**Rob Butler** (Aylesbury) (Con): What assessment the Church of England has made of the economic effect on parishes of the inability to rent out church premises during the covid-19 outbreak. [907548]

**The Second Church Estates Commissioner (Andrew Selous)**: Around 60% of parish income comes from giving, but rental income from halls and other premises has been badly affected, so I would strongly encourage Christians to increase their giving to their local church if they are able to do so, to support our ability to tell more people the good news of Jesus and, critically, to support the 35,000 social action projects helping children who are homeless and vulnerable.

**Rob Butler**: St Mary's in Aylesbury is a grade 1 listed community treasure that is fundraising for much-needed repair and restoration, but it has lost about 40% of its overall income this year due to coronavirus, notwithstanding the commitment of members of the congregation who are paying by standing order, which is still being done. However, events such as lunchtime concerts, craft fairs and civic services have all been cancelled, so what will the Church do to help parishes such as St Mary's financially during the current crisis?

**Andrew Selous**: I very much recognise the picture that my hon. Friend paints of what is happening at St Mary's in Aylesbury. I can tell him that, nationally, the Church has provided a sustainability fund to respond to the financial pressures caused by covid, and I also want to thank the Culture Secretary for the £10.7 million for vital repair work for 66 churches and cathedrals, and for what it will do to keep key craftsmen and women in work. I would welcome my hon. Friend's support in engaging the Government with the Taylor review recommendations to support the maintenance of churches like St Mary's in Aylesbury in a sustainable and long-term manner.

### SPEAKER'S COMMITTEE ON THE ELECTORAL COMMISSION

*The hon. Member for City of Chester, representing the Speaker's Committee on the Electoral Commission was asked—*

#### Electoral Commission Impartiality

**Dr Dan Poulter** (Central Suffolk and North Ipswich) (Con): What steps the Commission is taking to help ensure public confidence in the impartiality of the Electoral Commission. [907549]

**Owen Thompson** (Midlothian): In its most recent public opinion survey, in February this year, the words most frequently used by voters to describe the commission were "independent", "important" and "professional". The commission plays a vital role in maintaining fairness, trust and confidence in our democratic processes, both as a whole and in the nations of the UK. Its work ensures that UK election processes are accepted and that the funding and spending at elections and referendums are transparent.

**Dr Poulter** [V]: The Darren Grimes case flagged up some serious concerns about the capacity and ability of the Electoral Commission to prosecute cases. In fact, the trial judge found the Electoral Commission to be at fault for reversing the normal criminal justice burden of proof. Surely this undermines the concept of political impartiality. What steps are being taken to improve the investigative processes of the commission?

**Owen Thompson**: The commission's legal fees in that case were approximately £228,000, including solicitors' fees of £138,000 and barristers' fees of £90,000. The commission also paid £535,000 towards Mr Grimes's legal costs. Significant amounts of money are being spent in campaigning to influence voters, and it is right that the regulator for political finance should investigate and make findings on evidence of concerns. It is also right that the regulator should defend its findings in court. On this occasion, the court did not agree with the commission's findings, and it accepts that decision.

### CHURCH COMMISSIONERS

*The hon. Member for South West Bedfordshire, representing the Church Commissioners was asked—*

#### Church of England Estate: Woodland

**Kerry McCarthy** (Bristol East) (Lab): What proportion of the Church of England's estate is covered with woodland. [907556]

**The Second Church Estates Commissioner (Andrew Selous)**: In December 2019, the Church Commissioners had 53% of their global land, 27.5% of their UK land and 4% of their English land in forestry, and we also own pooled timber funds in the United States.

**Kerry McCarthy**: The 4% English cover puts it at the very bottom of the list. As I understand it, there are 105,000 acres in England. Why is the figure so low? Is there not a strategy to increase that cover, given that we know how important the role of trees is in natural carbon sequestration? Could the Church of England not do an awful lot better when it comes to England?

**Andrew Selous**: Like the hon. Lady, I strongly want to see more trees planted, and can tell her that so far this year we have planted 1.1 million trees in the UK, on top of the 2.6 million last year. We are always looking to plant more trees, but most of our rural estate is high-quality agricultural land, and is held in long-term tenancies to produce food.

**ELECTORAL COMMISSION COMMITTEE**

*The hon. Member for City of Chester, representing the Speaker's Committee on the Electoral Commission was asked—*

**Electoral Commission: Political Independence**

**Kevin Brennan** (Cardiff West) (Lab): I welcome—

**Mr Speaker:** Question No. 15.

**Kevin Brennan** (Cardiff West) (Lab): What steps the commission is taking to maintain its political independence.  
[907563]

**Owen Thompson** (Midlothian): The Electoral Commission's independence is established in statute. It is a public body, independent of Government and accountable to Parliament through the Speaker's Committee on the Electoral Commission, as well as to Parliaments in Cardiff and Edinburgh. Its independence is a vital part of ensuring that it is able to deliver its functions, and its work is integral to maintaining a democratic system that commands the trust and confidence of voters.

**Kevin Brennan:** Apologies, Mr Speaker. I have only been here 19 years; I am just getting used to it.

I welcome the hon. Member for Midlothian (Owen Thompson) to his place and send best wishes to the hon. Member for City of Chester (Christian Matheson) for a speedy recovery.

I recently undertook election monitoring training with the Commonwealth Parliamentary Association. One of the features of any good democratic process is an independent electoral commission, and that is what we have—one that is not afraid to take on the governing party, if necessary, from time to time. I therefore encourage the hon. Member to resist some of the calls from Conservative Members and from the Conservative party to abolish the Electoral Commission, and to ensure, as is required, that the new chair appointed is someone who is not a member of any political party, has not served as an MP, and has not donated to a political party in the past five years.

**Owen Thompson:** The independence of the commission plays a vital role in maintaining the legitimacy of our democracy, working across the four nations of the UK. It works closely with Parliaments and campaigners to create a strong culture of compliance, and ensures that the processes of registering votes and casting votes are carried out rigorously and transparently. The commission's work is integral to those functions.

**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 several minutes.

10.31 am

*Sitting suspended.*

## Business of the House

10.38 am

**Valerie Vaz** (Walsall South) (Lab): Will the Leader of the House please give us the forthcoming business?

**The Leader of the House of Commons (Mr Jacob Rees-Mogg)**: The business for next week will include:

**MONDAY 19 OCTOBER**—Consideration of Lords amendments to the Immigration and Social Security Co-Ordination (EU Withdrawal) Bill.

**TUESDAY 20 OCTOBER**—Consideration in Committee and remaining stages of the Non-Domestic Rating (Lists)(No.2) Bill followed by a general debate on Black History Month. The subject for this debate was determined by the Backbench Business Committee.

**WEDNESDAY 21 OCTOBER**—Opposition day (13th allotted day) There will be a debate on a motion relating to “fire and re-hire tactics” followed by a debate relating to social care. Both debates will arise on a motion in the name of the official Opposition.

**THURSDAY 22 OCTOBER**—General debate on covid-19.

**FRIDAY 23 OCTOBER**—Private Members’ Bills.

At the conclusion of business, the House will rise for recess and return on Monday 2 November.

The provisional business for the week commencing 2 November will include:

**MONDAY 2 NOVEMBER**—General debate on covid-19.

I am not going to pre-empt the statement from my right hon. Friend the Secretary of State for Health and Social Care, but if there were to be any subsequent implications for next week’s business, I would of course update the House in due course.

**Valerie Vaz**: I thank the Leader of the House for the business. I note that it appears from the House of Commons Twitter account that we have not had any votes in the House. He mentioned last week the need for impartiality, but I point him to the “MPs’ Guide to Procedure”, that really handy book, which says that an explanatory statement must

“objectively describe the effect of the amendment”,

so all the Twitter account is doing—the House account; it says it in the name—is using the same words that for centuries have been drafted independently by House authorities and Clerks: the name of the ten-minute rule Bills and the vote. I consider that to be objective. Can the Leader of the House confirm that the Government are not censoring that Twitter account?

Mr Speaker, I am glad that you clarified with the Prime Minister yesterday that it is a matter for the Government whether we go back to a hybrid Parliament and remote voting. May I ask the Leader of the House to be careful how he updates the Prime Minister? He clearly is not doing a good job of it. We are entering a really difficult phase. As we speak, people are isolating, and hon. Members are doing the right thing by staying in their constituencies. The Leader of the House has scheduled two debates on covid-19. May I ask him again if we could return to remote voting and a hybrid Parliament? This is a fast-moving situation, and people have to be very careful.

On a House matter, the Chair of the Committee on Standards, my hon. Friend the Member for Rhondda (Chris Bryant), wants to know when the motion on lay members of the Committee will be laid before the House. This is an independent procedure. There was only one Member involved—the rest were all outside, lay members—and they will think it slightly odd if we do not follow the correct procedure.

We must not use the pandemic to hide accountability for public money. According to *The BMJ*, £100 billion has been spent on Operation Moonshot. No one has come to the House to explain Operation Moonshot, which has been paused. Who is responsible for it? The technology, as I understand it, does not exist, so where is the money going? The Good Law Project would like to know the answers for its pre-action protocol, so I hope it will get them. It is no wonder the Government are looking into a review of judicial review. Judicial review is a way of holding to account people who make decisions on the people’s behalf, using people’s money. May we have a statement from the Lord Chancellor when the review is completed? It is his job to uphold the rule of law, not to dismantle it.

I think it is frightening, and my hon. Friend the Member for Warwick and Leamington (Matt Western) thought it was grubby, this idea of one Minister saying, “I’ll give money to your town if you give money to my town.” I do not know if people are aware of the Carltona principle, but it means that a senior civil servant can stand in the shoes of a Minister and make a decision, which to me would seem an important way of dealing with this and avoiding the perception of Ministers giving money to each other. Given that the National Audit Office and the Public Accounts Committee have both said that there is an issue with the towns fund, will the Secretary of State for Housing, Communities and Local Government come to the House, as asked by his shadow, and explain this?

The shadow Secretary of State for Health, my hon. Friend the Member for Leicester South (Jonathan Ashworth) has highlighted the fact that £56 million has been paid to consultants. I think now is a good time to publish the Cygnus report, so that we know whether public money has been spent in the right way.

My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) has said that public money has been used for legal fees to stop the debt being paid to Iran. At the heart of that are the two victims, Anoosheh and Nazanin, and also Luke Symons in Yemen. At Foreign Office questions, the Foreign Secretary said that all he has done is entertain his counterparts at Chevening; he has not made a statement. The Chair of the International Development Committee has tried to get him to appear before her Committee since June, but he has not done so.

I thank the Leader of the House for announcing that the Backbench Business Committee has a Black History Month debate next Tuesday. My hon. Friend the Member for Norwich South (Clive Lewis) is co-ordinating an appeal for Memorial 2007, to remember the victims of the transatlantic slave trade and slavery. The Government have provided money for other memorials. Will the Leader of the House have a word with the relevant Minister so that in their response to the debate next Tuesday, they can announce that they are also going to put some money into the memorial to enslaved Africans?

Finally, Remembrance Sunday is in three weeks' time. May we have an urgent statement on the organisational advice and guidance for local authorities for what will happen on that day?

**Mr Rees-Mogg:** The right hon. Lady is right to ask about Remembrance Sunday, but obviously regulations around the pandemic are changing and it would therefore be too early to commit to anything at this stage. She mentions Memorial 2007, and a very worthy memorial that is. It is worth remembering that in Victoria Gardens there is a memorial to the ending of the slave trade. It was put up in the 19th century, but most people walk past it without even knowing why it is there. We do commemorate, not very far from this House, the great effort that this country made in ending an evil trade.

I entirely agree with the right hon. Lady that all public money should be scrutinised carefully, however it is spent. We can be proud that this country has such a good record on its expenditure of public money. I think we are one of the least corrupt countries in the world, and that is because we have proper scrutiny of how public money is spent. I have every confidence that the way money has been spent by this Government, particularly on the towns fund, has been absolutely proper, because we know that there is scrutiny. That is the role of this House and has been since it came into existence. It is quite right that that should be the case.

As regards the review of judicial review, that manifesto commitment is being carried out. I am delighted that a Conservative Government are carrying out their manifesto commitments—that is why people voted for us, Mr Speaker. It shows that we are people of our word.

I am fascinated that the right hon. Lady raised the issue of the Good Law Project; I seem to remember that that is associated with a fox killer—a fellow who likes to go out into his garden and bash poor foxes over the head. I am surprised that people want to refer to that organisation, which is not necessarily led by the finest people in the land.

On Operation Moonshot, I do not recognise the figure of £100 billion having been spent; I am not sure where that comes from. Figures get bandied about, but £100 billion is a very, very large amount of money and I have to say that it might have been noticed had that much been spent.

The right hon. Lady asked about the lay members of the Committee on Standards. As often happens, motions are brought forward at the right time, and no doubt a motion will be brought forward, or more motions may be brought forward, at a suitable time.

I come to the heart of the right hon. Lady's questions today: they are about how this Parliament does its business. We have a duty to be here doing our business. It is unquestionably the case that democratic scrutiny is essential, even during a pandemic. We have to be here, holding the Government to account, asking questions, getting answers, legislating and ensuring that statutory instruments of national significance are debated on the Floor of the House, so that our constituents are represented thoroughly, questions are asked, and we seek redress of grievance for the people whom we seek to represent.

As we come here, we have a responsibility to ensure that we act in a responsible way. The House authorities, led by you, Mr Speaker, have made every effort to

ensure that we are covid-safe. Look around this Chamber and look at what we have done. We are sitting 6½ feet apart from each other; we are socially distanced. Look at the markings on the floor—I am pointing at things in the Chamber; I hope that that is not too difficult for *Hansard* to take down. Those markings are set out. People are wandering around wearing masks. I cannot pretend that I like wearing a mask. I cannot pretend that I do not find it slightly tiresome that my spectacles steam up, and therefore one is wandering around somewhat unable to see where one is going. But we are wearing masks because we are showing the nation what we ought to be doing, and we are legislating at the same time. We have a personal responsibility and a duty to legislate. We have a duty to be here. We have to show the way. To suggest that democratic accountability is not an essential service seems to me to be an offence to democracy.

**Scott Benton** (Blackpool South) (Con): The aviation industry is clearly going through a very difficult time at present, but that does not change the longer-term case for regional airports, such as mine in Blackpool, to increase connectivity, expand tourism and boost jobs and growth. Does my right hon. Friend think it would be in order to have a debate in this place about the role that regional airports can play in boosting growth and levelling up?

**Mr Rees-Mogg:** The Government certainly recognise that the aviation sector, which provides passenger and freight air services, is vital for domestic and global connectivity. The Government also recognise the importance of regional hubs. Bristol airport is very near to my constituency, so I completely understand the point my hon. Friend is making. We need a thriving, competitive aviation sector in the UK. The sector has benefited from the £190 billion package of job and income support, but it has been particularly badly affected. I think my hon. Friend ought to ask for an Adjournment debate specifically on Blackpool airport to raise any issues that arise with it.

**Tommy Sheppard** (Edinburgh East) (SNP) [V]: I will not be the only person who was disappointed at the response that the Leader of the House gave to the shadow Leader of the House a moment ago. Three of the four countries in the United Kingdom have introduced tougher restrictions on the public since we last had similar exchanges, and England will likely follow suit. Across all of them, there is a core message of avoiding unnecessary travel and working from home where possible. Surely, it is time for this Chamber to lead by example.

Many people will feel that the attempt by the Leader of the House to equate the role of MPs with that of frontline healthcare staff is somewhat shameful. Doctors cannot treat sick people without being physically present, but that is not the case for MPs. Everything we do could be done remotely; it is just that we choose not to, with the Government instead putting on a show in the Chamber in a vain attempt at normality. With lockdowns intensifying, this cannot continue. When will the Leader of the House switch the remote voting system back on, as recommended by the Procedure Committee, and when will the Government abandon the arbitrary distinction that allows Members to ask questions online but forbids them from moving motions or taking part in debates?

[Tommy Sheppard]

Let me now return to the question of Scottish independence. The Leader of the House may have seen the latest opinion poll that was published yesterday by Ipsos MORI, which shows 58% for independence. When I asked him last week if he would regard victory by Unionist parties at next May's general election as a mandate for the Union, he did not answer, so I ask him again. If he truly believes that the election has no relevance to the Union because of a prior democratic event seven years before, will he confirm that the Conservatives will not be campaigning on that question at the forthcoming election?

More importantly, if the UK Government are determined to ignore the settled will of the Scottish people, can we have a debate on the consequences for the Union? It seems that we are moving away from government by consent, and that the UK Government desire to keep Scotland in the Union against the will of the people who live there. If so, Parliament ought to be told.

**Mr Rees-Mogg:** The hon. Gentleman is disappointed with me, and that is a yoke I shall have to bear. It is, I fear, his default position to be disappointed with me, and I am afraid that in my answers today, his disappointment will only grow. I am sorry about that; none the less, I must proceed.

The House made a decision to be back in physical form and voted to return to physical voting—a system that is working effectively and ensures that our business can be done. It is essential for debates that we are here. The whole point of a debate is to challenge, to question, to intervene. That is not possible remotely. For Ministers, when we had that brief period of legislation going through remotely, it could not have been easier: all the Minister had to do was read out the prepared blurb. Nothing could be intervened upon; nothing could be questioned. [Interruption.] When we are here, as I am heckled by the Labour Chief Whip, interventions can come from a sedentary position, which may get the pith and moment of the debate, as the right hon. Member for Newcastle upon Tyne East (Mr Brown) is so good at doing. That leads to proper, informed debate. [Interruption.] Even Mr Speaker is intervening now.

**Mr Speaker:** I was just saying that we would not have interventions in business questions.

**Mr Rees-Mogg:** I am very reassured that you are sticking to the rules, Mr Speaker. It is essential that we have debates in person, otherwise the Government are not held to account.

Then we come on to the question of the United Kingdom. The vote was held in 2014, and it was won by the Unionists. The Scottish National party said at the time that it was for a generation. I know that the SNP is now a bit embarrassed about Alex Salmond, its former leader and almost the creator of its success. Its members are cautious about the text messages they have sent and forgetful about some of the meetings that the current leader held with him. It is amusing that, as I understand it, the current leader of the Scottish National party, Mrs Sturgeon, was so busy preparing to answer questions in the Scottish Parliament that she forgot what she had been discussing at other times of the day. I do not find that these memory lapses occur when I prepare for business questions, but never mind that particular point.

It was said that the vote would last for a generation, and a generation is not seven years. What will we campaign on? The success of the Union. Some £7.2 billion has gone to Scotland, and 779,500 jobs in Scotland have been protected in the furlough scheme. The United Kingdom taxpayer is able to afford that because it is the taxpayers of England, Scotland, Wales and Northern Ireland coming together for the greater good of our wonderful nation.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con) [V]: Back in March, as the elected chair of the Council of Europe's Committee on Political Affairs and Democracy, I called on the 47 member states not to let democracy be a casualty of the covid crisis. My default position is usually to support the Leader of the House. It is ironic that in our own Parliament, despite having the technology, elected MPs who cannot attend Parliament for valid medical or other reasons are denied the right to participate remotely in proceedings other than questions, statements and Select Committees. However, it is good enough for the unelected Members of the Lords, who are able to use remote facilities to participate in debate. A vital part of democracy is currently being denied to elected MPs. In the face of the rising tide of covid infections, can we have a debate on the death of democracy in the mother of Parliaments, or will the Leader of the House get off his high horse and remove this restriction, which has resulted in the discriminatory silencing of the voices of so many of his colleagues, leaving them unable to perform their scrutiny function?

**Mr Rees-Mogg:** I am obviously sympathetic to the position that my right hon. Friend finds herself in—she is a much respected Member of this House—but the truth is that democracy has not died; it is thriving, because we are holding our debates properly. My right hon. Friend does take part—she is taking part now in interrogative proceedings, which is an exception to our normal course of business. Debates do not work without interventions. I know that she wishes to introduce a private Member's Bill on Friday, but when a Member introduces a Bill, they need to be questioned and cross-examined on what is happening. That does not work in remote proceedings. When we had remote proceedings, there was no facility for interventions. The remote voting system in the House of Lords went down, and they had to do it all over again. We cannot have systems that fail. When we are here in person, the debates work, the legislation is challenged and democracy is upheld.

**Ian Mearns** (Gateshead) (Lab) [V]: I thank the Leader of the House for the business statement and for the protected time—as I understand it—for the Backbench Business Committee debate on Black History Month on Tuesday.

I cannot help noticing that the Government continue to schedule general debates of their own, albeit on important issues, with general debates scheduled for both 22 October and 2 November. The Backbench Business Committee currently has 32 unallocated debates on a wide range of subjects, subscribed to by hundreds of Members from all parties. I am saying this not on behalf of myself or the Committee, but on behalf of Members across the House who wait for time for their debates in various states of patience or impatience. Only this morning I was asked by the Chair of the Education Committee, the right hon. Member for Harlow



(Robert Halfon), to remind the House that he has an application awaiting time for a debate on food hunger among children. Will the Leader of the House please consider that when he allocates time for general debates in the House?

**Mr Rees-Mogg:** I can confirm that there will be three hours of protected time for the debate on Black Lives Matter. I appreciate the point that the hon. Gentleman makes, but the Government have to strike a balance and there seems to me to be considerable demand for covid debates. I will of course bear in mind his request for more time for the Backbench Business Committee and our obligations under Standing Orders.

**Henry Smith** (Crawley) (Con) [V]: Last month, Her Majesty's Treasury announced proposals to end tax and duty-free shopping from next year. The sector represents outputs of around £2 billion for our economy and employs around 20,000 people. May we have a debate on the reconsideration of the policy at the earliest opportunity?

**Mr Rees-Mogg:** One of the great things about leaving the European Union is that we are getting duty-free back, so for the first time in 20 years people will be able to get some cheap alcohol when they travel to the European Union. As I understand it, the VAT reclaim scheme will still apply if goods are posted to the person, even if it will no longer be available if a person takes them out of the country themselves. We had to decide, under World Trade Organisation rules, whether to extend the scheme to all EU nationals or withdraw it from non-EU member state nationals. The decision was taken to unify it in the way that we already have it with the European Union, rather than to extend the concession. The consequences for revenue would have been quite significant otherwise.

**Stephanie Peacock** (Barnsley East) (Lab): Of the 61 areas chosen by Government Ministers for the new towns fund, 60 were in Conservative-held constituencies. May we have a debate in Government time on this scandal?

**Mr Rees-Mogg:** That is because we won so many seats at the general election.

**Karl McCartney** (Lincoln) (Con) [V]: My right hon. and very sound Friend will recall that I recently asked him about the Independent Parliamentary Standards Authority and the fact that it has treated Members departing from this place at different general elections differently and inequitably. I hope he agrees with me, despite IPSA's letter, that it is wrong and should be righted. Does my right hon. Friend also agree that IPSA should not break employment laws, whether imposed by the EU or by our own lawmakers? Will he condemn the two-tier system that IPSA has decreed in respect of who can or cannot work for Members of Parliament? All Members in this place should be equal, but at present they are obviously not viewed as such by the establishment.

**Mr Rees-Mogg:** IPSA is independent of Parliament and Government and has sole responsibility for setting and regulating MPs' salaries, pensions, business costs and expenses. That decision was come to in the wake of the expenses scandal in 2009: it was thought that Members

should not themselves be responsible for such issues. I will, of course, take up for any right hon. or hon. Member any concerns they have with IPSA, but the principle of independence is an important one, and therefore as Leader of the House I should not weigh in with heavy criticisms of an independent body.

**Alex Norris** (Nottingham North) (Lab/Co-op): This morning I attended a virtual conference held by ThinkForward, which provides skills mentoring in my community. It was an exciting collaboration between young people, schools and local businesses, and we discussed how to create better opportunities for people in my community during these challenging times. May we have a debate in Government time on how we maximise opportunities in this difficult period?

**Mr Rees-Mogg:** The hon. Gentleman should come over to the Government Benches, where he would be extremely welcome, because he is really advocating Government policy for levelling up. I hope we will have many opportunities to debate the success and ambition of our levelling-up programme.

**Alicia Kearns** (Rutland and Melton) (Con) [V]: Our Union must be protected at all costs, so can my right hon. Friend confirm that it would be illegal for the Welsh Labour Government to introduce an intensive border within the UK to restrict movement between England and Wales, and that to do so would damage our precious Union and the links between our four great nations?

**Mr Rees-Mogg:** Mr Speaker, what would you expect of a hard left Labour Government? The approach to putting a border between England and Wales is unconstitutional and will place the police in an invidious position considering that they serve the whole of the United Kingdom. We are one single United Kingdom and we should not have borders between different parts of the United Kingdom. I am afraid that that is what you get when you vote for socialists.

**Justin Madders** (Ellesmere Port and Neston) (Lab): The Leader of the House has already expressed confidence in how money is allocated by the towns fund this morning. If that is the case, why will the Secretary of State for Communities and Local Government not come here to answer questions on the subject? I for one would love to ask him why every town that was classed as low priority by officials and that was actually given funding just happened to be a Conservative-held seat or a target seat at the general election last year. That seems to me a remarkable coincidence that demands an explanation by the Secretary of State. Does the Leader of the House agree?

**Mr Rees-Mogg:** I point out that we won lots of seats at the last election and we won lots of seats in areas that had previously been held by the Labour party, and that seats can change from one party to another, but that is not one of the criteria. Of course, my right hon. Friend the Secretary of State makes regular statements to this House. He will be back here for questions on 16 November, but there are other ways of questioning him, including written questions, and the hon. Gentleman knows how to use the procedures of this House.

**Sir Desmond Swayne** (New Forest West) (Con): Can we have a debate on censorship? Then we would be able to discuss the sinister disappearance of the link from Google to the Great Barrington declaration, wouldn't we?

**Mr Rees-Mogg:** When I first heard of the Barrington declaration, I thought it was something to do with cricket, but it turns out that it is not. Sir Ken Barrington was a very distinguished cricketer. I will not go into the Barrington rules for children to play under, which are very successful.

My right hon. Friend is absolutely right to raise the question of censorship. The Government are sceptical about the Barrington declaration, but that does not mean that people should not be free to discuss it, and it is a worrying trend for large internet operators to think that they should be the arbiters of free speech. It is not for them to arbitrate over free speech. It is perhaps even more troubling that they are sometimes slow to take down material that could damage children, but they are not so slow to take down things that they do not agree with politically, and that raises important questions.

**Wera Hobhouse** (Bath) (LD): Disabled people already faced significant barriers to accessing work before the pandemic. Recent research from Citizens Advice shows that one in four disabled people have reported that they are now at risk of losing their job, or are in the process of doing so. What are the Government doing to ensure that this pandemic does not lead to a rollback in the progress that the UK has made on disability-inclusive employment?

**Mr Rees-Mogg:** The Government will be publishing a national strategy for disabled people, taking into account the effects of the pandemic and therefore including effects on employment, and that is policy work that is under way. There has also been the announcement of a fund of £1 million for charities supporting people with learning disabilities to help them in this difficult time.

**Sir David Amess** (Southend West) (Con): Will my right hon. Friend find time for a debate on the treatment of people suffering with endometriosis? On the 19th of this month, the all-party Parliamentary group on endometriosis will present its findings following a survey of more than 10,000 people. I do hope that our recommendations will be acted on.

**Mr Rees-Mogg:** I am grateful to my hon. Friend for raising this issue during business questions again. He has been an admirable campaigner for the treatment of people suffering from endometriosis, which is a disease of considerable significance and concern to a significant number of people, and he is right to raise awareness of it. His report will, I am sure, be welcomed and will be passed to the Secretary of State. If he has any difficulty getting a reply, he may raise it again at business questions and I will certainly help him to ensure that he gets a reply.

**Gerald Jones** (Merthyr Tydfil and Rhymney) (Lab): On 22 September, I raised concerns with the Prime Minister about holiday companies refusing to recognise the Welsh local lockdown regulations and refusing people refunds when they are unable to go on their holidays. The Prime Minister asked for details because he was unaware of the situation, which I provided to him on that day, but three weeks later I still have not heard

anything back. Could we have a debate or a statement from the Government outlining what they intend to do to support people across Wales who are affected by this situation?

**Mr Rees-Mogg:** Obviously I will try to seek an update for the hon. Gentleman in response to his letter. As I said earlier in relation to Scotland, the United Kingdom taxpayer has given an enormous amount of support to Wales, with £4.4 billion and over 400,000 jobs being supported through the furlough scheme. There are significant amounts of money. This is part of the success of the United Kingdom in being one country and being able to support all parts of it.

**Virginia Crosbie** (Ynys Môn) (Con): Will my right hon. Friend find time for a debate to ensure that this Chamber remains open in order that each one of us, on both sides of the House, can represent their constituencies—in my case, the beautiful island of Ynys Môn? The House of Commons sat during the war. We must sit now, especially at this most important time for our country.

**Mr Rees-Mogg:** My hon. Friend asks a really important question. At the beginning of the year, it was necessary for Parliament to sit virtually in order to continue to function and to scrutinise Government during the lockdown. But during remote proceedings it became clear that when working from home MPs were not able to perform their constitutional role as effectively, either in scrutinising the Government or in getting vital legislation on to the statute book. The House authorities have made really first-class efforts to ensure that physical proceedings are in operation in line with Public Health England guidance and are safe both for Members and for staff of the House. Your leadership, Mr Speaker, has been inspirational in these terms. It is the Government's view that returning to a physical Parliament has allowed proper scrutiny to be restored with better debate and greater progress for legislation. It is only thanks to returning to physical proceedings in that carefully managed fashion that we have been able to scrutinise and pass new legislation effectively, including the new and urgent coronavirus regulations, and complete the essential transition period legislation.

**Patrick Grady** (Glasgow North) (SNP): Yes, but a growing proportion of Members simply cannot take part and would be able to if we switched on virtual participation in debates, while those who wanted to come would be able to. For example, we could have a debate on my early-day motion 1001 on the emergency gift aid campaign.

*[That this House marks the annual Gift Aid Awareness Day which fell on 8 October 2020; appreciates that Gift Aid Relief is the practical application of the long-established principle that donations to charities should not be taxed; recognises that the charitable sector is in the middle of the biggest financial crisis it has ever faced, with huge falls in income at the same time as increased demand for services; considers that a Gift Aid Emergency Relief Package would go a long way to keeping vital charitable services running; calls on the UK Government to increase Gift Aid from 20% to 25% for two years from the start of the 2020-21 tax year; further calls on the UK Government to introduce changes to the Gift Aid Small Donations Scheme to remove barriers for entry to ensure wider access across the voluntary sector and increase the amount*

*that can be claimed from £8,000 to £10,000; and believes that the cost of such measures need not be prohibitive given that the National Audit Office estimates that £560m of eligible Gift Aid is unclaimed each year and that charities are likely to see an overall fall in donations in the current challenging economic circumstances.]*

As the shadow Leader of the House pointed out, this time last week it was Gift Aid Awareness Day. So many charities, big and small, are providing vital services in response to the pandemic but are equally being hit by fundraising difficulties. A short-term uplift in the gift aid scheme, for a couple of years, would allow them to access extra funds in order to deliver those vital services. Could the Leader of the House find time for a debate on that?

**Mr Rees-Mogg:** The hon. Gentleman is right to raise the issue of gift aid and the difficulties that charities are facing. The Government have provided some extra support for charities to help them through this period. I cannot, I fear, promise him a debate, but, Mr Speaker, you have no doubt heard his application for an Adjournment debate.

**Matt Vickers** (Stockton South) (Con): 6 January 2009 was a sad day in our nation's history when we said goodbye to a British institution. I worked for Woolworths and loved every minute of it. It sat at the heart of our communities, providing great jobs and some of the best pick'n'mix known to man. Our high streets are fighting for their lives in a battle made ever worse by the pandemic. Will my right hon. Friend consider a debate on the future of our high streets?

**Mr Rees-Mogg:** Ah, the wonder of Woolies. May I commend my hon. Friend for his incredible ability with pick'n'mix? We are all looking forward to some sweets after business questions. High streets are essential to our towns and our sense of community. The Government are committed to supporting the businesses and communities that make our high streets and towns successful. That is why there is the £3.6 billion towns fund, which Labour does not much like, the purpose of which is to bring much-needed investment to towns and high streets across the country. We are also supporting local leadership through the high streets taskforce, which is giving them the expert advice that they need to adapt and thrive. Adapting and thriving is going to be essential for high streets, and I am glad to say that taxpayer money is there to support it.

**Fleur Anderson** (Putney) (Lab): The future of the Putney boat race is at stake. Not only that, but the closure of Hammersmith bridge is causing misery to thousands of people across south-west London. Does the Leader of the House remember my asking a question back in February about the restoration of Hammersmith bridge? He advised me to keep on making representations in the House. Well, here I am, keeping on making representations in the House. The Government have set up a taskforce. It has been meeting for five weeks, but there is still no sign of any Government funding, and that is what we need. Will the Government urgently make time for us to debate the funding of the restoration of Hammersmith bridge?

**Mr Rees-Mogg:** The hon. Lady is right to keep raising this point, and perhaps we can raise it with the Mayor of London, who has lots of money, which he spends

extremely badly, or with the socialist Hammersmith Council, which has responsibility as well. Not everything falls on Her Majesty's Government; there are local authorities that have responsibilities, and they need to fulfil those responsibilities with the funding provided to them centrally from taxpayers.

**Felicity Buchan** (Kensington) (Con): People throughout the country are benefiting from this Government's stamp duty holiday. However, given the high property prices in central London, many of my constituents are not benefiting. Does my right hon. Friend agree that we need a fundamental review of stamp duty, because ultimately it is a tax on social mobility?

**Mr Rees-Mogg:** I think that I might cause trouble inside the Government if I started speculating about what might happen with stamp duty. That is a matter for the Chancellor, but my hon. Friend is absolutely right to raise this issue, because I completely understand that it affects her constituency differently from many other constituencies in the country. I will pass on her comments to the Chancellor.

**Liz Twist** (Blaydon) (Lab): Yesterday, I heard that in my constituency of Blaydon, one child in four now lives in poverty, an increase of 7% over the past four years. New research from the End Child Poverty coalition shows that the north-east has the second highest rate of poverty in the UK. Poverty blights the lives of children for the rest of their lives. We urgently need a national strategy to eradicate child poverty, so will the Leader of the House commit the Government to examining this issue? Can we have a debate in Government time on this hugely important issue?

**Mr Rees-Mogg:** The hon. Lady is absolutely right to highlight this important and troubling issue, which shows that there is still more to be done, but the Government have already achieved a great deal. It is worth noting that 200,000 fewer people live in absolute poverty now than in 2010, and absolute poverty rates across the country have fallen in every region since 2010. There are 786,000 fewer children living in a workless household now, which is a record low. Although I absolutely understand what the hon. Lady is saying, and I sympathise with her point and I accept that there is more to be done, a great deal has already been achieved.

**Elliot Colburn** (Carshalton and Wallington) (Con): Carshalton and Wallington residents have been sending me photos and videos of the chaos that road closure schemes are causing, thanks to their introduction by the Lib Dem-run council. That has included videos of emergency service vehicles having to turn around while on call and find alternative routes to incidents. That is not acceptable, so can we have a debate about the introduction of these road closure schemes and the need for local authorities to consult properly with residents and with the emergency services?

**Mr Rees-Mogg:** Unfortunately, Lib Dems hate the motorist and therefore they have used this scheme, wherever they have had the opportunity, to make life more difficult for the motorist. Conservatives are supporters of the motorist and the great freedom that motoring brings, but local authorities are autonomous and therefore we must campaign for more Conservative councillors to try to be on the side of the motorist.

**Douglas Chapman** (Dunfermline and West Fife) (SNP) [V]: Polls released this week suggest that almost 80% of young people in Scotland would vote for Scotland to be an independent country. The Government have used public money to conduct their own polls on support for independence, and in response to earlier questions, the Leader of the House made the case for parliamentary scrutiny, so why will the Government not publish those polls and give answers to legitimate parliamentary questions asked by my colleagues? What have Her Majesty's Government got to hide?

**Mr Rees-Mogg:** Her Majesty's Government have nothing to hide. It is worth reminding the hon. Gentleman that there was a proper poll—a poll where people went with a pencil and cast an X in 2014. X marked the spot, and the spot was remaining in the United Kingdom.

**Gareth Davies** (Grantham and Stamford) (Con): In my constituency, inspire+ is a fantastic local charity that works with schools to provide engaging physical education lessons. It has shown me that active children are healthier, happier and better students. Can we have a debate on the importance of sports and PE in our national curriculum?

**Mr Rees-Mogg:** I am grateful to my hon. Friend for his question, and I congratulate inspire+ on the work it is doing. PE and sport is a vital part of a broad and balanced school curriculum—in brackets, when I was at school, I absolutely hated it, close brackets—[*Laughter.*] No, never mind. It has benefits not just for physical health, but for wider wellbeing, attainment and engagement with other children. The primary PE and sport premium provides funding directly to primary schools to make sustainable improvements. The Government have confirmed funding of £320 million for the current academic year, and the first payments will be made to schools, as usual, at the end of this month. I will make sure that my hon. Friend's views are shared with my right hon. Friend the Secretary of State for Education. I confess that, when I was at school, I made Walter the Softy look strong, which was perhaps why I was not so keen on PE personally.

**Carolyn Harris** (Swansea East) (Lab): Monzo, Starling, Lloyds and Barclays banks have all made gambling blocks available on their accounts. Introducing this friction is a vital part of the support that banks can provide to help people with a gambling addiction. Will the Leader of the House join me in commending the actions of these banks, encourage others to follow their lead and urge all in the financial sector to do even more to help prevent gambling-related harm?

**Mr Rees-Mogg:** Indeed, I join my hon. Friend on the very encouraging point she raises. Tackling gambling addiction is a cause that has cross-party support. The Government are committed to protecting people from the risks of gambling-related harm, and we have been clear that we will review the Gambling Act 2005 to ensure that it is fit for the digital age. I do hope that more banks will follow the commendable example raised by my hon. Friend. It is encouraging when businesses act of their own accord to improve the lives of their customers in this way and do not need intervention from the state. My hon. Friend is one of the most successful campaigners in this House, and I know she will continue with this campaign, which has a great deal

of support. She has an opportunity to raise it further at Digital, Culture, Media and Sport questions on 5 November.

**Mrs Natalie Elphicke** (Dover) (Con): In last week's business questions, my hon. Friend the Member for Aylesbury (Rob Butler) raised questions about the flooding of raw sewage. This is an issue in many constituencies, including in my own in the historic town of Deal, which has seen inadequate management by Southern Water and ineffective oversight and regulation by Ofwat. Will my right hon. Friend provide time for a much-needed debate on this issue so that we can put an end to the scourge of smelly sewage and filthy flooding?

**Mr Rees-Mogg:** The distress that sewer flooding can cause is very considerable, and water companies have a duty to drain their areas effectively. I can assure my hon. Friend that the regulator takes this issue seriously. Water companies are expected to reduce the amount of sewage flooding that their customers experience, and they face penalties if they fail to achieve this. We do expect companies to improve their planning in co-operation with others responsible for drainage, so they can take a more strategic approach to reducing sewer flooding as part of the new drainage and wastewater management plans. In the first instance, I cannot promise a debate in Government time, but it may be another Adjournment debate under your auspices, Mr Speaker.

**Mr Speaker:** You're all heart.

**Daniel Zeichner** (Cambridge) (Lab): The national data strategy was unveiled recently, and I am sure the Leader of the House knows how important it is that we secure a data adequacy agreement with the European Union soon. He may also have noticed that commentators were surprised at what they termed the “buccaneering” language used in some of it, which I would perhaps attribute to Mr Dominic Cummings. Given the importance of securing data flows with the European Union, can the Leader of the House make time for a statement from a Minister on this very important issue soon?

**Mr Rees-Mogg:** As I have just mentioned, Digital, Culture, Media and Sport questions will be on 5 November, so “Remember, remember the 5th of November” for other purposes. The national data strategy is a very good strategy. We need to be buccaneering about it because it may determine our economic future, and if that is coming from Dominic Cummings, all power to his elbow.

**Peter Gibson** (Darlington) (Con): In 1821, this House passed the Act that brought about the Stockton and Darlington railway, enabling Darlington to become the birthplace of the railways. Our world heritage bridge featured on the £5 note, with Locomotion No. 1 travelling across it, and my constituents are petitioning for that engine to stay in Darlington. We have grand plans to develop a rail heritage quarter, in part funded by a successful towns fund bid. Our nation will have the opportunity to celebrate the 200th anniversary of the railways in 2025. As they are central to our country's identity and economy, I wonder whether the Leader of the House could find time to debate how our nation might mark and celebrate this significant milestone, highlighting the significant contributions of our railways, past, present and future.

**Mr Rees-Mogg:** My hon. Friend is right to raise this important anniversary, although neither of us was there for the Bill's introduction in 1821, it being a little before our time. Locomotion No. 1 in Darlington shows Darlington's central importance to the story of our railways and the community around that. The Government towns fund will spend £3.6 billion of taxpayers' money in town centres and high streets to level up our regions and create places across the country where people want to live and thrive. So Darlington has its own bid in, and I wish it good luck. The 200th anniversary is an opportunity for international attention to turn to Darlington, and it is worth noting that Her Majesty's Government have the biggest railway building programme since that happy era when Queen Victoria was on the throne.

**Judith Cummins** (Bradford South) (Lab): Yesterday, the Government took out a full-page advert in my local paper to inform people of the new covid alert level across Bradford, but the advert got the tier wrong. It said that we are in the medium tier, whereas Bradford and the whole of West Yorkshire is in the high level. From statements via Twitter to late-night announcements, this is more staggering incompetence from a Government who are losing their grip on this pandemic. The very least we can all expect is accurate information on new rules, so may we have a debate in Government time on Government communications during this pandemic?

**Mr Rees-Mogg:** The Government have done a great deal to support local newspapers through this pandemic by placing adverts in them, and that has been an important way to help a community facility that is very much appreciated. I urge people to look up the regulations on the Government website to find out which tier they are in and what the regulations mean for them, but I am glad to tell the hon. Lady that there will be two debates on covid when it will be possible to raise these issues.

**Andrew Jones** (Harrogate and Knaresborough) (Con): Please may we have a debate on the role of skills in the levelling-up agenda, which is so central to this Government's priorities? It would be very valuable to explore the role of skills, particularly digital skills. Businesses raise the issue of digital skills with me more than any other issue in the sphere of employment.

**Mr Rees-Mogg:** I thank my hon. Friend and agree with him that finding innovative ways to advance our digital skills is vital to our levelling-up agenda and building back stronger from the pandemic. The Government have established local digital skills partnerships in seven regions across England to bring together cross-sector regional and national partners to work to improve the skills of the current workforce, advance digital inclusion and build thriving regional economies. In addition, there is a £3 million digital skills programme in Greater Manchester and Lancashire—Lancashire, Mr Speaker—to boost digital training skills. My hon. Friend is raising an important point.

**Jim Shannon** (Strangford) (DUP): Bearing in mind the tremendous decision in the criminal courts in the Republic of Ireland to sentence the murderer of a Garda Síochána officer for the first time since the mid-1990s with a 40-year sentence, will the Leader of the House agree to a debate to highlight the need for similar changes to be made in the courts of the United

Kingdom of Great Britain and Northern Ireland to ensure that those who murder service personnel will know that they face enhanced sentences, especially in the light of the leniency in Northern Ireland that has left Royal Ulster Constabulary and Police Service of Northern Ireland widows and families feeling that the justice they have achieved for their loved ones is not on a par with the loss they still face today?

**Mr Rees-Mogg:** The Government unquestionably owe a tremendous debt of gratitude to the brave men and women of the RUC and the PSNI for their incredible work in keeping the people of Northern Ireland safe. The hon. Gentleman should be commended for his efforts to ensure that the victims of terrorist violence should receive the justice and support to which they are entitled. The sacrifice of those who have paid the ultimate price in the performance of their duties must not be forgotten. Criminal justice is, of course, devolved in Northern Ireland, but we are aware that under the Northern Ireland Executive's tackling paramilitarism programme, the Department of Justice has committed to a review of sentencing policy. I urge the hon. Gentleman to get involved with that review and make his views known.

**Mark Eastwood** (Dewsbury) (Con): I represent a football-mad constituency with the majority being Leeds United and Huddersfield Town supporters. In Germany, France, Italy and Spain, fans have been allowed back into their stadiums, albeit in much smaller numbers to allow for social distancing in an outdoor environment. I am a proud Leeds United supporter. Will my right hon. Friend consider allowing a debate on getting fans back into football stadiums safely, which would help football clubs at all levels that are struggling financially from the pandemic?

**Mr Rees-Mogg:** This is clearly an important issue for many Members of Parliament, and the Government are committed to getting spectators back into stadiums as soon as it is safe to do so. We will continue to work with a range of sports to understand how spectators may be allowed back safely. That does include the creation of a new sports technology and innovation group with sporting bodies and health experts to analyse new technologies that might support that. The Government appreciate that more must be done to allow fans back to stadiums safely, and there is good news that the Premier League is spending £50 million to support grassroots football throughout the crisis. I remind my hon. Friend about 5 November when the Secretary of State for Digital, Culture, Media and Sport will be at the Dispatch Box.

**Hannah Bardell** (Livingston) (SNP) [V]: This week the Council of Europe and its 47 member states adopted the report "Drug policy and human rights in Europe: a baseline study". It advocates a health and human rights-based approach to drug use and addiction, and recognises that the criminal justice approach that the likes of the UK Government take is failing people across the world. I am the proud author of that report, and I hope that the UK Government will now adopt all aspects of it to save lives and protect communities. Can we have a debate on drugs policy and human rights and ensure that the relevant powers to deal with drug use and addiction are devolved to Scotland, so we can ensure

[*Hannah Bardell*]

that we meet our international obligations and implement best practice for Scotland and her people?

**Mr Rees-Mogg:** I am sure the Government will look at the report that the hon. Lady refers to, but it will not surprise her to learn that there are no current plans to change drugs policy.

**Mr Peter Bone** (Wellingborough) (Con) [V]: Lord Frost and the British EU negotiating team have returned from Brussels this morning and are about to brief the Prime Minister on whether to continue negotiations or to call it a day and prepare for a no-deal trade Brexit. Will the Leader of the House say whether there are any plans for the Prime Minister to come to the House tonight to make a statement or whether he plans to make the statement to the House on Monday, which would be a good day as it is my birthday and I would like to know, as a very good birthday present, the decision?

**Mr Rees-Mogg:** The House will be en fête on Monday in celebration of my hon. Friend's birthday, the bunting will be up and the state trumpeters will be borrowed, if possible, from Buckingham Palace, so that we may have a proper fanfare, but unfortunately I cannot at this point promise a particular statement.

**Kevin Brennan** (Cardiff West) (Lab): As it is my birthday tomorrow, can that be done for me first, particularly as the Prime Minister cancelled my birthday party last year because of the special sitting we had to have on a Saturday—because of Brexit? May we have a debate about the growing concern about public appointments and the awarding of contracts by this Government? Government really should not be about a bunch of people lecturing everyone about the spending of taxpayers' money while organising the state to ensure that they and their friends get a fat piece for themselves.

**Mr Rees-Mogg:** That is an outrageous question and beneath the hon. Gentleman.

**Joy Morrissey** (Beaconsfield) (Con): In the light of the Darren Grimes case, from which it seems it is now permissible for a man to be subject to police investigation for simply asking a question—Orwell come to life—will my right hon. Friend agree that we are endangering a free press by allowing and endorsing censorship disguised in the sugar-coating of social justice?

**Mr Rees-Mogg:** The police are obviously operationally independent, so I would not want to speak about a particular case. I will say this, however. Freedom of speech is one of the pillars of our constitution. Without freedom of speech we find that democracy fails, because there is no ability to question what people are doing and saying. We know that over the centuries regimes that attack freedom of speech often do so through legal

means. We used to have criminal libel in this country, which was used in the 18th century to silence people who said disobliging things about the Government. We do not want to be in the situation where laws are used to stop freedom of speech. Freedom of speech is valuable whether it is responsible speech or irresponsible speech, as long as it does not incite hatred or violence. That is the key, and freedom of speech must be protected by this House.

**Alex Davies-Jones** (Pontypridd) (Lab): With bonfire night on the horizon, people across the country will be preparing to celebrate in ways that are likely to differ from celebrations in years gone by. With planned public displays across the country and in my own constituency cancelled left, right and centre, more and more people are likely to want to celebrate at home. Yet we must remember how dangerous using fireworks can be, from both a health and safety and an environmental point of view, with animals suffering from distress, along with those suffering from post-traumatic stress disorder and mental health conditions. With that in mind, will the Leader of the House please commit to a debate in Government time to discuss the greater regulation of firework sales?

**Mr Rees-Mogg:** No, I am sorry, but I won't. I think the regulations are about right and fireworks are fun.

**Christine Jardine** (Edinburgh West) (LD): As a Liberal Democrat, who is, coincidentally, also a motorist, can I say that none of us can possibly miss the fact that today is 15 October, the deadline imposed by the Prime Minister for negotiations with the European Union? As recently as last week, one of the UK's Brexit negotiators, Lord Frost, stood by the Prime Minister's statement that the UK could walk away from negotiations if an agreement was not reached by today. All we have in this place are rumours about micro-deals and speculation. Will the Leader of the House please explain why we have not had a ministerial statement, and will he tell us when we can expect one?

**Mr Rees-Mogg:** When the hon. Lady said we must remember it is 15 October, I had a nasty moment because it is, of course, my wife's birthday. Fortunately, I had not forgotten. It would have left me in a good deal of trouble if I had.

The hon. Lady's question is a very important one. It is important that the House is updated in reasonable time about what the situation is. Currently, there is nothing to update, otherwise the House would be updated.

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

11.37 am

*Sitting suspended.*

## Covid-19 Update

11.40 am

**The Secretary of State for Health and Social Care (Matt Hancock):** With permission, Mr Speaker, I would like to make a statement on coronavirus.

The threat remains grave and serious. In Europe, positive cases are up 40% from one week ago, and in Italy, Belgium and the Netherlands, they have doubled in the last fortnight. Here, we sadly saw the highest figure for daily deaths since early June. Let us be under no illusions about the danger posed by this virus. Coronavirus is deadly and it is now spreading exponentially in the UK. We must act to prevent more hospitalisations, more deaths and more economic damage. We know from recent history that when this virus keeps growing, unless we act together to get it under control, this is the result.

Our strategy is to suppress the virus, supporting the economy, education and the NHS. Local action is at the centre of our response. The virus is not spread evenly, and the situation is particularly severe in some parts of the country. Through the Joint Biosecurity Centre and NHS Test and Trace, we have built up a detailed picture of where and how the virus is spreading. This week's NHS Test and Trace statistics show that testing capacity is up, testing turnaround times are down, and the distance travelled for tests is down too. Thanks to this capacity and analysis, we have been able to take a more targeted approach, keeping a close eye on the situation in local areas, bearing down hard through restrictions on a local level where they are necessary.

I know that these restrictions are difficult for people. I hate the fact that we have to bring them in, but it is essential that we do bring them in, both to keep people safe and to prevent greater economic damage in the future. When a virus is moving fast, we cannot stay still. We know that if we act collectively, we can control the virus, because we have done it before. I believe in the people of this country. I believe—in fact, I know—that the people of this country want to control the virus, to protect their loved ones, their lives and their livelihoods, and I believe from the bottom of my heart that, acting together, we can.

We must take firm and balanced decisions to keep this virus under control. This is the only way to protect lives and livelihoods, and we must act now. Delayed action means more deaths from covid, it means more non-covid deaths, and it means more economic pain later, because the virus comes down slower than it goes up. We should stop it going up in the first place. Unless we suppress the virus, we cannot return to the economy we had; unless we suppress the virus, we cannot keep non-covid NHS services going; and unless we suppress the virus, we cannot keep the elderly and the vulnerable safe and secure.

I did not come into politics to put restrictions on people's lives. I want people to have as much freedom as possible, subject to not harming others. But the nature of this virus means that any one of us can inadvertently pass it on without even knowing. That is the liberal case for action. I believe that the British people get that, but I want that action to be as targeted as possible. Local action is one of the best weapons that we have, and we have seen how local action can flatten the curve, for

example in Leicester and Bolton. That is the principle that sits behind our new, simpler system of local covid alert levels. I am pleased that the House approved those measures earlier this week.

Yesterday, I chaired a meeting of the Local Action Committee gold command, which brings together the best data and the best clinical and public health expertise to look at how the virus is spreading. Turning first to parts of the country where prevalence of the virus is highest, discussions are ongoing with local leaders on moving from high to very high. These are areas where transmission is rising at the sharpest rate and where we see a very real risk to the local NHS.

The Liverpool city region moved into the very high level yesterday, and I thank the local leadership for their public service and cross-party teamwork in the face of this virus. We have developed a substantial package of support for areas that enter that third tier, including more support for local test and trace, and more funding for local enforcement and the job support scheme of course, alongside the offer of help from the armed services. In other areas currently in the second tier where discussions are ongoing, no further decisions have yet been made, but we need to make rapid progress.

Turning to other areas of the country currently in the medium level where rates are rising fast, in London infection rates are on a steep upward path, with the number of cases doubling every 10 days. The seven-day average case rate stands today at 97, rising sharply. We know from the first peak that the infection can spread fast and put huge pressures on the NHS, so we must act now to prevent the need for tougher measures later on. Working closely with the Mayor, cross-party council leadership, local public health officials and the national team, we have together agreed that London needs to move to local covid alert level high. I want to take a moment to thank all those involved for their exemplary hard work, the collegiate nature of decision making, the collaborative approach and the constructive work, all focused on the public health and economic wellbeing of our citizens.

To Londoners, and all who work in our great capital, I want to say: "Thank you for what you have done to suppress the virus once. We now all need to play our part in getting the virus under control once again." I know the sacrifices that that means, but if we work together we can defeat this. Working with local leaders in Essex and Elmbridge, we are also moving them into local alert level high. I pay tribute to the leadership of Essex County Council and in Elmbridge, where they have been working so hard to suppress the virus.

Infection rates are also rising sharply in Barrow-in-Furness, York, North-East Derbyshire, Erewash and Chesterfield. In all of those places, cases are doubling in less than a fortnight. For all the areas entering the high alert level, the change will come into effect at one minute past midnight on Saturday morning. That includes Barrow-in-Furness, York, North-East Derbyshire, Erewash and Chesterfield. The central change is that people cannot now meet other households socially indoors. That applies in any setting, at home or in a restaurant or any other venue. The rule of six still applies in any outdoor setting. Although people may continue to travel to open venues, they should reduce the number of journeys where possible.

I know that those measures are not easy, but I also know that they are vital. Responding to this unprecedented pandemic requires difficult choices—some of the most

[*Matt Hancock*]

difficult choices that any Government have had to make in peacetime. We make these decisions with a heavy heart, and with the sole aim of steering our nation through troubled waters. Things will get worse before they get better, but I know that there are brighter skies and calmer seas ahead—that the ingenuity of science will find a way through. Until then, we must come together, because we all have a part to play in defeating this dreadful disease. I commend this statement to the House.

11.49 am

**Jonathan Ashworth** (Leicester South) (Lab/Co-op): I thank the Secretary of State for advance sight of his statement. Given what we know about the rising prevalence of the virus and rising admissions to critical care, I totally understand why he has had to make difficult decisions today on tier 2 restrictions for London and other areas, including Erewash, Essex, Barrow and Chesterfield. I hope he will agree that decisions like these are most effective when made in tandem with local leaders. On that point, can he update us on the current position with respect to Greater Manchester and Lancashire? Should we anticipate further announcements later today?

While I do not quibble with or object to the public health interventions that the Secretary of State is making, I am afraid that they are still not backed up by the financial package needed to mitigate their impact on jobs and livelihoods. More people will fall into poverty and destitution. Families across Bury and Bolton and small businesses across Burnley, Hyndburn and London have been failed by the Chancellor, so I urge the Government to introduce a stronger package of financial support for areas in tier 2 and tier 3.

The British people have made a tremendous sacrifice already, and we are heading into the bleakest of winters. Much of this could have been avoided if the misfiring £12 billion test and trace system had been fixed over the summer. Today, new figures show just 62% of contacts being reached. That is the equivalent of 81,000 people not reached circulating in society, even though they have been exposed to the virus. That is another record low. Yesterday, we learnt that consultants working on test and trace are being paid more than £6,000 a day to run this failing service. In a single week, the Government are paying those senior consultants more than they pay an experienced nurse in a year. Can the Secretary of State explain why such huge sums of money are being paid to consultants to run a service that is only getting worse?

The Prime Minister said yesterday that these new restrictions will bring the R rate below 1, but while the virus growth has accelerated in northern regions, the embers are burning bright nationwide. Let me repeat to the House—Tory party staff are welcome to clip me again for Twitter; it will save my staff the trouble—that a full national lockdown stretching for weeks and weeks, like the one that we had throughout April, May and June, would be disastrous for society. We are urging the Secretary of State to adopt a short, time-limited two to three-week circuit break, to take back control of the virus, to reboot and fix test and trace, to protect the NHS and to save lives.

SAGE has recommended a circuit break. NHS Providers is

“urging politicians to listen to the scientific advice and move as fast and as decisively as possible”.

The SPI-M sub-group of SAGE says that a circuit break of two weeks will save almost 8,000 lives. For all the ponderous blustering and carping from the Prime Minister yesterday, he told the House—with some haste, as if he did not want his Back Benchers to hear it—“I rule out nothing” with respect to a circuit break. The Prime Minister has not ruled it out, which we welcome, so what are the Government’s criteria for a national circuit break? How many hospital admissions? How much non-covid care delayed? Dare I say, how many more deaths?

Action is needed now. Plans need to be put in place today. Everyone accepts that the Government were too slow in the spring. How certain is the Secretary of State that his Government are not making the same mistakes again with more catastrophic consequences? This is a moment in history—look around, Health Secretary, and explain why there should not be a circuit break now, because if we do this in a few weeks’ or a few months’ time, more lives and livelihoods will be lost. In the national interest, I offer to work constructively with him today to deliver the circuit break that is now needed.

**Matt Hancock:** As I said in my statement, discussions with local leaders in Greater Manchester, Lancashire and elsewhere continue, and I do not want to pre-empt them. Those discussions do, of course, include what financial support is needed, but I remind the House that we have put in place unprecedented financial support for those who are affected.

The hon. Gentleman mentioned the test and trace system. The figures this morning in fact show that a record high number of people have been contacted by NHS Test and Trace, and the system has been reaching more people and testing more people faster than at any other point. He might have seen yesterday that, internationally, this was commented on as an area where we have done well here in the UK. Of course, we want to make sure that we do things even faster and that we have an even greater testing capacity, but I think he would do better to reflect on the progress that has been made.

Finally, the hon. Gentleman talks about the national circuit break idea that the Labour party put forward, at least on Wednesday this week. I gently say to him that here in the House, Labour calls for a national circuit break, but we take the view that we should do everything we can to control this virus where it is rising fastest and take a more targeted approach. The Labour party cannot even get its Mayors in other parts of the country, where the cases are going up, to come out and support the proposals that are made from the Opposition Dispatch Box. What I would say is that we need to work together. We need to pull together. Everybody should come together, and that is the best way to defeat the virus.

**Jeremy Hunt** (South West Surrey) (Con): I support today’s measures, but is not the biggest issue that we face as a country now uncertainty—uncertainty about our health and uncertainty about the future of the economy? Given my right hon. Friend’s tremendous success in expanding our testing capacity, is now not the time to announce a date—whether it is February, March,



April of next year—by when every single person in the population will be tested every week, so that, irrespective of progress on a vaccine, irrespective of the success of local lockdowns and irrespective of other uncertainties, we have a date by when we know we will get the virus under control and we know we have some prospect of returning to normality?

**Matt Hancock:** My right hon. Friend and I share a passion for an expansion of testing capacity in this country. He has long tried to persuade me to set yet more goals for the expansion of testing capacity. I am very glad to say that we have hit every single one that we have put in place, such as the 100,000 in the spring, and we are on track to meet the 500,000 by the end of this month. After that, I very much hope that we can continue to expand testing capacity, and I will look at the idea that he proposes very carefully.

**Dr Philippa Whitford** (Central Ayrshire) (SNP) [V]: I recognise the need for this action, but it is critical that those called on to isolate, whether as individuals or through a lockdown, receive the financial support to do so. Avoiding the social and economic impact of repeated local lockdowns depends on driving down community transmission through testing and tracing every single case and finding and isolating their contacts in the short window before they, too, become infectious.

Tracing systems based on local public health teams, such as those, in Scotland, Wales and, now some parts of England, have all outperformed the centralised Serco system, which has reached barely three quarters of cases and well under two thirds of contacts. I welcome the news that local public health teams will now be directly involved in contact tracing in areas of high covid spread, but will the Secretary of State now have them lead contact tracing in all areas across England to help to get the test, trace and isolate system working effectively? Will he ensure that appropriate financial resources are moved to local authorities to fund this?

Unfortunately, the hospitality industry is being hit particularly hard, both by the virus itself and by the restrictions to control it. As we now know, covid is spread by airborne particles as well as droplets, and it has become clear that ventilation is key to reducing viral spread indoors. Will the Secretary of State ask the Chancellor to promote the installation of filtered ventilation units by removing VAT and making them tax deductible? In that way, the Government could help the hospitality industry to make its premises more covid secure, rather than having repeatedly to shut it down every time cases surge.

**Matt Hancock:** The hon. Lady talks about the testing system, and the UK-wide testing system is an example of the whole country working together to keep people safe. The UK system provides the majority of tests in Scotland, and it works very closely with the NHS in Scotland, which also provides important testing capacity. That is an example of the local system in Scotland and the UK system nationwide working together for the people of Scotland.

The hon. Lady mentions isolation payments, and I strongly agree with her about their importance. Again, this is a proposal that we have worked on together, with the UK Government providing the funding that is

being delivered across England, Scotland, Wales and Northern Ireland. I think the best approach to tackling this pandemic is for people across the whole country to come together, and for the UK Government and the Scottish Government to work together, as we do, where an issue is devolved to deliver for the people of Scotland.

**Richard Drax** (South Dorset) (Con): First, may I tell the Secretary of State that no one wants to let the virus rip, and that such language is unhelpful? Secondly, as I understand it, the Government's intention is to continue shutting down our country's economy to a greater or lesser extent, destroying the lives and livelihoods of millions of people in the process, until a vaccine is found. That might never happen, and even if it does, there is no guarantee that it will work. We need a plan B, and I would be grateful if my right hon. Friend could tell the House what that is.

**Matt Hancock:** The plan is that, as my hon. Friend and I agree, we cannot let the virus rip, and therefore we must act to suppress it. Suppressing it through local action, in the first instance, is our best tool while we work with the scientists on technology that can help us to do that better. I put it to him that not only is that best for health outcomes, although that is undoubtedly true for both covid and non-covid health outcomes, but it is best for economic outcomes. Even though the restrictions have their impacts—I understand that, and I feel that—they are better than the consequences of the action that would have to be taken to keep the virus under control were it to get out of hand once again.

**Lucy Powell** (Manchester Central) (Lab/Co-op): I have just finished a call with Greater Manchester colleagues and the Minister for Care, the hon. Member for Faversham and Mid Kent (Helen Whately), about the moving of Greater Manchester into tier 3, which has been widely speculated about. There was unanimous fury during that call about the process, the evidence base and the economic support packages that are on the table.

We want action, but it has to be the right action. We have lived in tier 2 for nearly three months, and it has not worked. The chief medical officer says that the measures in tier 3 will not make a material difference to the infection rate, yet they will cause widespread economic damage to our region, costing tens of thousands of jobs and thousands of businesses. It is not good enough that meaningful conversations began only this morning, so will the Secretary of State ensure that they reach a conclusion so we can get infection rates down while protecting livelihoods and businesses?

**Matt Hancock:** I urge the hon. Lady to work together with others for the best outcome for the people of Greater Manchester, and of course those conversations with the local leadership in Manchester have been going on for some time. I also urge her to look carefully at what the chief medical officer said, because it was not as she quoted. I point out that across Greater Manchester, cases are rising and they are already high. To ensure that we support the NHS across Greater Manchester and get the situation under control, action is needed fast.

**Dr Ben Spencer** (Runnymede and Weybridge) (Con): I thank my right hon. Friend for his statement today. It is absolutely right that we take measures to support the NHS and ensure that it is not overwhelmed with a high rate of covid and non-covid-related deaths. With increasing rates in Elmbridge, part of which is in my constituency, it is right to bring in these measures, and I pay tribute to the resolve of my constituents in Elmbridge—of all my constituents in fact—in dealing with this and getting us through this crisis. Local measures, though, are only part of the solution. Ensuring that we have sufficient NHS surge capacity to deal with high rates of cases for non-covid and covid care is also important. With regard to the Nightingale hospitals and NHS care, what does he anticipate the bottlenecks will be for surge capacity? Is it beds, is it staff, or is it ventilators and other kit, and what is he doing to tackle those bottlenecks?

**Matt Hancock:** I welcome my hon. Friend's thoughtful approach to the action that is needed in Elmbridge. Of course Elmbridge's connection to Greater London is very intense, and the travel-to-work patterns mean that, like him, a huge number of people who live in his constituency work in the centre of London. His council has worked closely with the national team to make this decision.

The expansion of NHS capacity is, of course, critical, as is controlling the virus—both of them. In London, we have not yet had to stand up the NHS Nightingale again, which is at the ExCeL centre. We stand ready to do so if necessary. We now have a huge quantity of ventilators; we have the Nightingale hospitals for bed capacity; we have brought more people back into the NHS over the past six months; and we have retired NHS staff on standby. It is the combination of the three—the kit, the physical space and the staff—that we need in order to expand capacity. Unlike in Manchester, where we are having to stand up the Nightingale hospital again already, we are not yet at the point where we need to that in London. I really hope that, in pulling together and following the level 2 rules, the people of London and Elmbridge can avoid that in the future.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): Many staff have put themselves on the frontline to protect the most vulnerable, but have tragically lost their lives, leaving their families absolutely devastated. Alongside support, appropriate tribute must be paid to their sacrifice. As chair of the all-party parliamentary health group, I wrote to the Prime Minister a number of months ago, asking for a memorial to be commissioned in their honour, but as yet I have heard nothing back. Will the Secretary of State support bereaved families who have given their all and, at this time, take this issue forward across Government?

**Matt Hancock:** Yes, of course, we have done a huge amount to support bereaved families. It is an issue that is very close to my heart, as the hon. Lady can imagine, so I would be very happy to talk to her about how we can take this forward.

**Julie Marson** (Hertford and Stortford) (Con): My right hon. Friend will, I am sure, be aware that the World Health Organisation has recently praised Hertfordshire health authorities for measuring the pulse and the feelings

of our community through an online platform, and for adjusting service provision accordingly. Does he agree that good local data could enable a district-wide approach rather than a county-wide approach in Hertfordshire in the event that the tier levels have to be reassessed?

**Matt Hancock:** Yes, of course we look at a district-by-district approach, as the decision in Elmbridge attests. I mentioned Leicester and Bolton as areas where local action has brought the virus under control. Of course, that is also absolutely true in Hertfordshire. There was quite a serious outbreak a month or so ago that was brought under control by a combination of the district councils, the county council and the central team all working well together crucially supported and effectively delivered by the people of Hertfordshire.

**Zarah Sultana** (Coventry South) (Lab): In March, the Government were advised by SAGE to lock down. The Government delayed that by a week, and senior scientists estimate that the delay cost tens of thousands of lives. I fear that the same mistakes are being made again. Three weeks ago, SAGE advised a circuit-breaker lockdown. In Coventry, we have seen cases rise rapidly, with more than 100 new cases in 24 hours. Before it is too late and there are tens of thousands more avoidable deaths, I urge the Secretary of State to impose a circuit-breaker lockdown and bring in the economic support that will get us through this crisis.

**Matt Hancock:** That is not an accurate description of history, but if that is how the hon. Lady feels about Coventry, she may like to know that we are working with the leadership of Coventry City Council, and if she were to talk to them as well I would be very happy to ensure that she was part of that conversation.

**Miss Sarah Dines** (Derbyshire Dales) (Con): I have been contacted by a Derbyshire Dales constituent, Sarah Peet, whose grandfather was sadly taken into a care home in May. He has been married nearly 70 years. Sadly, because of covid, he cannot see his wife, with whom he has lived for 70 years, or his family. Will my right hon. Friend please update the House on what is being done on rapid testing to stop the scourge of loneliness in our care homes?

**Matt Hancock:** Yes, I was working on the issue of how we can safely allow visiting—especially by people who have been married for 70 years, which is an extraordinary achievement in and of itself—in a way that is safe, according to the risk level and the background rate of infection. Of course, testing can be part of the solution, as can the proper use of personal protective equipment. We have more nuanced rules in place now than during the first peak, and I would be happy to work with my hon. Friend to try to ensure that we get this right.

**Rachael Maskell** (York Central) (Lab/Co-op): I welcome the Secretary of State's greater attention on York, as announced today, but although we are in tier 1, I am concerned that there are areas of the country in tier 3 with a lower infection rate. Certainly, I do not believe that the measures in tier 2 will be sufficient to stop the spread of infections in our city, which, as he will know,

are rising incredibly sharply, including in the older population. York experiences real challenges every winter because of the capacity issues in our hospital, and I am concerned that, without taking more acute action now, we will be in serious difficulty in just a few weeks' time.

**Matt Hancock:** We are expanding capacity at the hospital in York. Of course, in York there are two overlapping epidemics, one among students and one among the general population. As the hon. Lady says, though, the spread is increasing among the older population, who are of course the most at risk from covid. The number of cases increased by 60% in York over the last week, so I welcome her support for the measures that we are taking, and I am happy to continue to talk to her about what more might be needed, because this is best done on a cross-party, cross-community basis. My message to everybody in York, a city I know and love, is that it is very important that all of us abide by these rules and reduce social contact. That way we can start to get the increase in the number of cases in York coming down.

**Dr Dan Poulter** (Central Suffolk and North Ipswich) (Con) [V]: I draw the House's attention to my declaration in the Register of Members' Financial Interests as a practising NHS doctor, who has been practising on the frontline during the pandemic.

The Secretary of State is right to introduce these measures today, and he is right to see a full national lockdown as the very last resort. May I bring him back to the issue of testing? Tremendous strides have been made in expanding national testing capacity to many hundreds of thousands a day from a standing start, but a number of hospitals still face challenges in getting NHS staff tested. I am aware of some hospitals that are being offered only 15 tests a day for their staff. Will he please look into this matter urgently? It is vital that the NHS has the staff available to treat patients, particularly given the second wave that we are now facing.

**Matt Hancock:** Absolutely. We are making significant progress in this area. My hon. Friend will have seen the announcement by the NHS on Monday that we are expanding the asymptomatic testing of members of NHS staff in tier 3 areas, and we are also expanding the capacity for covid tests within the NHS itself. He is absolutely right to raise this issue, and we are making a lot of progress.

**Barbara Keeley** (Worsley and Eccles South) (Lab) [V]: We know that case rates are rising in Greater Manchester, but, as the chief medical officer has made clear, imposing new restrictions on its own will not be enough to turn this situation around. Instead, we need people to be supported to do the right thing and we need to use appropriate enforcement powers when they do not.

What we need from the Government is additional financial support for businesses and local authorities in tier 2 and tier 3 areas so that they can support employees to follow the rules. We also need to expand the staffing and resources of our excellent local contact tracing services rather than continuing to pump billions into a national system that is less and less effective at contact tracing.

**Matt Hancock:** We are putting in more support and if any area goes into the third level, into tier 3, it gets further support. We are putting more into local test and trace, although on its own that will not work as effectively as the partnership, which is, as I know from the figures, improving and expanding all the time. I welcome the fact that the hon. Lady recognises the sharp rise in cases in Greater Manchester and the need to act. I very much hope that we can act on a cross-party basis, but act we must.

**Greg Clark** (Tunbridge Wells) (Con): A lot of weight is being shouldered by the Joint Biosecurity Centre, which is engaged in decisions that are having big consequences for millions of people across the country. It is concerning that there was nothing in the Secretary of State's statement about the criteria for exiting these measures.

When the Joint Biosecurity Centre was created on 20 May, SAGE was told that it would

"pursue a reputation as an organisation that the public can trust. This will require them to be an exemplar in terms of honesty, openness, competence and independence."

Yet nearly five months on, it has not disclosed the minutes of any of its meetings, the papers that it has drawn on or even who sits on its boards, despite a commitment on its own website to do so. If it is to be the exemplar that it has been billed to be and if the public are to have trust in it, given the importance of these decisions, will the Secretary of State order that openness without delay?

**Matt Hancock:** In fact, very shortly the Joint Biosecurity Centre will be making further details of its analysis public. It works within the Department and its officials are civil servants, so it is different from SAGE, which is made up of independently employed scientists. Nevertheless, my right hon. Friend makes an important point, on which we are acting.

**Munira Wilson** (Twickenham) (LD): As a London MP, may I start by saying thank you for the briefing call that London MPs had with the Care Minister and officials this morning about today's announcement? A number of questions, however, remain unaddressed by both that call and today's statement. Will the Secretary of State advise the House about what the evidence is behind the measures he is implementing in London? What modelling has been done on their impact, and how long does he expect these restrictions to last?

**Matt Hancock:** We are seeking to publish further evidence on the impact of measures. For instance, I have often mentioned Leicester and Bolton—in Bolton the curve was flattened, and in Leicester we brought it down with a much stricter intervention than the one we are proposing in London. We are proposing to publish further information on the analysis of the impact of such measures.

The fundamental science is really simple: the more people congregate, the more the virus is passed from one to another. That is why the restriction of social activity between households indoors is an important part of restricting the spread of the virus. All those areas in level 2 are reviewed fortnightly. Of course, if we can bring any area, including London, out of level 2 faster, that will be even better. I am working with the cross-party London councils and the Mayor on setting

[*Matt Hancock*]

out more details about how London can exit these measures and get down to level 1. Ultimately, of course, and as soon as possible, we all want to get to level zero, which is normal life.

**Anne Marie Morris** (Newton Abbot) (Con) [V]: Will the Secretary of State please explain what formal and detailed assessment his Department has made of the long-term health cost that a second blanket lockdown would have on the physical and mental—not just covid-related—health of the population, and whether he believes that that is an acceptable trade-off?

**Matt Hancock:** I have looked into this in great detail, as my hon. Friend will imagine, as she is experienced in these areas. The result of what I have looked at is that there is no trade-off. If covid gets out of hand, that increases non-covid ill health and non-covid deaths too. When it comes to mental health, I was talking only yesterday to the Royal College of Psychiatrists, who are clear that a second peak getting out of hand is bad for mental health, not least because of the mental health impacts of long covid for people who survive covid but for whom the condition lasts for months and months, which is an issue very close to my heart. A proposition has been put forward that there is some trade-off between covid health and non-covid health, but I have looked into it in great detail and it is false. The best way to improve the non-covid health of the nation is to ensure that covid stays under control.

**Taiwo Owatemi** (Coventry North West) (Lab): During our coronavirus briefing for Members on Monday, the deputy chief medical officer, Jonathan Van-Tam, said of the pandemic that it was very easy to lose control and very much harder to gain it. Only yesterday, the Department of Health and Social Care released figures stating that 19,724 people had tested positive for the virus. With positive cases of hospital admissions increasing across the country, death rates are sadly rising, and on the admission of the Secretary of State's own scientific advisers, there are many more to come. Does he believe that more can be done to regain control and stop the spread of this deadly disease, does he believe that proper financial support is in place for people in need in these high-risk and very high-risk areas?

**Matt Hancock:** Yes, I do think more action is needed, and that is why we are taking it today.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): The Prime Minister has been very clear about the risk of obesity for those who get coronavirus, in that people who are obese have a more severe disease course than those who are slimmer. In tier 3 areas, however, many gyms are being closed and many sporting activities are being restricted. What are the Secretary of State and the Department doing to ensure that we can encourage activity among people in those areas? Perhaps we could have a work out to help out scheme, with free online activities targeted to each age group and each physical ability.

**Matt Hancock:** I love the idea of work out to help out. It is undoubtedly true, from the science that I have seen, that obesity contributes to a worse impact for those who catch coronavirus. This is something the

Prime Minister has spoken about with great passion, and it is something we want to tackle, so I will absolutely look into that idea. I would also say that we have changed the proposals for people who are shielding, even in the highest risk, in tier 3 areas. They should always be clear that outdoor exercise is a good thing.

**Mohammad Yasin** (Bedford) (Lab): My constituents are being denied routine blood tests because the Swiss company, Roche, that supplies the labs in Bedford is having supply chain issues. If one company with one supply chain problem can cause a national shortage of medical components that are vital to patient care for at least three weeks, is the Secretary of State as concerned as I am about the disruption to medical supply chains during a pandemic when we leave the EU in just over two months?

**Matt Hancock:** We have prepared for years to ensure that we have the supplies that are needed, and I have of course been in contact with Roche over this distribution issue. It is actually an issue about distribution from a warehouse in England, and these distribution issues do happen from time to time in very large organisations such as the NHS. We are working closely with Roche, and I thank it for all its efforts to solve this technical problem.

**Tim Loughton** (East Worthing and Shoreham) (Con): I agree with the local approach that my right hon. Friend is taking. He has to make a judgment based on balancing what the science is telling us, what the economy is telling us and the sustainability of public consent.

I am concerned about care homes. My care home managers tell me that their staff are knackered. They are exhausted from covering extra shifts when other staff are isolating or have childcare challenges. They are also exhausted from dealing with online GP appointments because GPs will not visit those homes, and from dealing with angry relatives, particularly those of elderly mentally infirm residents, because they cannot visit them face to face. What can we do to help sustain those care home staff and, in particular, to approve volunteers from the massive register that we have, in order to help to share the load?

**Matt Hancock:** I would be very happy to take up my hon. Friend's suggestion about the volunteers. I commend to him the social care winter plan, which sets out how we will balance the very difficult issues that he mentions.

**Kate Osborne** (Jarrow) (Lab): In my constituency, schools are already closing due to confirmed cases of coronavirus. What conversations has the Secretary of State had on routine testing in schools? Will he publish the science behind the decision not to introduce routine testing for teachers and tell us why schools have been issued with only 10 testing kits each?

**Matt Hancock:** We have a testing prioritisation board which takes into account the order of priorities within testing. Of course, as testing expands it means we will be able to use it for more things, including in schools. I look forward to being able to make that progress just as soon as we make the expansion even bigger.

**Bob Blackman** (Harrow East) (Con) [V]: London as a whole is going into tier 2 as a result of the infection rate being at an average level of 97 per 100,000, but, as my

right hon. Friend will be well aware, the actual levels of transmission in different London boroughs are widely different. Will he set out what criteria will now be used for London to go from tier 2 to tier 1? Will it be the case that every London borough has to come down below a given rate before that can happen? Otherwise, we will have the position whereby this short-term period could extend for many months. Will he therefore set out what criteria will be used to get us down to tier 1?

**Matt Hancock:** I want the time that London is in tier 2 to be as short as possible. The best way we can achieve that is by all pulling together and following the level 2 rules. In terms of exiting from level 2, the cross-party London group set out a very clear set of criteria on the need to go up a level, including reaching 100 per 100,000 cases on average across London, which we are just about to breach. It is now working with us on what the exit might look like. I totally agree with my hon. Friend on the importance of setting that out to give people the motivation that, if we all pull together and sort this out, we will get out of these measures and people can live their normal lives a bit more.

**Marion Fellows** (Motherwell and Wishaw) (SNP) [V]: Scotland made use of a summer of lower cases to get its public health-based contact tracing system up and running. It is reaching over 90% of cases and contacts. Can the Secretary of State tell us by when the UK Government hope their Serco track and trace will reach even 70% of community contacts?

**Matt Hancock:** The way we do it in England is that the national system and the local systems work together. The first proportion, the majority of cases, are dealt with by the national system and then the local systems come into action. Between them, they reach a very high proportion of cases. It is that teamwork that is the best way forward.

**Andrew Griffith** (Arundel and South Downs) (Con): Today, there are thousands of people working in hundreds of private businesses contributing to the testing endeavour. Will the Secretary of State pay tribute to them, and does he agree with me that they are key workers in every respect?

**Matt Hancock:** Yes, I do. In contrast to some of the comments from the Opposition, although sotto voce now, it is about teamwork between people in private businesses and people in the public sector working together in the national endeavour to defeat this disease. It is a big team effort and let us not divide people where they should be brought together.

**Richard Burgon** (Leeds East) (Lab) [V]: Serco is at the heart of an outsourced tracing system that is failing to contact one third of all the close contacts of those with coronavirus. That is clearly helping the virus to spread out of control. There is widespread public concern that the Government are in hock to giant outsourcing companies, and concern that Serco and the like are not just ripping off the public but putting lives in danger. Does the Secretary of State think that the public should be reassured or worried by the fact that Serco's former chief spin doctor is now his Minister for Health?

**Matt Hancock:** I do not think the hon. Gentleman was listening. I pointed out just previously not only that the national system in the last week has more than

doubled the number of contacts that it has reached—I pay tribute to it for that—but that it is teamwork between the national and local systems that works best. It is the combination of the large-scale private organisations and the public sector—people working together—that is able to deliver, and to deliver a better service. I will tell the hon. Gentleman this: there was a time in the last few days when we had requests from local systems to bring some of the contact tracing back into the national Serco system so that it could help to reach more people. That sort of teamwork is what I look for, instead of the negative, derisory, divisive approach of the hon. Gentleman up there.

**Sir Robert Neill** (Bromley and Chislehurst) (Con): Would my right hon. Friend care to reflect that a number of us in London regard it as neither targeted, nor proportionate, nor appropriate to use a London-wide average in so large a metropolitan area where so little commuting is now taking place? Will he reflect on that in the future, and will he speak today to the Chancellor of the Exchequer to see what support can be given to hospitality businesses in the London suburbs that are suffering as of now as a direct consequence of his decision?

**Matt Hancock:** Of course, across London there is a huge amount of travelling to work. Although of course in different boroughs the rates are different—my hon. Friend is absolutely right about that—and in his patch they are lower than the London average, nevertheless, unfortunately, they are rising sharply. We considered a borough-by-borough approach, but because of the integrated nature of London and because, unfortunately, cases are rising fast across London, we decided that the best approach was for the whole of London to go into level 2 together.

**Tony Lloyd** (Rochdale) (Lab) [V]: I have to ask the Secretary of State, as another Member of Parliament who, in his words, is “up there”: does he understand that people in Greater Manchester fear that an indefinite period in tier 3 would mean the pauperisation of our people and the destruction, at least in the short and medium term, of our economic capacity, with no certainty—unless he really does get test, track and trace not just improving but working well—that we would come out of it any better than we went in?

**Matt Hancock:** By “up there” I meant on the screens at the top of the Chamber rather than anywhere geographically. What I would say to the hon. Gentleman is that the best way to avoid the outcome that he seeks to avoid is for everybody to pull together across party lines, across communities, to get the public health message out that we need to work together to deliver for the people of Greater Manchester and all other areas of the country.

**Andy Carter** (Warrington South) (Con): I thank the Secretary of State for his statement. As a Member representing a constituency in the north-west of England, may I also say thank you to him for his continued engagement and that of the Department? He does speak on a regular basis to Members in the north-west. I can say that hand on heart because I regularly speak to him about the issues in my constituency. He will know that hospital admissions in my constituency continue

[Andy Carter]

to rise and that there is pressure on the health service there. We have moved from 40 in-patients a week ago to 80 today. What support is he giving to Warrington Hospital so that normal NHS treatment can continue uninterrupted?

**Matt Hancock:** As a Cheshire boy myself, of course I talk to my hon. Friend, as I do to colleagues right across the country. Warrington is close to my heart; my grandfather used to live next to the golf course in Warrington. The hospital there is a very good hospital, but it is under strain. We are making sure that the whole region supports the hospitals that are under strain with covid admissions, which I am sure my hon. Friend would welcome and which is, of course, one of the advantages of having our great NHS.

**Dan Carden** (Liverpool, Walton) (Lab): The whole country knows the perilous situation facing the city of Liverpool and the north-west region. People out there are very worried—not least the people who were officially shielding previously. Will the Secretary of State say what the latest scientific advice is, and may I call on him to reintroduce that advice and, with it, financial support?

**Matt Hancock:** Yes. On Tuesday this week, we set out the details of the approach we take to clinically extremely vulnerable people in this second phase. I will write to the hon. Gentleman with the details of that, and he might want to take up the offer that I can make to him of a meeting with the deputy chief medical officer, Jenny Harries, who leads on that programme.

**Alicia Kearns** (Rutland and Melton) (Con) [V]: I thank my right hon. Friend for his support for my campaign to ensure that all women have partners for scans and labour, and I am grateful that NHS trusts have seen a significant reduction in unnecessary measures, but today I ask for clarity: should pregnant women in their third trimester be shielding given their much higher vulnerability to covid-19? Does he agree that employers must take account of the higher risks and support women to work from home or in jobs that are not on the frontline?

**Matt Hancock:** Of course employers should have a duty of care towards their employees who are pregnant. When it comes to the formal shielding advice, maybe my hon. Friend can join the hon. Member for Liverpool, Walton (Dan Carden), who spoke just a moment ago, in a briefing with Jenny Harries. I will also send my hon. Friend the updated guidance to make sure that we get this exactly right for people in the third trimester of pregnancy.

**Sarah Owen** (Luton North) (Lab): At the first joint Select Committee meeting of the covid inquiry this week, we heard evidence from a care home manager that a member of her staff had to wait nine days for her results. If I were in charge of that shambles, I would struggle to look at myself in the mirror, let alone get up at the Dispatch Box and have the gall to tell the public that testing is anything but a failure. When will the Government get a grip on testing?

**Matt Hancock:** The turnaround times for tests have come down very significantly, including for care homes, over the past few weeks, and we work incredibly hard to get them down. Even while there was the most acute pressure on testing capacity, we kept the weekly testing for care staff, and I think the whole House can unite behind that.

**Mike Wood** (Dudley South) (Con): While it is clear that the measures taken in the spring helped to slow the spread of the first outbreak, at the end of what was supposed then to be a three-week lockdown, daily cases had trebled and daily deaths were up 750%. If there were to be a so-called circuit-breaker national lockdown, how would it be possible to judge after two or three weeks whether it was safe to lift those restrictions?

**Matt Hancock:** We are trying to have as local an approach as possible, partly because we have to ensure that we take measures that are proportionate. There are some areas of the country, including Dudley, where case numbers are lower than even their close neighbours—in my hon. Friend's case, across the west midlands. That is the reason, as the Prime Minister set out on Monday, that we are taking the tiers approach, which I think helps public understanding, because it is really simple but allows us to take action where that is necessary.

**Mr Speaker:** We have lost Rosie Cooper as the connection has gone down, so we will go to Selaine Saxby in the south-west.

**Selaine Saxby** (North Devon) (Con) [V]: Thank you, Mr Speaker.

Does my right hon. Friend agree that the Opposition should not play politics with people's lives and livelihoods? A national circuit-break lockdown is not the answer, particularly for areas such as my North Devon constituency, where covid cases per 100,000 are still fewer than 40.

**Matt Hancock:** My hon. Friend sets out why, with case rates like that, we are focusing our attention on the parts of the country with the most serious problem. Throughout this, we try to ensure that we take action that is necessary but proportionate, in order to slow and suppress this disease.

**Vicky Foxcroft** (Lewisham, Deptford) (Lab) [V]: Communication for shielding people has been poor in the past. Now as we sadly return to further restrictions, communication remains poor, with news being fed to the press before updating the country in a clear way. That really is not good enough. The Government have had seven months to get it right. When letters are sent to shielding people, will the Secretary of State ensure that they are in accessible formats, especially since many potentially are disabled people? Will he let them know what extra support they will be entitled to?

**Matt Hancock:** This is a very sensitive issue and it is very important for those who are shielded. I invite the hon. Lady to the briefing with the deputy chief medical officer so that she can ask any questions that she has.

**Robert Lorgan** (High Peak) (Con): Since March, the Government's top policy priority has been to save lives by preventing the NHS from becoming overwhelmed. Given that, the Government have rightly been preparing for this winter by significantly expanding free flu vaccinations.

Given that parts of High Peak, including Glossopdale where I live, have just gone into tier 2 restrictions, may I urge the Secretary of State to do everything that he can to make certain that sufficient flu vaccination doses are available in High Peak and other areas with extra restrictions?

**Matt Hancock:** Absolutely—not least because there is evidence that if someone has flu and catches covid it is even worse. The flu programme this winter is incredibly important—even more important than it always is. I will look into the roll-out in High Peak and ensure that it goes well. I am very glad to say that the uptake of the flu vaccine is much higher this year than it has been in previous years, and we have a record amount—more than 30 million doses available. Everybody on the priority list in High Peak who wants a flu vaccine can get one. They will be available over the forthcoming 10 weeks between now and Christmas, and I am very happy to work with my hon. Friend to ensure that that happens for his constituents.

**Mr Speaker:** We have found Rosie Cooper, so we are going up to Lancashire.

**Rosie Cooper** (West Lancashire) (Lab) [V]: Thank you, Mr Speaker. Four British teenagers in Sicily continue to test positive after two weeks of isolation. In Britain, they would be back in the community spreading the virus, so does the Secretary of State recognise that a test, trace and retest system is needed to protect us? When could it be implemented? Also, what action can be taken to protect my West Lancashire constituents who have been alerted via social media to the fact that supporters who want to watch the Liverpool versus Everton match this Saturday intend to travel from nearby tier 3 areas into West Lancashire? This could be a super-spreading event leading to a public health disaster.

**Matt Hancock:** I will write to the hon. Lady on the first point. It is a very important point, but the proportion of people who are still infectious after two weeks if they do not have symptoms is thought to be very low. I cannot remember the figure off the top of my head, but it is very low. I will write to her and perhaps publish the letter to explain that scientific fact in full detail.

On the second point, I strongly agree with the hon. Lady. The principle behind the levels is that, if someone is resident in an area on a very high local covid alert level, that level applies to them wherever they are. If someone lives in a lower alert level area and they travel to a higher alert level area, the rules of the higher level apply if that is where they are. People who live in the Liverpool city region should not travel to West Lancs because the pubs are open there. That contravenes the regulations, and I look forward to working with her to try to ensure that that does not happen.

**Dave Doogan** (Angus) (SNP): Operation Moonshot was the UK Government's latest world-beating covid intervention, but it seems that it has perhaps missed its target and is heading off into deep space. The public did not ask for world-beating; they asked for competent, and they deserve availability. Can the Secretary of State advise us on whether there are any positive signals from Operation Moonshot? When will it be rolled out nationally, or is it another testing failure?

**Matt Hancock:** It is going pretty well, actually, and it is going to benefit the people of Scotland as well as people right across this united land.

**Sir Desmond Swayne** (New Forest West) (Con): What advantage is there to be had from accommodating non-intubated covid cases in Nightingale hospitals, and if there is an advantage what additional facilities would need to be provided?

**Matt Hancock:** Some of the Nightingale hospitals can take non-intubated patients—not ones who need full intensive care, if they have multiple organ failure—but not all of them can because of the way that they are set up. We need the ventilators, the space and the staff to ensure that the Nightingale hospitals can be expanded as much as possible.

**Florence Eshalomi** (Vauxhall) (Lab/Co-op): Yesterday I received an email from my constituent Anna Shipman, who is really concerned about test, trace and test. She has a friend who is on a vaccine trial and has a routine test every Wednesday. At the beginning of the trial, he would normally get his test results the next day. Anna is pregnant. She told me that her friend met her on Friday and then, on Saturday, he met his elderly mum, who is 75. On Saturday and Sunday, he went back to work as a full-time carer, exposing extremely vulnerable adults. He did not receive his test results until Sunday. This system is a shambles. Will the Secretary of State say when we will protect vulnerable people from being infected by people who do not know because they are not getting results on time?

**Matt Hancock:** No, the turnaround times are reducing. While I absolutely pay tribute to the hon. Lady for raising this individual case, it is very important to look at the system as a whole, where the number of tests is at a record level and the turnaround times are, I am glad to say, reducing.

**Jason McCartney** (Colne Valley) (Con): Is the Secretary of State currently having discussions with West Yorkshire leaders about our covid alert status? Does he anticipate any change to our current status of “high” in West Yorkshire this weekend? Will he continue to be guided by the localised data?

**Matt Hancock:** The localised data is very important so that we take the action that is needed as locally as possible, as we have in Kirklees over the past few months of the crisis. We are in constant dialogue with the leaders in West Yorkshire, but no decisions have been taken.

**Rushanara Ali** (Bethnal Green and Bow) (Lab): Tower Hamlets faced one of the highest death rates in the country in the first wave of the pandemic, including for those in black, Asian and minority ethnic communities. For weeks, the borough has been given the lowest testing capacity in the capital despite high incidences of positivity. Will the Secretary of State focus on the specifics and explain when he will get a grip on testing and tracing and localised resources for it; when he will get local authorities, businesses and communities the resources they need; and what action he will take to produce the action plan that was promised months ago after the disparities report was published by his Government?

**Matt Hancock:** Yes, absolutely. The hon. Lady rightly raises the issues in Tower Hamlets. The good news is that the testing being delivered in Tower Hamlets is going up. The bad news is that both the number of people testing positive and the positivity are also going up. Because of today's decision on putting London into level 2, further resources will be available for local test and trace.

**Sir Iain Duncan Smith** (Chingford and Woodford Green) (Con): Thank you, Mr Speaker, for allowing me to get in at the last minute, because this is a London statement. When a Minister gets a collection of London MPs together, it would be great if they could actually be allowed in to ask a question for a long enough time to save them having to scramble into the House of Commons.

I want to follow on from the comments of my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill). London is huge. Whether people like it or not, it is very diverse, and many of the boroughs are bigger than most of the towns in the rest of the UK. Surely we need to look again at the London-wide nature of this tier 2 position. Even regional areas could be taken out. There are big disparities. I ask that we please think again. Otherwise people will say, like one constituent who rang me today, "Is this in fact a London-wide tier 2 to stop the north-south divide argument running?"

**Matt Hancock:** On the last point, absolutely not. This decision has been taken on the basis of the data across London. We did consider the borough-by-borough approach that my right hon. Friend understandably advocates, but the decision that we came to was that because cases are rising throughout the capital, it was right for the capital to move as a whole. That was supported by the cross-party team who are working on this at a London level.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): Cases in Ealing have shot up, doubling in the past week and making it now the capital's coronavirus capital. May I therefore commend the Secretary of State's approach to the London-wide situation, given its fluidity and that of our city? Will he resist the siren voices on the Conservative Benches saying otherwise? Will he look at additional funding for areas like mine, and other interventions that could help? He knows my position on vitamin D. Has he considered that that could be a high-impact, low-risk, virtually cost-free thing that would make him a hero? What is he waiting for?

**Matt Hancock:** On the first point, I will say that I will listen to all voices. The voice of my right hon. Friend the Member for Chingford and Woodford Green (Sir Iain Duncan Smith) is far from siren. It is thoughtful, considered and represents his constituents. I will listen to and consider him, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) and the hon. Lady in trying to get the best public policy outcome, taking into account the health, economic and social consequences of these decisions and choices that we are unfortunately faced with. We should try to carry on that approach of listening to all considered voices.

On the point about vitamin D, I have asked the scientists to look once again at its impact on resistance and immunity. Some updated evidence has come to light in the past few weeks, and I want to ensure that it

is fully taken into account. I can also tell the hon. Lady that we will be increasing the public messaging on vitamin D to make sure that people get the message that it can help with broad health and there is no downside to taking it, and therefore people should consider that.

**Nickie Aiken** (Cities of London and Westminster) (Con): Thank you for squeezing me in, Mr Speaker. I thank my right hon. Friend for his statement, and I also thank him for his response to my hon. Friend the Member for Harrow East (Bob Blackman) earlier. It is so vital that we have a pathway and an exit plan to take London back to tier 1 as soon as possible.

I am concerned about the impact on local people and businesses in my constituency in central London, particularly in terms of the mental health issues we are facing. I met a businesswoman on Friday in the City of London—a beautician who is now on antidepressants because her business is failing. Will my right hon. Friend please assure me that funding for mental health services will be available as we go further into this crisis?

**Matt Hancock:** My hon. Friend is right to raise those issues, and these are difficult choices that we face. She has raised with me previously the need for a plan for exit so that we can motivate people to do what is needed to get the disease under control in London. In her constituency, almost more than any other, decisions to restrict social life have a significant direct impact. On economic and health grounds, getting this virus under control helps on both counts, particularly if we take into account, for instance, the mental health impacts. Having spoken to the Royal College of Psychiatrists, I think it is clear that the mental health impacts if the virus gets out of control are worse than the mental health impacts of the measures necessary to keep it in control, but nevertheless we have to ensure that the services are there to support people.

**Bambos Charalambous** (Enfield, Southgate) (Lab): I wrote to the Secretary of State on 16 September about the inadequacies of track and trace, and I acknowledge what he has said today about the need for local and national teamwork, but I need to be further reassured that he will get track and trace right, because that is central to dealing with the covid-19 pandemic. London is now in tier 2, and we have seen Manchester go from tier 2 to tier 3. We need to have a national circuit break for that to work, because otherwise we will have tier 2 going piecemeal to tier 3, and that is not a plan.

**Matt Hancock:** First, yes, we want to work more closely with Ealing to make sure we get that national and local link-up in the test and trace system—I can give the hon. Gentleman that assurance. *[Interruption.]* And with Enfield as well. Just to be clear, no decisions have yet been taken on Greater Manchester, and I want to reassure colleagues from Greater Manchester who are in the Chamber of that. Finally, this targeted approach is clear for people to understand. There are three levels. Everyone knows what is in each of the three levels, and it is very easy for someone to know which level their area is in.

**Mr William Wragg** (Hazel Grove) (Con): I bring news from Greater Manchester, where the impossible has been achieved: all the Members of Parliament, the leaders of the councils and indeed the Mayor are



surprisingly in agreement with one another; but the meeting that we had earlier today was entirely pointless. I might as well have been talking to the wall. When are we going to be properly consulted, and learn about measures through the right channels rather than via the media?

May I put to the Secretary of State a question that I posed to the Prime Minister? The closure of hospitality will drive people into private dwellings, where they will mix. We do not, thank goodness, live in a police state, which would be the only way to police it. Will they please listen to common sense and think again?

**Matt Hancock:** Some of the evidence for the approach that we are taking is not only because we see that approach in other countries in the world, but because even within Greater Manchester, in Bolton, where cases were rising sharply, they were flattened when hospitality was closed except for takeaways; albeit that they have started to go up again since that measure was relaxed. So, although I understand my hon. Friend's urge for a consultation—I am happy to talk to him about these issues at any moment of the day or night—we are seeking to work with the local area and with all the elected representatives to get a solution that we can commend to the people of Greater Manchester. But a solution we must have. We cannot see cases inexorably rising, because we know the consequences that that brings.

**Mike Kane** (Wythenshawe and Sale East) (Lab): I am slightly confused. On Monday the Secretary of State gave up his valuable time to Greater Manchester MPs and confirmed tier 2 with a four-week review. He had unanimous support, cross-party, from Greater Manchester. As the hon. Member for Hazel Grove (Mr Wragg) said, every day it has been briefed in the press that we were moving to tier 3. So I am grateful to the Secretary of State that the Minister for Care, the hon. Member for Faversham and Mid Kent (Helen Whately), has today announced that the Department will undertake a leak inquiry. Today, again, there was full unanimity about

tier 2 in Greater Manchester. Come on, Minister: just confirm it and you will have our wholehearted support across the conurbation.

**Matt Hancock:** Not quite, because even in this statement there have been Members speaking from Greater Manchester who have urged more action. *[Interruption.]* What I would say to the hon. Gentleman is that I have started a leak inquiry into the leaks of some of the information around Greater Manchester. That will, of course, have to cover both national and local government. There is a more important thing, though, which is the need for people to come together to take the action that is necessary to get this virus under control, because unfortunately, in Greater Manchester there continues to be a rise in the number of cases—*[Interruption.]*

**Mr Speaker:** Order. Just a second. Mr Kane, I gave you the privilege of having the final question when you were not on the list; please do not abuse it. I also need to hear what is said because it affects my constituency.

**Matt Hancock:** Very sadly, across Lancashire and across Greater Manchester, the number of cases of coronavirus continues to rise. The number of cases among the over-60s continues to rise. The number of hospitalisations continues to rise. Further action is therefore necessary. I very much hope that we can reach the sort of cross-party agreement that we have had in London, and that the local leadership in Manchester can work with us to find a solution, because it is critical that we get this virus under control.

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

12.58 pm

*Sitting suspended.*

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

## Covert Human Intelligence Sources (Criminal Conduct) Bill

*Considered in Committee*

[MR NIGEL EVANS *in the Chair*]

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

### Clause 1

#### AUTHORISATION OF CRIMINAL CONDUCT

1.4 pm

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I beg to move amendment 20, page 1, line 18, at end insert—

“(3A) In section 27 (Lawful surveillance etc.), in subsection (1)—

- (a) after ‘applies’ insert ‘(other than conduct authorised under section 29B)’; and
- (b) after ‘Part’ insert ‘(other than conduct authorised under section 29B)’.”

*This amendment will ensure that victims of crimes authorised under this Bill can seek civil redress.*

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

Amendment 7, page 2, line 7, at end insert—

“(1A) The granting of criminal conduct authorisations under subsection (1) may not take place until a warrant has been issued by a judge.

(1B) An application to a judge under subsection (1A) shall be made in writing and be accompanied by an affidavit of the person granting the criminal conduct authorisation which sets out—

- (a) the facts relied on to justify the belief, on reasonable grounds, that a warrant under this section is required;
- (b) the persons or classes of persons to whom the warrant is proposed to be directed;
- (c) a general description of the place where the warrant is proposed to be executed, if a general description of that place can be given;
- (d) the period, not exceeding sixty days or one year, as the case may be, for which the warrant is requested to be in force; and
- (e) any previous application made under subsection (1A) in relation to a person who is identified in the application for the warrant, the date on which each such application was made, the name of the judge to whom it was made and the judge's decision on it.”

Amendment 25, page 2, line 7, at end insert—

“(1A) Authorisations granted under this section require approval in accordance with section 29C.”

Amendment 14, page 2, line 16, after “person” insert “reasonably”.

*This amendment would raise the standard for granting a criminal conduct authorisation from believing that it is necessary and proportionate to reasonably believing that it is necessary and proportionate.*

Amendment 11, page 2, line 20, at end leave out “; and” and insert “, taking into account—

- (i) balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or harm;
- (ii) explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others;
- (iii) whether the conduct to be authorised will have any implications for the privacy of others, and an explanation of why (if relevant) it is nevertheless proportionate to proceed with the operation;
- (iv) evidence, as far as reasonably practicable, of what other methods had been considered and why they were not implemented, or have been implemented unsuccessfully; and
- (v) whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the information sought; or”.

Amendment 1, page 2, line 22, at end insert—

“(d) that the authorisation does not have a disproportionate impact on people with one or more protected characteristics within the meaning of the Equality Act 2010.”

*This amendment ensures that discrimination on the grounds of protected characteristics will be taken into account before the granting of a criminal conduct authorisation.*

Amendment 3, page 2, line 26, leave out “or of preventing disorder”.

Amendment 23, page 2, line 27, leave out from “disorder” to end of line 29.

Amendment 4, page 2, line 28, leave out paragraph (c).

Amendment 15, page 2, line 29, after “Kingdom” insert

“so far as those interests are also relevant to the interests of national security”.

*This would only allow a criminal conduct authorisation to be granted on economic grounds if it is relevant to national security.*

Amendment 5, page 2, line 29, at end insert—

“(5A) A criminal conduct authorisation cannot be granted with regard to the actions of a covert human intelligence source within trade unions.

(5B) In this section, ‘trade unions’ is defined as in the Trade Union and Labour Relations (Consolidation) Act 1992.”

Amendment 6, page 2, line 29, at end insert—

“(5A) A criminal conduct authorisation cannot be granted with regard to the actions of a covert human intelligence source engaged in blacklisting.”

Amendment 10, page 2, line 29, at end insert—

“(5A) The circumstances in which a criminal conduct authorisation is necessary on grounds specified in subsection (5)(c) may not include the activities of trade unions.”

Amendment 13, page 2, line 36, at end insert—

“(7B) The following conduct may never be authorised by a criminal conduct authorisation—

- (a) causing death or serious bodily harm to a person;
- (b) obstructing, perverting or interfering with the course of justice;
- (c) violating the sexual integrity of a person;
- (d) torture or cruel, inhuman or degrading treatment or punishment;
- (e) detention; or
- (f) causing the loss of, or any serious damage to, any property if doing so would endanger the safety of a person.

(7C) Subsection (7B) shall not prevent—

- (a) a decision not to prosecute in the public interest; or
- (b) the entry of a *nolle prosequi*.”

Amendment 8, page 3, line 2, at end insert—

“(8A) Nothing in this section justifies—

- (a) causing, intentionally or by criminal negligence, death or bodily harm to an individual;
- (b) wilfully attempting in any manner to obstruct, pervert or defeat the course of justice;
- (c) violating the sexual integrity of an individual;
- (d) subjecting an individual to torture or cruel, inhuman or degrading treatment or punishment, within the meaning of the Convention Against Torture;
- (e) detaining an individual; or
- (f) causing the loss of, or any serious damage to, any property if doing so would endanger the safety of an individual.”

Amendment 22, page 3, line 2, at end insert—

“(8A) A criminal conduct authorisation may not authorise any criminal conduct—

- (a) intentionally causing death or grievous bodily harm to an individual or being reckless as to whether such harm is caused;
- (b) involving an attempt in any manner to obstruct or pervert the course of justice;
- (c) amounting to an offence under the Sexual Offences Act 2003, the Sexual Offences (Scotland) Act 2009 or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- (d) subjecting an individual to torture or cruel, inhuman or degrading treatment or punishment, within the meaning of Article 3 of Part 1 of Schedule 1 to the Human Rights Act 1998; or
- (e) depriving a person of their liberty, within the meaning of Article 5 of Part 1 of Schedule 1 to the Human Rights Act 1998.”

Amendment 2, page 3, line 9, at end insert—

“(9A) The Investigatory Powers Commissioner or any affected person may apply for judicial review, in relation to the conduct of a relevant public authority.

(9B) For the purposes of subsection (1), a ‘relevant public authority’ are those set out in section 2(9) of the Act.”

*This amendment ensures that the granting of criminal conduct authorisations are subject to judicial review.*

Amendment 18, page 3, line 16, at end insert—

“(11) A criminal conduct authorisation will not have effect unless and until the authorisation has been shared with—

- (a) the Crown Prosecution Service, in respect of a criminal conduct authorisation relating to conduct taking place in England & Wales;
- (b) the Crown Office and Procurator Fiscal Service, in respect of a criminal conduct authorisation relating to conduct taking place in Scotland; or
- (c) the Public Prosecution Service, in respect of a criminal conduct authorisation relating to conduct taking place Northern Ireland.”

*This amendment will ensure that prosecutors can review crimes authorised under this Bill.*

Amendment 26, page 3, line 16, at end insert—

“(11) Nothing in this section permits or authorises any criminal conduct by a covert human intelligence source in relation to investigation of any lawful activity by a member of the House of Commons, who has sworn or affirmed the oath prescribed by the Parliamentary Oaths Act 1866, or of the House of Lords, in the conduct of that member’s parliamentary or representative duties unless—

- (a) the criminal conduct by the covert human intelligence source has been personally authorised by the Prime Minister and the Secretary of State, and
- (b) the Prime Minister and the Secretary of State have each made a written declaration that the proposed criminal conduct by the covert human intelligence source in relation to the member of Parliament concerned is both proportionate and necessary in order to preserve national security.

(12) The Secretary of State may by regulations make parallel provision to subsection (10) in respect of members of Senedd Cymru, the Northern Ireland Assembly and the Scottish Parliament.”

Clause stand part.

Amendment 16, in clause 2, page 4, line 9, leave out from “services” to end of line 23.

*This amendment would restrict the authorities that can grant criminal conduct authorisations to police forces, the National Crime Agency, the Serious Fraud Office and the intelligence services.*

Clause 2 stand part.

Clause 3 stand part.

Amendment 12, in clause 4, page 5, line 4, at end insert—

“(4ZA) Those persons who have granted criminal conduct authorisations must inform the Investigatory Powers Commissioner within seven days of the granting of the authorisation.”

Clause 4 stand part.

Clause 5 stand part.

Clause 6 stand part.

Clause 7 stand part.

New clause 1—*Redress for innocent victims*—

“(1) Section 65 (5) of the Regulation of Investigatory Powers Act 2000 (The Tribunal) is amended in accordance with subsection (2).

(2) At the end of subsection (5) insert—

‘(g) any conduct under Section 29B.’”

*This new clause ensures that innocent victims are able to seek redress from the Investigatory Powers Tribunal.*

New clause 2—*Equality Impact Assessment*—

“(1) The Secretary of State must prepare and publish an annual equality impact assessment on the use of criminal conduct authorisations on covert operations involving women, children and Black, Asian and minority ethnic communities.

(2) A Minister of the Crown must, not later than three months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.”

New clause 3—*Oversight by the Intelligence and Security Committee of Parliament*—

“(1) At the end of each relevant twelve-month period the Secretary of State must make a report to the Intelligence and Security Committee of Parliament with information on the number of criminal conduct authorisations authorised by the intelligence services and the categories of conduct authorised.

(2) In subsection (1) ‘relevant twelve-month period’ means—

- (a) the period of twelve months beginning with the day on which this section comes into force, and
- (b) each successive period of twelve months.”

*On behalf of the Intelligence and Security Committee of Parliament, to amend the Bill to ensure that the ISC is kept informed of the use of criminal conduct authorisations by the intelligence services.*

New clause 4—*Trade Unions*—

“(1) A criminal conduct authorisation shall not be granted in respect of the actions of a covert human intelligence source relating to a trade union or a member or officer of a trade union acting or proposing to act in contemplation or furtherance of any issue which is or could be—

- (a) the subject matter of collective bargaining within the meaning of section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (b) the subject of a trade dispute within the meaning of section 244 of the Trade Union and Labour Relations (Consolidation) Act 1992; or
- (c) within the lawful objects of the trade union.

(2) In this section, ‘trade union’ has the same meaning as in section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.”

*This new clause lays out that a criminal conduct authorisation could not be applied to a trade union, thereby putting a limit on where such authorisations can apply.*

#### New clause 5—*Blacklisting*—

“(1) A criminal conduct authorisation shall not be granted in respect of the actions of a covert human intelligence source in relation to another person who—

- (a) is a subject of a prohibited list or is suspected of being a subject of a prohibited list where the action of the covert human intelligence source is related to that fact or suspicion;
- (b) compiles, uses, sells, or supplies or proposes or attempts to compile, use, sell, or supplies a prohibited list; or
- (c) supplies or proposes or attempts to supply to another information which he knows or can reasonably be expected to know will be used in the compilation or use of a prohibited list.

(2) In this section ‘prohibited list’ has the same meaning as in Regulation 3(2) of the Employment Relations Act 1999 (Blacklists) Regulations 2010 SI 2010/493.”

*This new clause lays out that a criminal conduct authorisation could not be applied to a trade union, thereby putting a limit on where such authorisations can apply.*

#### New clause 6—*Commissioner approval for authorisations to identify or confirm journalistic sources*—

“(1) Subsection (2) applies if a designated person has granted a criminal conduct authorisation for the purposes of identifying or confirming a source of journalistic information.

(2) The authorisation is not to take effect until such time (if any) as a Judicial Commissioner has approved it.

(3) A Judicial Commissioner may approve the authorisation if, and only if, the Judicial Commissioner considers that—

- (a) at the time of the grant, there were reasonable grounds for considering that the requirements of this Part were satisfied in relation to the authorisation, and
- (b) at the time when the Judicial Commissioner is considering the matter, there are reasonable grounds for considering that the requirements of this Part would be satisfied if an equivalent new authorisation were granted at that time.

(4) In considering whether the position is as mentioned in subsection (3)(a) and (b), the Judicial Commissioner must, in particular, have regard to—

- (a) the public interest in protecting a source of journalistic information, and
- (b) the need for there to be another overriding public interest before a relevant public authority seeks to identify or confirm a source of journalistic information.

(5) Where, on an application under this section, the Judicial Commissioner refuses to approve the grant of the authorisation, the Judicial Commissioner may quash the authorisation.

(6) In this section—

‘Journalistic material’ means material created or acquired for the purposes of journalism.”

#### New clause 7—*Approval for criminal conduct authorisations*—

“After section 29B of the Regulation of Investigatory Powers Act 2000 (inserted by section 1) insert—

#### ‘29C Approval for criminal conduct authorisations

(1) This section applies where an authorisation has been granted under section 29B.

(2) The authorisation has no effect until such time (if any) as the Judicial Commissioner has approved the grant of the authorisation.

(3) The Judicial Commissioner may give approval under this section to the granting of an authorisation under section 29B if, and only if, the Judicial Commissioner is satisfied that—

- (a) at the time of the grant the person granting the authorisation had reasonable grounds to believe that the requirements of 29B(4), and any requirements imposed by virtue of section 29B(10), were satisfied in relation to the authorisation;
- (b) at the time when the Judicial Commissioner is considering the matter, there remain reasonable grounds for believing that the requirements of section 29B(4), and any requirements imposed by virtue of section 29B(10), are satisfied in relation to the authorisation; and
- (c) the authorisation granted does not authorise conduct that is incompatible with any Convention rights.

(4) In this section—

‘Convention rights’ has the meaning given in section 1(1) of the Human Rights Act 1998; and

‘Judicial Commissioner’ has the meaning given in section 227 of the Investigatory Powers Act 2016.”

*This new clause is consequential on Amendment 25.*

#### New clause 8—*Criminal conduct authorisations: Granting to children and vulnerable sources*—

“After section 29B of the Regulation of Investigatory Powers Act 2000 (inserted by section 1) insert—

#### ‘29C Criminal conduct authorisations: Granting to children and vulnerable sources

(1) This section applies when the source is—

- (a) under the age of 18,
- (b) a vulnerable individual, as defined in subsection (5),
- (c) a victim of modern slavery or trafficking, as defined in subsection (6).

(2) No criminal conduct authorisations may be granted for a source to whom subsection (1) applies unless the authorising officer believes that exceptional circumstances apply that necessitate the authorisation.

(3) Where a source is one to whom subsection (1) applies the arrangements referred to in section 29(2)(c) of this Act must be such that there is at all times a person holding an office, rank or position with a relevant investigating authority who has responsibility for ensuring that an appropriate adult is present at all meetings between the source and a person representing any relevant investigating authority.

(4) In subsection (3) ‘appropriate adult’ means—

- (a) the parent or guardian of the source;
- (b) any other person who has for the time being assumed responsibility for his welfare; or
- (c) where no person falling within paragraph (a) or (b) is available, any responsible person aged eighteen or over who is neither a member of nor employed by any relevant investigating authority.

(5) A ‘vulnerable individual’ is a person who by reason of mental disorder or vulnerability, other disability, age or illness, is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation.

(6) A ‘victim of modern slavery or trafficking’ is a person who the relevant investigating authority believes is or may be a victim of trafficking as defined by section 2 of the Modern Slavery Act 2015, or exploitation as defined by section 3 of the Modern Slavery Act 2015.

(7) The “exceptional circumstances” in subsection (2) include—

- (a) where authorisation of the criminal conduct authorisation is necessary to protect life and limb, including in relation to the CHIS; and
- (b) where authorisation of the criminal conduct authorisation is necessary on the grounds of national security.”

Amendment 21, in schedule 1, page 6, line 22, at end insert—

“(3A) In section 5 (Lawful surveillance etc.), in subsection (1)—

- (a) after ‘applies’ insert ‘(other than conduct authorised under section 7A)’; and
- (b) after ‘Part’ insert ‘(other than conduct authorised under section 7A)’.”

*This amendment will ensure that victims of crimes authorised under this Bill can seek civil redress.*

Amendment 19, page 7, line 49, at end insert—

“(10) A criminal conduct authorisation will not have effect unless and until the authorisation has been shared with the Crown Office and Procurator Fiscal Service.”

*This amendment will ensure that prosecutors can review crimes authorised under this Bill.*

That schedule 1 be the First schedule to the Bill.

Amendment 17, in schedule 2, page 10, line 19, leave out from “it” to end of line 30.

*This amendment is consequential on amendment 16.*

That schedule 2 be the Second schedule to the Bill.

**Mr Carmichael:** I wish to speak also to amendments 14 to 19, which were tabled in my name and the names of other right hon. and hon. Members.

It is worth reminding ourselves at the start why we are debating the Bill and why it is being proceeded with with all the dispatch that is apparent, what with Second Reading having been just on Monday of last week. As we know, the Government had a bit of a narrow squeak—a legal term—in the Investigatory Powers Tribunal, and that case is now going off to the Appeal Court. We are now getting what many of us, including those in Reprieve who brought the case to the IPT, have long asked for, and that is a regulatory statutory footing on which the very difficult decisions undertaken by the police, special branch, the security services and others should be made. That is something on which there is broad consensus, which was reflected in the attitude of the House, for the most part, on Second Reading. However, as was apparent from the debate on Second Reading, many of us in different parts of the House have serious concerns about the way in which these matters are being put on to this regulatory statutory footing.

Essentially, it seems to me that the Government have been brought to this point somewhat grudgingly. They have said, “Yes, we will put these things on to a statutory footing, but we will do it in such a broad and general way that, in fact, we will be able to continue to do whatever we have done in the past.” They are seen to embrace change in a way that allows them to continue to behave in the way they have always done. I suggest that that is not, in fact, sensible for any number of reasons. It defeats the purpose of putting these things on to a statutory footing, but I am pretty certain that, sooner or later, it means we will be back here looking at a future Bill because this one is not fit for the purpose the Government claim for it.

The point made repeatedly on Second Reading is that many of the concerns that I and others have, which are reflected in the amendments, are in fact covered by the Human Rights Act 1998. One of the difficulties I have with that is that, throughout their pleadings in front of the IPT, the Government said that the Human Rights Act does not, in fact, apply to the actions of those responsible for covert human intelligence.

When we eventually hear from the Minister, could he address a couple of points? First, will this new attitude towards the Human Rights Act, in its applicability to the activities of covert human intelligence sources, be reflected in the pleadings of the Government when it comes to the Appeal Court? Secondly, can the Minister confirm that the Bill will allow these sources to operate overseas? That being the case, what view do the Government take of the application of the Human Rights Act to the activities of these sources overseas? The position of the Government hitherto has always been that the application extraterritorially—overseas—of the Human Rights Act would not cover these instances, so it is difficult to see if there would be any protection at all in relation to activities overseas.

**Mr David Davis** (Haltemprice and Howden) (Con): I might be able to help the Government along with this. It appears that the power to authorise a covert human intelligence source to commit crime outside the UK as well is provided for under section 27(3) of the Regulation of Investigatory Powers Act 2000, which states that conduct authorised under part II of that Act “includes conduct outside the United Kingdom.”

**Mr Carmichael:** With help like that, I am not sure that the Government necessarily need any obstruction. Yes, I am certain that this provision is in the Bill for a reason, but we do need to hear from the Dispatch Box about the relationship between the Human Rights Act and activities that would be carried out overseas. When we hear from the Minister, I hope that he will address that point.

**Mr Kevan Jones** (North Durham) (Lab): The right hon. Gentleman is making an important point, but the Human Rights Act is not the only protection. There is also the guidance that goes alongside the Bill and that already exists for the operation of CHIS, which is nearly 70 pages long and identifies what can and cannot be authorised.

**Mr Carmichael:** Indeed, and the guidance is important. It is helpful to have that published, but of course, guidance is guidance, and it can be changed much more easily than an Act of Parliament. The concern that I and many Members have is that there is little by way of meaningful limits and protections in the Bill, which is where they really require to be.

I will now address the amendments that I have tabled, and I shall seek to do so as swiftly as possible, because I realise that we are under a degree of time pressure. Amendments 20 and 21 cover the question of civil redress. The Government’s proposition is that, essentially, this is a statutory embodiment of existing practice and guidelines. In fact, the truth of the matter is that the Bill goes much further than MI5’s current guidelines. The guidelines from 2011 state that

“An authorisation of the use of a participating agent has no legal effect and does not confer on either the agent or those involved in the authorisation process any immunity from prosecution”,

[Mr Carmichael]

and that authorisation

“may form the basis of representations by the Service to the prosecuting authorities that prosecution is not in the public interest.”

The Bill goes much further than that. It states, in effect, that authorised crimes are lawful for all purposes, which means not only that an agent would be exempt from prosecution but that victims would be barred from seeking redress in the civil courts. Cases where civil claims have arisen from the use of covert activities in relation to the animal rights movement, for example, would not have any legal redress in the courts under the Bill. Essentially, the thinking behind amendments 20, 21 and others is that the independent oversight in the Bill simply is not there. We all know—it is human nature, as much as anything else—that if people are left to mark their own homework, they will always give themselves an A\*. Frankly, for matters as important as this, we need something a bit more substantial.

The test for authorising criminal conduct in clause 1 is currently that the person authorising the conduct must believe that it is “necessary” and “proportionate” to do so. Amendment 14 is a very modest amendment that would mean it should be not just believed but “reasonably” believed that it is necessary and proportionate. That is not the most significant bar that will have to be crossed, but the fact that it is not there illustrates just how widely the Bill is drawn.

**Jim Shannon** (Strangford) (DUP): I suspect that the right hon. Gentleman and I have slightly different opinions on the Bill. My party and I broadly support it, perhaps with some amendments that we consider appropriate. Does he agree that, whatever the outcome of today’s proceedings, it is important for those involved to have the resources and staffing necessary to ensure that the objectives set by the Bill can be achieved?

**Mr Carmichael:** The hon. Gentleman makes an important point; it is not perhaps germane to the legislation, but it is important. As we saw on Second Reading, there is a wide understanding across the House of the very difficult, complex and nuanced nature of the decisions that are taken and then the activities that are undertaken as a consequence of these authorisations. This absolutely should be properly resourced and staffed; that should go without saying. The payback for that resourcing is that these people should also be accountable, with some measure of independent oversight of their activities.

1.15 pm

**The Minister for Security (James Brokenshire):** I do not know whether this will be helpful to the right hon. Gentleman, but I just draw his attention to paragraph 3.10 of the supported guidance, which underlines that the person granting the authorisation should hold a “reasonable belief” that the authorisation is necessary and proportionate. The important point he makes is addressed through the guidance.

**Mr Carmichael:** The Minister does help me and I am grateful for his assistance, because if that reasonable belief is in the guidance, there is absolutely no reason why it should not be in the Bill. As I said to the right hon. Member for North Durham (Mr Jones), guidance can be changed without any meaningful oversight from

this House. The Minister makes the point for me very well, so perhaps amendment 14, which I had thought modest, is more significant than I realised. I look forward to hearing his acceptance of it—if we could do that without a Division, it would be all the better. [Interruption.] God loves a trier.

Amendment 15 deals with the issue of economic grounds. As things stand, the Bill allows crimes to be authorised if they are necessary

“in the interests of the economic well-being of the United Kingdom.”

That conjures up all sorts of delicious prospects. If it is decided that we need a different Governor of the Bank of England, can we authorise a CHIS to wipe him out? Could we use this if we decided that a no-deal Brexit was not in the UK’s economic interests? There are at least two or three good Netflix series in this; the possibilities are almost endless. What crimes might be authorised in order to entice a foreign investor to bring their money to the UK or a car manufacturer to keep its UK plant open? There is nothing here to prevent corruption or bribery from being used in these circumstances. Amendment 15 would restrict these grounds to cases that are relevant not only in an economic sense, but to national security. There is precedent for this approach, because amendment 15 matches exactly the amendments the Government themselves made to the Counter-Terrorism and Border Security Bill last year, after my noble Friend Lord Paddick raised similar concerns about detaining people in the interests of the economic wellbeing of the United Kingdom. If it was good enough for that Bill, there is no reason why it should not be good enough for this one.

Amendments 18 and 19 involve oversight by prosecutors and would require criminal conduct authorisations to be shared with prosecutors before they take effect, to allow for proper independent oversight of these decisions. The amendments cover the same sort of ground as many others have in their amendments, most notably the Mother of the House, and I believe the hon. and learned Member for Edinburgh South West (Joanna Cherry) will cover this in her contributions. They all come to the same point that there has to be independent oversight where matters are as serious as this.

Amendments 16 and 17 deal with the number of different bodies that can be authorised under the Bill as it currently stands. At present, it extends well beyond the obvious candidates and include MI5, the police, the security services, the Food Standards Agency, the Gambling Commission, and the Department of Health and Social Care. With these amendments, we seek to reduce the list to the National Crime Agency, the Serious Fraud Office and the intelligence services.

Mr Evans, you and I have visited an abattoir in the past and we know that there is plenty of blood in an abattoir already without actually adding to it by empowering meat inspectors to be authorised to spill even more of it. We all know, as we complete our tax returns every year, that taxation can be a torturous business, but I do not think that we should be giving the taxman the power to apply the thumbscrews.

The need for these extra bodies to be given authorisation under these provisions has never been properly explained from the Treasury Bench. Their inclusion demeans the seriousness of those acts, especially by the security services, the police and the Serious Fraud Office, which

could well be required to use them in very difficult circumstances. It looks to me, almost certainly, as if these provisions have been put in the Bill with a view to giving up the fight when the Bill gets to the other place, which, I suggest, demonstrates a lack of respect not just for them, but for this House as well.

Finally, I wish to touch on amendments that have been tabled by other right hon. Members. I have added my name to the one from the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman) covering the approval of the judicial commissioner and the one removing economic interest grounds and I support their inclusion in the Bill. Amendment 13 in the name of the right hon. Member for Haltemprice and Howden (Mr Davis), which removes murder, torture and others, would be one of the most obvious amendments that could be made to this Bill to render it genuinely fit for purpose. It is the purpose of this Bill that commands unity; it is the detail of it that requires still so much improvement.

**The Second Deputy Chairman of Ways and Means (Mr Nigel Evans):** There are 22 Members—because a couple have withdrawn—on the call list. It would be really useful if Members could focus their attention on self-limiting their speeches so that we can get in as many as we possibly can.

**Sir Robert Neill (Bromley and Chislehurst) (Con):** It is a pleasure to follow the right hon. Member for Orkney and Shetland (Mr Carmichael), and I very much agree with a great deal of what he has said. I hope the Minister will be able to prove to us why it is not necessary to pursue some of these amendments, but I think the right hon. Gentleman put his case very well and very moderately. I appeal to the Minister, who is himself a moderate and considered man, to think about whether it is not appropriate to look at some of the detail of the Bill rather than the thrust of the objective, which we all absolutely support.

I will, if I may, touch on some of the amendments. The broad principle that I have, again rather like the right hon. Gentleman, is that, of course, there will be certain circumstances when it is necessary in the national interest for the brave operatives of our security services to have the power to take actions that might not otherwise be countenanced in the ordinary run of life. I accept that, sometimes, there are people who have put their lives on the line for the country's sake and that there are circumstances in which they are entitled to protections. I do not have any problem with that, but it is the broad nature of the Bill that is a concern to many of us. Those of us who have served in Government have come across those tempting occasions when submissions come along, and civil servants say, "It will be useful to draw on this widely, Minister, because x, y or z circumstance may occur at some point in the future, so it is better to have this in reserve—in the back pocket." When we are dealing with matters that touch on the exceptional circumstance of the state or its agents being permitted to break the criminal law, or potentially do harm of one kind or another—perhaps out of necessity, but none the less do harm to others—we should be pretty tight in circumscribing those instances as far as we can. We should ensure that, at the very least, there is proper oversight either beforehand when it is appropriate or thereafter by way of proper parliamentary scrutiny—I will come back to that in a moment.

That is why I do not take the line of the official Opposition's amendment that there should always be pre-authorisation, but I do think, as a basic principle, that there ought to be pre-authorisation at the appropriate level, be that by the judicial commissioner, a prosecutor or another appropriate authority, wherever possible. That ought to be the starting point unless there is some ground, such as a matter of emergency, perhaps literally of life or death, or of the highest importance, on which it is not possible to do that. I would like reassurance from the Minister on the test that will be applied to when these powers will be used, prior to authorisation by a responsible, vetted and highly dependable individual of the kind that we are talking about. That is the first point on which I would like the Minister's reassurance, and the point about guidance is well made, as far as that is concerned.

My second point, on amendment 20, which has been referred to, is on the position of the exclusion of civil liability. Again, there may be certain circumstances where it is appropriate for agents of the Government to act in a way that may cause some harm to others. A lot of people might not have too much concern if the target of the operation is an organised criminal or a terrorist, or someone who is a threat to us all, but I am concerned that the way in which that particular clause is drawn would also prevent the innocent victim of what might have been an otherwise necessary action—a person who is the collateral damage—from seeking civil redress. I am talking about somebody who was not the target of the steps that were taken but was caught up, literally, in the incident that occurred. Is it really fair or just to say, "Well, that's just hard luck," and exclude them from any liability?

The number of cases that this might engage are probably very limited, but the principle is important—someone who has done no harm to the state should not be the victim by happenstance of something that might necessarily and properly have been done in the state's interests. If we give the state and its agents that power—perhaps reasonably enough—it is not unfair to say that there should be some safeguard for those who, through no fault of their own, might be damaged by it in some way. I hope that the Minister will reflect on that carefully.

There is also the point in the amendments that touches on the authorisation of certain very grave crimes. I appreciate what the Minister said about the intention that our adherence to the Human Rights Act—which I was glad to see the Lord Chancellor restate the other day—is protected, but if that is the case, and given the importance of the subject, why not put that on the face of the Bill? What is lost by that? Should at any time any future Government—I hope not this one—ever derogate in any way from the Human Rights Act, it would be better to have the protection there.

My next point is about the scope of the agencies. As the right hon. Member for Orkney and Shetland said, it is pretty difficult to think of that types of extreme violence might be authorised in the national interest by the Food Standards Agency. Some greater particularity around that would not be a bad idea either.

I will touch on the point that arises from amendment 13, which is in the name of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and others. It is important because, if we are attempting to adopt a similar approach to our important security

[*Sir Robert Neill*]

partners, why not adopt the same approach that is appropriate in the United States or, I would say, perhaps even more persuasively, Canada? It is a Commonwealth and common law jurisdiction country, which has had no difficulty operating a security regime like our own, with operational efficiency but equal concern for protection against abuse. It has found it perfectly possible to work within a statutory parameter of the kind that is suggested. I would like to understand from the Minister a little better why he thinks that that is not appropriate, and why that might not be a safeguard for brave operatives under certain circumstances against the bringing of an unjustified complaint or litigation against them.

**Mr David Davis:** One distinction between amendment 13 and others is that it gives the Director of Public Prosecutions the right to make a judgment. Even if a person has behaved very unlawfully and committed serious crimes, the DPP is allowed to exempt him if he was in fear of his life.

1.30 pm

**Sir Robert Neill:** My right hon. Friend makes a fair point in that regard. The DPP would be entitled to do that as a matter of course, using the public interest test that would ordinarily apply. We all might concede that that is not an unreasonable proposition under the circumstances. Again, we need more justification from the Minister, as far as that is concerned.

I know that the Minister wants to get this Bill into the best possible shape, and I thank him for his welcome and constructive engagement with me over the last few weeks. I do not want him to think that I am being churlish by raising these points, but it is desirable that we get these matters right, as far as we can. He and I are in much the same place in spirit, but it is about how we can get things right in practice.

Finally, I return to amendment 14. The point was well made—dare I say it, I think the Minister made the opposing case very well—that if the test of reasonable belief is important enough to put in the guidance, it is important enough to put in statute. Anyone who has practised in criminal law will know that reasonableness of belief can be pretty important in determining whether the elements of an offence or a defence are made out, and the Government would do no harm by putting that in the Bill.

I hope that the Minister will reflect on that and the other matters that I have raised, and I hope he will recognise that I have done so in the spirit of constructive discussion and in an endeavour to improve the Bill, rather than to obstruct its overall purpose.

**Bell Ribeiro-Addy (Streatham) (Lab):** As I expect we will not get an opportunity for Third Reading, I start by saying this: another day, and another attempt by the Government to ram through a Bill that puts the Executive and their agents above our laws.

I rise to speak to the amendments and new clauses in my name and those of other hon. Members—amendments that seek to protect our diverse communities, our trade unions and our right to political protest. It is important that in doing so, I correctly frame my contribution and make it clear that I, and others who oppose the Bill, completely understand the need for undercover operations,

such as joining a proscribed organisation or selling or possessing drugs as a means to uncover the activities of organised criminals. Ministers have, however, failed to convince us why, unlike other countries, we have decided to legislate for such operations to include authorising criminal actions with no limits—even for the most heinous crimes—with no judicial oversight, and with power so heavily concentrated in the Executive.

Likewise, it is completely bizarre to suggest that the undercover policing inquiry that is due to start next month is irrelevant to this Bill. How can that be so when the inquiry will investigate whether crimes were committed by undercover police officers? The attempt to argue that in the course of such conduct—for example, coercing women into sexual relationships, and infiltrating and sabotaging campaigns and trade unions—no crimes were committed is surprising, to say the least, but to make such assertions before the evidence has begun to be heard, and to introduce legislation that will essentially green-light further such actions, is breathtaking.

Giving the legal go-ahead to such criminal behaviour in the future totally undermines attempts to secure justice for the past. Before I hear anybody say that that is irrelevant, I will point out that it is very relevant to many people and groups, such as the 14 trade unions that recently signed a statement and campaigning organisations including Reprieve, the Pat Finucane Centre, the Hillsborough and Orgreave truth and justice campaigns, the Blacklist Support Group, anti-racist groups and family campaigns for justice. Without question, I stand with them.

**Mr Kevan Jones:** I agree with my hon. Friend that some of the things that have gone on in the past, such as the Finucane case in Northern Ireland, are appalling and perhaps were not covered by what is in place now. But she said that there was no limit to what the state can do under this Bill. However, there is. The Human Rights Act and the 70 pages of guidance—I accept that it should be in the Bill—place limits on such action, because it has to be proportionate. As for trade unions and the other organisations that she mentioned, they are not covered by this. I accept that in the past some bad things went on, as she has mentioned, but that is not the case at present. The Bill simply provides oversight of a process that is already going on.

**Bell Ribeiro-Addy:** I will have to respectfully disagree, but I will come to that point.

Let me start with our amendments that deal with trade unions and blacklisting. Amendment 5 and new clause 4 lay out that a criminal conduct authorisation cannot be granted to a covert human intelligence source within a trade union. Similarly, amendment 6 and new clause 5 seek to prevent the powers in the Bill from being used for blacklisting. Although I understand that the Bill is not about the authorisation of surveillance, in both instances my hon. Friends and I believe it is important to explicitly remove trade unions and blacklisting activity from the powers in the Bill. We cannot and will not simply accept the Government's assurances, because trade unions are absolutely right to be alarmed. As my hon. Friend the Member for Jarrow (Kate Osborne) explained to the House last week, since 1968, over 3,000 trade unionists have been blacklisted, over 1,000 organisations have been spied on by undercover police, and tens of thousands of ordinary citizens have had files held on them by special branch.



Similarly, for the purpose of protecting legitimate political protest, amendments 3 and 4 seek to remove “preventing disorder” and the “interests of the economic well-being of the United Kingdom.” as legitimate grounds for the authorisation of criminality. These grounds are ill defined and wide-ranging, not to mention open to outright political abuse. Again, I point to where they have already abused. We know that using undercover police, allegedly posing as protesters, to commit crimes and provoke violence, including a violent response from the authorities, has been reported as an ongoing tactic and discussed in the public domain in recent years, including more recently in the past few months, with regard to the Black Lives Matter protests and climate change and G20 demonstrations. All of these necessarily constitute an unlawful interference.

That is also why I have tabled amendment 1, which seeks to ensure that discrimination on the grounds of protected characteristics is taken into account before any such allowance for criminal conduct is given. I point to that because we know that, in the spy cops scandal, women were unfortunately discriminated against through the way in which they were coerced into sexual relationships, and as we know, ethnic minorities are disproportionately the victims of state violence. As my hon. Friend the Member for Poplar and Limehouse (Apsana Begum) said last week, it is not hard to see that this Bill is just another iteration of the expansion of state surveillance of marginalised communities.

I should also point out that Members across the House routinely disagree on what is in the interests of the economic wellbeing of this country. Could my disagreement with capitalism be perceived to fall under the auspices of the Bill? Before anybody says, “That’s absolutely ridiculous,” I would remind the House that Labour Members have been subject to surveillance, and no doubt vague and wide-reaching arguments were used at the time. Where does this end?

To respond to my right hon. Friend the Member for North Durham (Mr Jones), is it not also the case that Ministers cannot assure members of the public by saying that the Human Rights Act guards against abuses, as it cannot be applied to individuals, only to organisations? This Bill would permit crimes to be committed in contravention of the European convention on human rights and the individual perpetrators could not be prosecuted, although the UK itself might subsequently be found in breach of the ECHR—a theme that is becoming all too common in the Government’s approach to legislation.

**Joanna Cherry** (Edinburgh South West) (SNP): As the hon. Lady knows, my hon. Friend the Member for Glasgow South West (Chris Stephens) and I are supporting her amendments, particularly on the trade union angle, but in relation to the Human Rights Act, is it not also true that the Government themselves have argued before the Investigatory Powers Tribunal that the state, in tasking CHIS, is not the instigator of the activity and cannot be treated as responsible for it? There is therefore a real difficulty with the Government trying to give us comfort by reference to the Human Rights Act.

**Bell Ribeiro-Addy**: The hon. and learned Member is absolutely right, and that is why we cannot be comforted by those assurances. They would have to be put on the face of the Bill for us to have any assurance that the Government would not move forward in that way.

It is unfortunate that the Government are laying down a Bill like this, at a time like this, without putting in place clear limitations and proper oversight to prevent what are the gravest violations and curbing the use of such powers for political reasons. Our democracy has to be protected and our rights have to be upheld. Our police and security services should exist to uphold the rule of law, not break it. I therefore urge all Members to vote for the amendments and, if they are not passed, to vote against the Bill.

**Mr David Davis**: I will pay attention to your encouragement to be brief, Mr Evans.

Although I support the intent of the amendments in the name of the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), the right hon. Member for Orkney and Shetland (Mr Carmichael), and the hon. Members for Streatham (Bell Ribeiro-Addy) and for Walthamstow (Stella Creasy), I will focus solely on amendment 13.

There is no doubt that there is a need for a Bill like this. Infiltrating terrorist gangs and going under cover as an informant is dangerous and risky work which often requires breaking the law, and the Bill enables authorisation of those breaches of the law. However, amendment 13, in my name and in those of others, explicitly exempts the most serious crimes of murder, torture, rape and others from powers in the Bill. The Government argue that that is not necessary because the Human Rights Act already limits their actions. The question before the House today is this: do we believe that? Do we think that that is sufficient?

Back in the early 1990s, I was one of the Ministers who took the Intelligence Services Act 1994 through the House. Section 7 of the Act enabled MI6 officers abroad to commit crimes in the interests of the state. Inevitably, in the tabloid press, it became known as the James Bond clause, but that is precisely what it was not. It was not a licence to kill. It was a licence to bribe, burgle, blackmail and bug, but it was not a licence to kill. Nevertheless, within a decade, section 7 was being used to authorise rendition, torture and the mass invasion of innocent people’s privacy—crimes that were never countenanced when the Act was put in place. I know that, because I did all the work behind it. It should be understood that the authorisation of those crimes, often within the United Kingdom, occurred after the Human Rights Act had been passed—indeed, while the ink was still wet on its pages in some cases—and it provided precisely zero protection. Likewise, the European convention on human rights, the international convention on torture and the 1949 Geneva convention, to all of which we are signatories and some of which are absolutely binding in law, provided no protection whatever.

**Mark Pritchard** (The Wrekin) (Con): My right hon. Friend has huge experience in this area, both legislatively and professionally. He is an expert. If a checklist, as he suggests, is put in the Bill, is that not also a checklist for terrorist gang leaders to prove a rite of passage and loyalty to somebody who might be working covertly on behalf of our national security interests?

**Mr Davis**: I will say a couple of things on that. First, if the gangster is smart enough to read this Act, he is smart enough to read the Human Rights Act. Secondly, I put in amendment 13 a specific reference to the

[Mr David Davis]

Director of Public Prosecutions, so that if my hon. Friend is in such a circumstance and he has to do something violent to prevent himself being killed, that is an exoneration for the DPP. So it specifically allows that clouding, if you like, of the judgment. I draw his attention to the intervention in *The Times* last week—I was going to mention it later, but I will mention it now—by one of the best DPPs of modern times, Lord Ken Macdonald. He is not of my politics, but he is very, very experienced and he knows all about these things. He described this as Soprano-watching judgments and Soprano-watching logic. I am afraid that I agree with him, and I will come back and illustrate why in a second.

Officers in the intelligence and policing agencies can face huge pressure to authorise improper criminal activity, particularly when the demands on the agencies themselves become enormous. We saw that after 9/11, when after the dodgy dossier we had all the rendition issues. I always said in those days that we should not prosecute the individuals, because they were trying to prevent a 9/11 happening in Canary Wharf, but it was still wrong. Those morally indefensible actions by the state and their agents occur at the darkest times in our history, and we must remember that. We must write our laws to cope with the darkest times in our history, which is what we are trying to do here today.

1.45 pm

I will pick an example which hon. Members from Northern Ireland will say cannot happen now—and they are right, but I want to use it as an illustration. The example is the murder in 1989 of the prominent Belfast lawyer Pat Finucane, who was shot 14 times as he sat down for Sunday dinner with his wife and three children. It emerged that the loyalist groups responsible for the murder of had been infiltrated by UK intelligence operatives. The 2012 review of the killing found collusion by the UK state in identifying, targeting and murdering Mr Finucane. It also found that the state supplied the weapon and facilitated its disappearance following the murder. The inquiry also found that senior Army officers deliberately lied to criminal investigators and the Royal Ulster Constabulary special branch was responsible for seriously obstructing the investigation. As a result, David Cameron, as Prime Minister, apologised for the actions of the British state.

Of course, that was not the only violation that occurred during the troubles, and we all know the terrible pressures that applied to everyone, even people in this House, during that time, but that is what we have to accommodate, from rendition to murder, not at the behest of the state but with the acquiescence of the state.

**Mr Carmichael:** On the point about rendition, the right hon. Gentleman will recall that the Intelligence and Security Committee, when considering the Belhaj and Boudchar cases, said that in effect our services had outsourced work that they were not allowed to do in law themselves. Does not that alone indicate that those services require proper independent scrutiny? They should not be left to mark their own homework.

**Mr Davis:** The right hon. Gentleman is right, and we should not forget that the clause that was used requires ministerial approval, not approval by an officer under

the pressure of, as it were, almost the battlefield sometimes. A Minister in Whitehall approved it, and it still happened. There were two sets of inquiries into those problems, one by Lord Stevens, who is nobody's softy, and one by Sir Desmond de Silva. The latter concluded that the problems required some recognised limits to the extent to which agents should become involved in criminal enterprises and a rigorous regulatory framework to prevent abuses—not a woolly reference to the Human Rights Act.

**Sir Robert Neill:** I am glad that my right hon. Friend is making such a powerful speech, mentioning not only Lord Stevens of Kirkwhelpington but the late Sir Desmond de Silva, whom some of us knew personally and who came up with his conclusion from his long experience at the criminal Bar and also the experience of being a prosecutor in the international war crimes tribunals. He was certainly no soft touch, and he was used to going after bad people, but believed it was necessary to do so within proper constraints.

**Mr Davis:** My hon. Friend is absolutely right. Sir Desmond did something else in his report: he quoted Lord Atkin, who, in a landmark case during world war two, said that

“amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace.”

I am afraid that the Bill, necessary as it is, does not meet that test, and that is the problem.

**Mark Pritchard:** Will my right hon. Friend give way?

**Mr Davis:** You will kill me, Mr Evans, but I will give way.

**Mark Pritchard:** My right hon. Friend rightly mentions the Pat Finucane case, for which David Cameron, as Prime Minister, correctly apologised for, but does my right hon. Friend recognise that since then the security services have more judicial oversight than ever before? We did not then have the Investigatory Powers Commissioner, and even the powers of this House for more oversight of the security services have increased. There has been a marked difference. Times have changed.

**Mr Davis:** Well, they have changed a bit. One of the things that the Intelligence Services Act 1994 created was the Intelligence and Security Committee. The Committee tried to look into rendition and torture just recently, under its previous Chairman, and it was refused access to 15 cases, so I am now suing the Government on exactly this matter, to force them to have a proper judge-led tribunal. So even now, it is not good enough; after 20 years, it is still not good enough.

The trouble is that others do it better. America and Canada learned the hard way about the need to include specific limits on the crimes that agents can commit. In those countries, informers and their handlers were involved in carrying out numerous cases of racketeering and murder, and they were found out. Since then, both countries have set clear limits. Just as an aside on the overall public interest, we all want our agencies to be able to work, but the FBI investigation found that the lack of limits and the woolliness of the controls led to more crimes, not fewer, so the so-called Soprano effect worked in reverse in terms of protecting the public interest.

The Bill puts no express limits on the crimes that the agencies can authorise—not on murder, not on torture and not on rape—and it claims that the Human Rights

Act provides a safeguard. However, the Government's own submissions in court, which have already been referred to by the hon. and learned Member for Edinburgh South West (Joanna Cherry) and the right hon. Member for Orkney and Shetland, showed that their own lawyers do not believe that. If Members have a bit of quiet time travelling back to their constituencies, they should read the Investigatory Powers Tribunal's findings on the behaviour of the agencies. It is almost a James Bond novel in its own right. The scathing descriptions of the operations are worth reading.

Amendment 13, tabled in my name, addresses the most egregious elements of the Bill. It puts hard limits on the extent of criminal conduct that can be authorised by officers, and it specifically prohibits murder, torture, serious bodily harm, sexual assault and other heinous crimes. Crucially, it explicitly permits prosecutors to drop a case in a situation where an agent is truly forced to participate in a serious crime and where a decision not to prosecute is in the public interest. There is a real need for legislation in this area, but the Bill as it stands carries real risks of serious injustice. My amendment would give the intelligence services the protections they need, but stop short of giving them *carte blanche* authorisation to carry out the heinous crimes in the name of the state that have happened too often in the past.

**Stella Creasy** (Walthamstow) (Lab/Co-op): It is an honour to follow the right hon. Member for Haltemprice and Howden (Mr Davis), and I agree with much of what he has said. I think there is agreement in this Chamber that we need this legislation, because the hallmark of a grown-up democracy is that it does not shy away from taking the necessary actions to keep a country safe, and nor does it say, "Don't ask, don't tell." This legislation puts on a statutory footing those practices that are part and parcel of security in this country. The question for all of us is whether it also provides the necessary accountability and oversight to ensure that they are just. I recognise that covid and the speed with which this legislation has been brought through militate against our doing our job properly on this, because we are doing it so quickly, but today I want to flag up one particular issue of concern. I suspect that it will be in the other place that we will see progress on these issues.

We know that this is a narrow Bill with a specific role around criminal conduct. I also recognise and understand the concerns that my hon. Friend the Member for Streatham (Bell Ribeiro-Addy) raised—I am sorry that she is no longer in her place—about the ongoing inquiries and the timing of this legislation. I hope the Minister will address those points in his comments and tell us what the Government would do, should those inquiries come back with further requirements for support. I also want to put on record my support for amendment 13 and for the Front-Bench amendments from my own party.

We recognise that there are genuine concerns about the Human Rights Act. In other debates in this place, people have talked about rewriting the Act, and I hope the Minister will deal with that issue. Also, it is a circular argument to suggest that the practices set out in amendment 13 and the amendments from my own Front Bench are already covered, if the Government will not accept amendments to ensure that they are part of how this legislation is dealt with.

I also hope that the Minister will talk about the equalities impact of the legislation. I represent a community that has, at best, a tangled relationship with many of the agencies that will have these powers. We are in a position of privilege in this House, so it is right and proper that we have oversight of those who do not share those same benefits.

I rise to speak in particular to new clause 8—especially the issue at the heart of this legislation, which for me is about the people who can consent to be a covert human intelligence source. It is worth looking at the definition:

"Someone who maintains a relationship for the covert purpose of providing information to another person"—

that is, not just someone who has a one-off conversation with our security services or police about something, but someone who is asked to maintain what is potentially a position of harm to support an investigation.

The right hon. Member for Haltemprice and Howden talked about the James Bond code. In most of our discussions about CHIS, we have envisaged those James Bond figures—the people from our security services or police conducting covert investigations. But I want to talk about those who are not the James Bonds: the children and vulnerable people who become covert human intelligence sources and who need us to make sure in this legislation that they are properly protected.

For the last year, there has been a legal challenge to the Government about how children have been used as covert human intelligence sources. It was settled last week in the High Court, when the Government agreed to update their guidance and code of practice on how children could be involved in this legislation. It is worth taking a step back at this point to reflect on that: we are talking about young people—children being asked to do what we previously envisaged James Bond doing. I hope that I am pushing at an open door with the Minister and the new clause, because that code of practice and the recognition at the High Court that there was a case to answer, reflect the fact that we need to get this right.

Our first instinct may be that no child should ever be involved in intelligence work in this way, and I sympathise with that. But when we look into the cases where it has happened, we see that there may be exceptional circumstances in which a child may become an informant. It is right, therefore, that we should have incredibly strict guidelines that have the interests of that child at heart when that happens. I am open to the idea that understanding what constitutes those exceptional circumstances is very difficult, but the new clause comes from the belief that the child's primary interests should be, as a matter of fact, at the heart of any engagement with state services.

Let us talk for a minute about the children we are discussing. For many of us who represent communities where issues such as county lines are a real problem, they are the children in the gangs and those who have been part of child sexual exploitation, who may have valuable information and have relationships with those exploiting them. For the police and the security services, they become incredibly valuable sources of information.

Those are important investigations—nobody is suggesting otherwise—but the new clause recognises that there may be a conflict of interest between the investigation and the best interests of an incredibly vulnerable person.

[Stella Creasy]

A young child drawn into county lines who knows the people organising things and has been given a gun—I can think of such cases—is still a child. We have a duty to that child to ensure that they are not exploited, even if people feel that the investigation is merited.

The Minister will say that that happens very rarely. The Government's own figures show that 17 children in 11 jurisdictions were used in this way in the past couple of years. One of them was just 15—a 15-year-old child being asked to continue a relationship that puts them at harm because that helps an investigation. What troubled me was that one of the other Ministers told the court that we should actually make more use of children in such circumstances—that they could be valuable because they were getting involved in criminal activity themselves.

Again, let us take a step back and think that through. In other parts of our legislation, we recognise that when children engage in harmful practices it is our duty to stop that. Yet in that court case and this process with CHIS, Ministers are saying, “Actually, we might want to maintain that because it will help with an investigation”—the children would have “unique access” as “juvenile undercover agents”. They are children, Minister, and it is absolutely right that we act to protect them and see them as children first. That is what new clause 8 seeks to do.

**James Brokenshire:** I will respond to the hon. Lady formally in my winding-up speech, but I would like to stress that all public authorities that task juvenile CHIS must have regard to their safety, welfare and wellbeing, as required under sections 10 and 11 of the Children Act 2004 and the United Nations convention on the rights of the child. It is important that I state that. The hon. Lady is making some important points, which I am listening to intently, but I think it is right that I put that on the record.

2 pm

**Stella Creasy:** I recognise what the Minister says. The challenge is that we already know of children and vulnerable young people who have been in this position under that legislation, but the paramount needs of the child or vulnerable person have not always been at the forefront of the minds of those involved in these investigations.

What am I talking about? I am talking, for example, about a 17-year-old girl who was in a relationship where she was sexually exploited, but she continued in that relationship because it was beneficial to the police investigating the person she was in a relationship with. She ended up witnessing a murder and being party to destroying evidence about that murder. We would be responsible for the situation that she was in.

New clause 8 does not say that there will never be a circumstance in which we might work with children, but it does say that it is right to see them as children first and to have a second pair of eyes to uphold that principle. The Minister will tell me that that is written into the guidance, but the new clause puts it in the Bill so that it is beyond doubt that somebody would take responsibility for a vulnerable person's welfare. It also extends to vulnerable people who might have been trafficked, for example—people who may not see themselves as vulnerable but who, we would recognise, could be

exploited. It is right that we have that check and balance of the appropriate adult—somebody who looks at that vulnerable person and gives an alternative perspective on what is happening to them, independent of the investigation.

The Minister may say that he cannot accept the new clause in this format, but I ask him to look seriously at this issue and to ensure that when we pass necessary legislation to formalise such powers, we take a step back and see the person we might be drawing into criminality. These people are not all James Bond and can consent freely to being involved in criminal activity and then be held accountable by RIPA. Some of them will be very vulnerable people who need us in this place to stand beside them and ensure that their interests are protected and that they have an appropriate adult to act for them.

I hope the Minister will listen to the concern that has been expressed across the House—the new clause is signed by Members from across the House—and introduce that protection into the Bill so that we put it beyond doubt. The reality is that if it is just in a code of guidance, it will not always be followed. Let us send the message that children should be children, not child spies.

**James Sunderland (Bracknell) (Con):** I am grateful to be called so early in this key debate, having been unable to speak on Second Reading. I therefore wish, if I may, to speak in general terms.

The first duty of any Government is to protect their people from harm. It is called defence of the realm. Given that that overrides all other considerations, we need to see the Bill in the context of the many existential threats that we face on a daily basis, many of which are hidden in the shadows and may never reveal themselves until it is too late. We also need to consider those we trust to keep us safe by empowering, not inhibiting, what they do. Our security services are only ever as good as the tools that their operators are given and the legal framework in which they work. Not only is the Bill a necessary piece of legislation in its own right; it provides a further insurance policy against those who seek to destroy the freedoms and the democracy that we take for granted.

Having personally served in uniform, I am comfortable that the Government continue to do what they must to give our intelligence services what they need to do their job. By allowing criminal conduct authorisations in the pursuit of covert human intelligence sources, the Bill rightly maintains the services' operating freedoms, allowing them to close on those who threaten us and bring them to justice. But let us be clear: these powers are to be used only in extremis, when the operational circumstances necessitate, when quick decisions are needed or when there is no other way to avoid compromise.

To think that our operators are naturally predisposed to committing murder, torture or sex crimes, or that the Bill somehow encourages them to do so, is just wrong. The need to exercise discretion and judgment lies at the heart of what we ask our services to perform. Not only are these people good at what they do; they intuitively know the difference between right and wrong, so it is right that a CCA may be granted where necessary for one of three purposes: national security, the prevention or detection of crime, and in the interests of the economic wellbeing of the UK. I am happy, too, that under clause 2 only responsible bodies, such as the police, the National Crime Agency, the Serious Fraud Office and

the security services, will be entrusted to do so, albeit with further work needed beyond the scope of the Bill on appropriate operating procedures.

I also agree with my friends on the Opposition Benches that, for example, rules of engagement might be provided in each particular case, and that there is further work to do. Under clause 4, the Investigatory Powers Commissioner will exercise oversight of all authorising bodies, not least to ensure that unlimited powers to commit any crimes are never granted and to rightly prosecute where criminality occurs.

I noted on Second Reading that the Secretary of State was continually pressed on which practices might be exempt or otherwise. His stance that it would not be appropriate to draw up a list of specific crimes is right, for to do so would place in the hands of criminals, terrorists and hostile states a means of identifying our agents and sources, creating a potential checklist for suspected operators to be tested against. The Chair of the Intelligence and Security Committee also recognised how easy it would be for groups to flush out agents if they were aware of human intelligence being prohibited from certain acts, calling it “dangerously counterproductive”. Although my own knowledge of covert operations is limited, I can tell Members that the work is difficult and dangerous.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): On people trying to flush out covert agents by getting them to do things that are on this supposed list, is the hon. Member therefore saying that the Human Rights Act 1998 does not prevent people from being able to do things, or does it potentially prevent certain actions and is therefore already a list? I am confused which it is.

**James Sunderland:** My key point is that the Human Rights Act does provide those protections, but in the context of operational service at the point at which decisions have to be taken I believe that those protections are needed.

Unlike most of our conventional forces, operators often work isolated and alone, making snap decisions that allow them to maintain trust and avoid detection. Rather than being isolated further—this goes back to my previous point—they need to know that their decisions and actions, when made in good faith and often under extreme stress, will be supported when the time comes. It is that discretion that lies at the heart of what they do, and more fool us in this place should we choose to undermine them or hang them out to dry from the sanctity of our courtrooms.

The recent evidence for why the Bill is necessary speaks for itself. Since March 2017, MI5 and counter-terrorism police have thwarted at least 27 terror attacks on home soil. In 2017, covert operations infiltrated a criminal organisation to stop a planned attack on Downing Street. In 2018, the National Crime Agency disrupted more than 30 threats to life, seized over 3,000 kg of class A drugs, safeguarded more than 200 people, and removed almost 100 firearms and 4,000 rounds of ammunition off the streets. Between 2017 and 2019, Her Majesty’s Revenue and Customs has prevented hundreds of millions of pounds of tax loss, with one case alone estimated to have saved the Treasury over £100 million. Such is the wider utility and benefit of our intelligence sources across a range of authorised bodies—and what else do we not know?

I am sympathetic to new clause 3 about oversight of the ISC, but I am not convinced that the equality impact assessment cited in new clause 2 or the blacklisting cited in amendment 6 and new clause 5 would be feasible. I am sympathetic to new clause 8 in respect of CCAs being granted to under-18s and vulnerable people, but I think it would be difficult to implement in the field.

It is not always ours to reason why from the privilege of this place, or to cast judgment on those who face more danger on a daily basis than we can imagine. I cannot agree with those who insist via amendment 7 that a criminal conduct authorisation should only be provided once a warrant has been issued by a judge or that a time limit be given. Similarly, for those who seek to balance the size and scope of the proposed activity against the gravity or the extent of the perceived crime, I regret that our operators will rarely have the luxury of doing so when danger is upon them. Given that our primary responsibility in this place is to keep our people safe and to allow those entrusted to do so to operate as they must, I will vote today for the passage of this Bill.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I welcome the remarks of the hon. Member for Bracknell (James Sunderland) about the important work that our security and intelligence agencies do.

We now have just a few short hours for the Committee stage of this Bill today. We will end up, in effect, with no Report stage. It is only 10 days since Second Reading. Third Reading is likely to be squeezed by how long it takes us to vote at the moment. I say to the Minister that this is an irresponsible way to deal with legislation that is so important. He will know that I say that as someone who strongly supports the vital work of our security and intelligence agencies, and our senior police, who deal with serious and organised crime, terror threats, and child abuse. They work with great bravery to keep us safe, and we owe them our thanks.

The Minister will also know that I have long supported much of the counter-terror work that the Home Office does, as well as its work with the police and intelligence agencies. I agree with the core purpose behind this Bill, which is to provide a legal framework for the difficult work that our Security Service, counter-terror police and National Crime Agency need to be able to do in order to keep us safe. But that is why we should take care to get the details of the legislation right. That is important because it is not only about the rule of law and safeguards for our democracy, but about the interests of the Security Service and the police. It is in their interests to have the proper safeguards in place for the vital work they do. It protects them and it also protects individual officers, who have to take very difficult decisions under pressure with great integrity.

I find it difficult to believe that the court timetable has necessitated this condensed timetable. The Investigatory Powers Tribunal reported in December last year. Preparations were under way at that time for legislation, in case it might be needed. We could have had more consideration of this. We could have continued with it for a further couple of weeks in this House and then accelerated the timetable had it proved necessary at the last minute, given the court timetable and the potential for an imminent court decision.

[Yvette Cooper]

We will therefore have an accelerated discussion of a whole range of different, important and very sensible amendments that have been put forward, such as those on pinning down the safeguards for human rights considerations and putting them more explicitly into the Bill. I strongly support the words of my hon. Friend the Member for Walthamstow (Stella Creasy) about the need to ensure that there is proper protection for children. There are measures to protect children in the use of covert human intelligence, but there should be additional safeguards in case there are ever circumstances in which children are being asked to break the law. Such safeguarding is important and does need to be seriously responded to. I also support the reinforcement of existing protections against things such as blacklisting and interference in trade union activity—protections that have been secured by work by Labour MPs on previous legislation.

The two key issues that I wanted to focus on—and the amendments that reflect them—are independent checks and the scope of the legislation. The Bill as it stands does not include sufficient independent checks. There is no independent check in advance and the independent checks in retrospect are very limited; all we have is the retrospective oversight of the Investigatory Powers Commissioner. Those are permissive provisions rather than clear requirements on the commissioner, which means that we will have no idea in the House, in retrospect, whether the IPC has been forensic, looking at every individual case, or whether it has had to focus on other issues that year as part of its report.

2.15 pm

That is why these amendments are so important, particularly the Labour Front-Bench amendment 7, which proposes prior judicial authorisation, and amendment 18, tabled by the right hon. Member for Orkney and Shetland (Mr Carmichael), which proposes a prosecutorial approach. I also strongly support the amendments tabled by the Intelligence and Security Committee to give it stronger retrospective oversight.

I understand the concerns that have been raised by the agencies about prior oversight—about the pace at which decisions need to be taken and where responsibility and expertise should lie. The Minister and I have both heard the arguments on the issues of intercept and surveillance rehearsed again and again, and we now have prior authorisation for intercept and surveillance, even though for a long time it was disputed that that would ever be workable; the agencies, the Home Office and other organisations have found ways to make that prior authorisation work. If the Government want to argue that these circumstances are somehow different, that reinforces my point that we should have had time to debate that in proper detail—to look at, for example, how amendment 7 might have been honed or adjusted in order to capture properly the circumstances that the agencies face, but to make sure that there are independent checks in the system. I say again that independent checks provide additional protection and safeguards for those in agencies and organisations who are making difficult decisions.

On the scope of the legislation, the Government and the Investigatory Powers Tribunal have provided a clear explanation of the current legal and oversight position

for MI5, and the limitations of that legal position and how the Bill intends to address things, but they have not done the same for the Food Standards Agency, the Department of Justice, the Gambling Commission, HMRC or the Health and Social Care Department, for example. We do not know from the Government's explanations the legal basis for any authorisations of criminal activity that those bodies are currently undertaking. We do not know of the problems or the flaws in those provisions; why are changes and amendments needed? Does this new legislation strengthen or reduce the safeguards for bodies such as the Food Standards Agency, the Gambling Commission and so on? It is therefore very difficult to judge whether the scope of this Bill is appropriate for those organisations relative to their current legal position—should they be excluded completely or should there be a much narrower scope for those organisations compared with organisations that, for example, do the most serious counter-terror work? Should there be further safeguards in the Bill that look to be appropriate.

The Minister and I both know what happened with the original RIPA legislation in the 2000s. It was very well-intentioned, as was the work that it was supposed to cover, but over the years its scope became wider and wider. A wider range of organisations used it for a wider range of purposes, and eventually the legislation rightly had to be constrained by being amended. Let us get this legislation right now, rather than having to amend it later.

Members have rightly talked about the importance of the Human Rights Act safeguards and the case for strengthening that in the Bill. An amendment has also been tabled on Orgreave. I have long been a supporter of a proper inquiry into what happened at Orgreave and the need for justice. We did work on that in the Home Affairs Committee and received responses from different police forces. I am convinced that there are archived papers that have never been examined or independently scrutinised about what happened that day, and they really ought to be, in order for the coalfield communities to feel that we have seen truth and justice on Orgreave.

It is clear that legislation is needed. We should not be blocking legislation on this, but seeking to amend it. We should also give the House of Lords a chance to table amendments, with its expertise, and I hope it will have more time to consider amendments than we have had. If the House blocks legislation, the courts will intervene, and that will be unsatisfactory, no matter what the Appeal Court decides. If the Appeal Court decides that the status quo is fine, we will not have this legislation—we will not have a statutory footing for the operations that we have discussed, we will not have the safeguards in place, and we will not have transparency. On the other hand, if the Appeal Court decides that the status quo is not appropriate and strikes down the legal basis for this activity, MI5 and the National Crime Agency will suddenly end up without a legal basis to do the urgent work that is so important to keep us safe. Let us be honest: we will also face emergency legislation being brought to the House with even less time to consider it than I am complaining about today. It is far better for us to have proper consideration of legislation, but I really urge the Minister to ensure that there is more time for this to be discussed and more opportunity for amendments to be tabled in the other place following our debate.

The Government have been making it difficult for Parliament to scrutinise this legislation properly and get the details right. However, we should not be deterred from attempting to do so, and I hope that the other place will be able to help us do so. We need strong safeguards not only in the interests of democracy and the rule of law but to better protect our national security. We know that the work these agencies do is saving lives. It has saved the lives of friends and colleagues of many of the people in this place. That is why it is so crucial, and it is because it is so crucial that it is important we get the legislation right.

**The First Deputy Chairman of Ways and Means (Dame Rosie Winterton):** I remind Members that there are a number of colleagues down to speak in the debate. There will be three Front-Bench winding-up speeches, which will have to start just before 3.20 pm, and then I suspect there will be votes. I cannot introduce a time limit, because we are in Committee, but I am sure that Members will be considerate to one another. I call Dr Julian Lewis.

**Dr Julian Lewis (New Forest East) (Ind):** Thank you, Dame Rosie; I shall endeavour to be helpful.

It is only by the good fortune, dare I say it, of there having been yet another statement on the covid crisis that many members of the Intelligence and Security Committee are able to take part in this debate at all. I have written to the Leader of the House about this, and I appeal to the Government's business managers in future not to schedule legislation of this sort, which is directly relevant to the Intelligence and Security Committee, for the same day on which it is known that the Committee has an immovable meeting. I am grateful to the right hon. Member for North Durham (Mr Jones) for being willing to leave our main meeting early, so as to be sure that new clause 3 could be covered, and I will now make some remarks about that new clause.

The Intelligence and Security Committee, as was stated on Second Reading, strongly supports the principle behind this legislation. CHIS play a vital role in identifying and disrupting terrorist plots. They save lives, often at great risk to themselves. Sometimes they must commit offences to maintain their cover, and their handlers must be able to authorise them to do so in certain circumstances and subject to specific safeguards. We welcome the Bill, which will place the state's power to authorise that conduct on an explicit statutory footing.

However, concerns were raised on Second Reading that the Bill does not provide for sufficient safeguards and oversight measures. The ISC agrees. There is a clear role for the Investigatory Powers Commissioner, and it is absolutely right that the commissioner is able to use his judicial oversight powers to ensure that those powers are used only with due care and consideration by the agencies that authorise criminal conduct.

The Bill, as it stands, does not provide for any parliamentary scrutiny of the use of these authorisation powers, so the amendment that the ISC has tabled—new clause 3—proposes not to duplicate the role of the Investigatory Powers Commissioner in any way, but instead to require the Secretary of State to provide the ISC of Parliament with an annual report information on the number of criminal conduct authorisations that have been authorised by the agencies that the Committee oversees as well as on the categories authorised. All we

are looking for is a simple table saying that these are the categories of offences that have been authorised, those are the totals in each category and this is the grand total.

**Bob Stewart (Beckenham) (Con):** It is only the number and the category; there is no detail, because that would be extremely dangerous.

**Dr Lewis:** That is absolutely right, and the whole point about the detail is that that is the job of the Investigatory Powers Commissioner. What we want to do is give an added layer of extra scrutiny on the scale and the categorisation, but nothing in terms of particularity of any individual case.

**Gavin Robinson (Belfast East) (DUP):** I support new clause 3. I think the emphasis behind it is right, and the work that the right hon. Gentleman's Committee does is very important. There was an interesting line in the report published by the Committee on 5 October on Northern Ireland terrorism that touches on this Bill. It said, "Authorisations are used sparingly", and then it gave the proportion of members of the services that have had authorisations, but that number featured in the published report as "\*\*\*\*". I only want to raise with the right hon. Gentleman the point that, while it is important that his Committee has access to that important information, the information could be made available. There is always a consideration, to various degrees, about what is contained in reports and what is not, but it does not seem to me that that is sensitive, and for the purposes of this debate, it would actually have been an incredibly helpful figure to have.

**Dr Lewis:** The hon. Gentleman, with whom I worked so closely on the Defence Committee, as always gets to the heart of the matter. He says that, indeed, we have made reference in the context of Northern Ireland to numbers and scale in precisely the way we are seeking to be able to do here. Whether something is then made public is always a matter for debate and negotiation between the ISC and the agency concerned, but where it cannot be made public, that is where the ISC in a sense comes into its own. We exist to be able to see things that for good reasons cannot be made public, but we can then at least give assurance to Parliament that we have seen what cannot be made public and we are reasonably satisfied with it, and that is what this is all about.

**Mr Kevan Jones:** The reason for not giving that figure is clearly that it would give an advantage to those we are working against—for example, in Northern Ireland—through an indication of the scale of the CHIS. Could the right hon. Gentleman clarify the situation and highlight to the Committee that we would look at the numbers, but that we have powers to look at individual cases, as we have done in the past, if we have concerns about them?

**Dr Lewis:** Yes. What it is important to remember and, it must be said, what has not always been remembered in recent times, are the provisions of the Justice and Security Act 2013. That Act, among other things, said that the Committee would have greater powers to "require" the agencies to give certain information. Prior to that, it could only "request" the agencies to do so. The question is: will we have the power to be assured of

[Dr Julian Lewis]

getting these figures, or are we going to be able only to ask for them and perhaps not get them? The right hon. Gentleman is absolutely right: if we saw something that we did not like the look of, even if we did not have the power to require that particular piece of information in order to delve further, we could at least request it. For many years, that was the only basis on which the Committee could operate anyway.

2.30 pm

The new clause we are proposing today, new clause 3, is a simple one. As I have said, it does not seek to duplicate the role of the Investigatory Powers Commissioner, but would require the Secretary of State to provide the number and the categories, and the Committee could then decide whether further scrutiny of that data once supplied was necessary. That would give the House an additional reassurance that these powers were being used correctly by the intelligence services. There is a precedent for that, because there are similar provisions in the Investigatory Powers Act 2016 that ensure that the ISC is kept regularly updated on the use, for example, of bulk interception powers. Obviously, the new clause does not cover those organisations that the ISC does not oversee—most notably in the context of this Bill, the police.

In typically helpful fashion, my right hon. Friend the Minister for Security has been in touch with me, and we have been having certain negotiations about what assurances could be given that the ISC would get the sort of information that it needs. In particular, I understand that he is going to suggest that the CHIS code of practice could be amended to highlight the role of the ISC. There is still, however, a degree of uncertainty. He has written me a letter, and that letter will be laid before the House and put in the Library. There is just one area of concern that we are still not happy about—we are within a hair's breadth of agreement—and it relates to current operations.

**Stewart Hosie** (Dundee East) (SNP): Before the right hon. Gentleman moves on to his next subject, there is also an issue of trust. The Bill envisages giving the Government a significant degree of ability to authorise criminal activity. As someone who is happy to give this Bill a fair wind with certain conditions, I say that if the Government cannot see fit to include on the face of the Bill this very modest new clause from our Committee—it is only about numbers, not details—I think trust in the Government is rather diminished.

**Dr Lewis:** I am obviously hoping that the Minister will convince us in the course of this afternoon that we can indeed trust the Government on this matter. If he wishes to do so, he needs to clear up the point I am about to raise concerning current operations.

Although sometimes the Government share information voluntarily with the Committee about current operations, we cannot normally demand such information. The danger with a letter and the slight amendment to the regulations is that it could still leave a loophole whereby the Government say, “We would like to give you these statistics and these categories, but unfortunately some of them relate to operations that are still ongoing.”

Perhaps there have been 15 such authorisations, and one or two of them relate to current operations. That could be used as an excuse not to tell the Committee about the total of 15. In reality, I do not think that would be within the spirit of the understanding of the reasons why current operations are normally excluded from the purview of the work that the Committee does.

In order for the Minister to develop the degree of trust that we wish to have in the Government's intentions, I hope that when he comes to address the arguments that have been put forward in support of new clause 3, he will rule out any suggestion that the fact that there might be one or two current operations included in a statistic will prevent our Committee from seeing those statistics that we have urged the Government to provide by tabling the amendment. I look forward to the Minister's comments on that later, and I earnestly hope we will be able to reach a satisfactory outcome.

**Jeremy Corbyn** (Islington North) (Lab): The proceedings on this Bill today are an absolute travesty of parliamentary accountability. That a major Bill such as this, with huge implications for civil rights and human rights in our society and for our standing around the world, should be pushed through in a very short time this afternoon is a travesty. I suspect we will not even vote on most of the amendments—they will not have been subject to stand-alone debates. In effect, we are having another Second Reading debate to accommodate those who have tabled amendments. We should reflect on this House's role in holding this Government to account.

I have added my name to a number of amendments, particularly those drafted by my hon. Friend the Member for Streatham (Bell Ribeiro-Addy), to whom I pay tribute for her work on the Bill and her contribution this afternoon.

The Mitting inquiry into undercover policing operations, which succeeded the Pitchford inquiry after Pitchford's death, is still going on. It was due to report in 2018; it has not even got into its second and third stages yet and may well go on for several years more before it reports. It covers undercover policing since 1968, a time which, I reflect, more or less covers my whole political life, so I will read with great interest the Mitting inquiry's final report.

What has come out so far for those of us who have good friends in environmental groups, human rights groups, trade unions and many other campaigns is the sheer arrogance of police undercover operations that have infiltrated wholly legitimate and legal operations in order to disrupt them, spread negative information and cause problems for them. If we live in a free and democratic society, criminality is obviously not acceptable and policing is obviously required to deal with it, but we do not deal with criminality by authorising criminality through undercover policing operations and investigations of such groups.

There are those of us who have had the honour of meeting people, particularly women, in a number of groups that have been infiltrated by the police and the police have then knowingly formed sexual liaisons with those women. Children have been given birth to as a result, and then, often years later, the woman concerned finds out that she was completely duped—completely misled—and her life was ruined by an undercover police operation. Imagine what it feels like for someone to have



been with what they thought was their life partner for several years, and they discover that that person was put there by the police to seduce them into giving information on, actually, legal activities done by environmental and other groups. Will the Bill protect women from that in future? I think we all know the answer to that.

I hope that, at the very least, the House of Lords is able to make some substantial amendments to the Bill. I am disappointed that the College of Policing advice, which has just come out, is that it is not necessarily wrong for undercover officers to form sexual relations with people to gain information. This is the kind of world that we are about to approve of unless the amendments tabled by my hon. Friend the Member for Streatham, my hon. Friend the Member for Walthamstow (Stella Creasy) and others are accepted by the Government today.

I will be brief, because there is not much time and 11 more colleagues wish to speak before 3.20 pm. The second matter to which I shall refer relates to the points made by my hon. Friend the Member for Streatham. The Bill says that people cannot do anything to undermine the economic wellbeing of the country. What does that actually mean? Does it mean, for example, that if dock workers decided to take strike action because they had reached the end of the road in negotiations with their employer and therefore wished to withdraw their labour to force a settlement of their grievance, they would be acting against the economic interests of the country, because that would disrupt trade? Or would they be acting in the interests of themselves, their colleagues and other workers by trying to improve their economic wellbeing? There is a big debate about what is economic wellbeing and what is not.

There are those, like me, who have seen the activities of undercover police operations in trade unions and the blacklisting of wholly legitimate trade union representatives, who have spent 20 years and more being unable to work, as electricians, as carpenters or as plumbers, because they have been blacklisted secretly by groups of employers, when the police knew about it all along. These were wholly illegal activities. The police need to recognise that what they have been doing is completely wrong—it is simply unacceptable.

I hope that we will have a thought for a moment for the more than 1,000 groups that have been infiltrated in some way by the police at some point over the past few years. Those of us who have spent our lives campaigning for social justice and environmental sustainability, and against racism in any form, often wonder why there is apparently much less concern about, much less involvement with and much less attention paid to far-right racist organisations than to other people within our society. We need to know the answers to all these questions, but I suspect we will not get them today.

My hon. Friend the Member for Rhondda (Chris Bryant) has tabled an amendment that proposes that activities should in future be authorised only by the Prime Minister. My hon. Friend the Member for Streatham has also proposed amendments on the issue of accountability, which is the key to this. I wonder whether Ministers actually knew what was going on or know what is going on now. I wonder whether senior police officers always knew what was going on. I wonder how many different quasi-secret operations were being conducted in different police authorities around the country without the relevant police commander even knowing what was happening.

Inquiries in South Yorkshire in respect of Orgreave and Hillsborough tend to indicate there is a lack of transparency in the way the police operate.

The right hon. Member for Haltemprice and Howden (Mr Davis) spoke correctly about the issue of where we are going if we go down a road of ignoring human rights and justice within our society. He and I spent a lot of time campaigning to try to get British nationals and British residents released from Guantanamo Bay. The whole thing is a disgrace. The whole thing is extra-judicial in every conceivable way. Likewise, this country and our Government here were involved in extraordinary rendition in some form. If we are to hold our heads up around the world as being supporters of human rights, and as being a signatory to the universal declaration, the European convention and our own Human Rights Act, we need to look carefully at ourselves and at what this Bill proposes. I hope that at the very least the Minister will make it clear whether the Government are committed to continuing to support, recognise and work within the terms of the historic and important Human Rights Act or whether, once again, he will be appealing to the backwoods people in the Tory party who see human rights as somehow a term of abuse and who want to repeal that Act or reduce its power and importance. These things are very important.

I regret that we have such a short time for this crucial debate today, but I am moved by the hundreds of people who have been in touch with MPs about this, and the dozens of organisations, not necessarily all protest groups or on the left—these groups cover peace, civil liberties and human rights—that are very concerned about this Bill. These are people who think seriously about these matters and we would do well to listen to them, rather than ramming this through in a few hours on a Thursday afternoon and imagining that that will be job done. It will not be, because this will all get back in the courts at some point in the future and the Mitting inquiry report will come out at some point. Many of us will continue our vigilance in order to protect civil liberties and human rights in our society and our country, and to protect the civil liberties and rights of those who work in the police and other security services.

**Dan Carden** (Liverpool, Walton) (Lab): On a point of order, Dame Rosie. I understand that my hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) has swapped places with my right hon. Friend the Member for North Durham (Mr Jones) in the list, and they are to be on either side of my speech. I was just wondering whether there was a reason for that.

**The First Deputy Chairman of Ways and Means (Dame Rosie Winterton)**: I thank the hon. Gentleman for that point of order. I understand that the right hon. Member for North Durham spoke to my predecessor in the Chair because he is speaking to his new clause, so, very unusually, given that the hon. Member for Kingston upon Hull North was happy to swap places, that seemed reasonable. There is nothing sinister about it and it has not altered where the hon. Member for Liverpool, Walton (Dan Carden) comes in the call list, but for the value of the debate, it was felt to be reasonable that the person speaking to the new clause could move forward. It does not affect when the hon. Gentleman is speaking, I can assure him.

2.45 pm

**Mr Kevan Jones:** There was a time when I used to like the hon. Member for Liverpool, Walton (Dan Carden), when he was a young researcher here. There is nothing sinister happening—it was the fact that the Intelligence and Security Committee sat this morning. I was going to move the amendment because the Committee was still sitting, and that is why it was done. It is nothing against the individual personally, and he knows I have a lot of respect for him.

I support the Bill, and obviously the new clause in the name of the ISC, because it gives a legal framework to cover this area of work. Having been on the ISC for a number of years, I have seen transcripts of some of the evidence from CHIS. Is it information that we could get in any other way? No, it is not. There is a misunderstanding that somehow now with modern technology, telecommunication intercepts and everything else, we can get all the information that we require. We cannot. The best is still from human sources. Certainly, from the cases I have seen and the transcripts for terrorism cases relating to Islamic terrorism and the ones for Northern Ireland, it is clear that the work that the security services do to protect us all—including all communities, and that includes marginalised communities—could not be done without that CHIS involvement.

There has also been a misunderstanding—I think it gets crossed over in the Bill—between what is happening now and what happened in the past. I am no defender of what happened in the past, in terms of some of the things that were referred to in Northern Ireland or even the spy cops issue. Under this legislation, we will have the Investigatory Powers Commissioner's oversight of the situation, and there is a big difference between police officers, in terms of this authorisation, and civilians. Police officers will come under the Bill, but we should remember that, more importantly, their conduct is also covered by other legislation.

I know that the spy cops case is cited, as though this would legitimise them. It would not, because police officers would still have to come under the legislation that covers their conduct. They are more controlled than the civilians or individuals we will recruit both for organised crime and national security issues, who will have to commit crimes on occasions to ensure that their cover is not blown. I have seen the transcripts, and although I cannot refer to individual cases, I have seen one where an individual was part of a proscribed organisation for many years. His actions have not only led to a major disruption of that organisation, but, I think, saved lives. Therefore, is it right that this should be on a legal footing? Yes, it can be.

My hon. Friend the Member for Streatham (Bell Ribeiro-Addy) said that this would give carte blanche for the security services and police to do what they want. I am sorry, but it does not. We have to look at the guidance, which many people have not looked at. I know that some Opposition Members have been saying that they will vote against the Bill on principle. Well, I am sorry, but I do not see anything principled in weakening the ability of our security services to protect us or of the police to protect trafficked women and children, or in the fact that it will make the situation worse for some of the most vulnerable people in our society, who are preyed upon not only by organised crime but terrorist groups.

All I say to Members is please read the Bill and read the guidance, because the guidance is important. I have some problems with the Bill in the sense that it could be improved. My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) made a very good point that this is probably not the way to do it. We should have had more time, and perhaps debated it in Committee upstairs, which would have been far better. It is important that we get this right, but the idea that the security services do not have any oversight is not the case. In fact, they will have more oversight. May I just say this: the individuals who are running CHISs are not just the office boys in MI5; they are senior officials who not only have training on the guidance, but know the difficult situations that are being dealt with on the ground. I say to Members: please do not go for headlines; look at what happens in the Bill. The Bill can be improved, which is why I support the oversight proposed in new clause 3.

I agree with the right hon. Member for Orkney and Shetland (Mr Carmichael) on one point—a point that was also raised by my hon. Friend the Member for Walthamstow (Stella Creasy) in her contribution, in which she made some other very legitimate points. The Bill would be strengthened if the guidance were actually in the Bill. I have no problems with the guidance as it is written at the moment, because it is both strong and robust. The right hon. Gentleman's point was that if it were in the Bill, it could not be, as he said, tinkered with or changed afterwards.

I also ask Members to look at the present, rather than at what went on in the past. My right hon. Friend the Member for Islington North (Jeremy Corbyn) is right: we cannot justify what some of the agencies did in the 1960s, '70s and '80s without any scrutiny—whether of the police or the security services. As for blacklisting, the Bill will not lead to a situation in which blacklisting is not given a red light. If Members read the guidance, they will see that that would fall out of the scope of that guidance. Likewise, the Investigatory Powers Commissioner will be able to look at those individual warrants. Moreover, as a former trade union official, I know that blacklisting existed, but certain members of trade unions do not have a great history in terms of their collusion, on some occasions, with employers in certain industries to blacklist trade unionists. I feel passionate about this in the sense that it is wrong, but it cannot all be necessarily put down to the employers.

May I touch on two other points? The first is the issue around amendment 7 in the names of those on the Labour Front Bench. I have problems with it. I accept that, as the Bill is written, it is looking backwards at these cases. Operationally, from the cases that I have seen, the idea that we could get a judge to cover the scope of potential criminality in certain areas would be difficult. Let us say, as an example, that we have someone who has been authorised to get involved in the drugs trade, but then they are asked to carry out a burglary. A very broad warrant would have to be issued to cover quite large things. I think that it is perhaps better leaving it in the guidance and with the officer. I have seen evidence that there are occasions when the security services will withdraw authorisation from a CHIS, and they do so because people are getting involved in things that are quite clearly not in the public interest and are not followed by the guidance. That does happen.

I have one final point, which again has been raised and which I still struggle with. Why have other organisations been lumped into the Bill? I am quite content for the police and the security services to be covered by this legislation, but I am less at ease with the Food Standards Agency and others being given authorisation. There is a level of expertise now, both in the police and in the security services, in terms of being able to authorise, train and run CHISs, which might not be there in the other organisations when, perhaps, they are dealing with very small numbers of cases over a period.

The Bill is an improvement on what we have at the moment, because it will bring in a legal framework. Can it be improved? I think that it can be, but, again, I urge people to read the Bill and read the guidance and to look at them in terms of what is happening today rather than what has happened historically.

**Dan Carden:** I am delighted to follow my hon. Friend the Member for North Durham (Mr Jones)—

**Mr Kevan Jones:** Right hon.

**Dan Carden:** My right hon. Friend. I think that was one of the briefest speeches he has ever made in the House.

The Bill is about the power of the state, and it is also about the rights of citizens. What we have today is a book of amendments, almost each and every one of which would improve the Bill, but unfortunately, it feels to me like a *fait accompli* by the Government. I am not surprised that the Government are not listening to civil liberties organisations, but I am pretty surprised that they are not even listening to the Intelligence and Security Committee of this House. The way in which the House is being led down the garden path is something worth speaking up against.

I would not be in this House if it was not for my experiences growing up with a dad involved in an industrial dispute for over two years—the experience of workers taking action and the challenges they faced. That was an unofficial dispute, opposing casualisation and insecurity, and it lasted two years. It is relevant because there is a real worry that these powers could be misused. What matters is what is in the Bill. Of course we all want appropriate powers to deal with criminality and the most serious crimes. However, the scope in the Bill for organising criminal conduct by the state is wide open to abuse, and it comes down to a triple-whammy attack on our civil liberties.

First, the Bill permits secret agents of the state to commit any crime to prevent what they consider to be disorder or harm to the economic wellbeing of the UK. Secondly, it does not include the necessary independent judicial oversight, so the agencies concerned will act alone in that decision making. Finally, the Bill does not limit those crimes at all. We have heard that the Human Rights Act will be applied to it, but the Human Rights Act does not create crimes like other legislation does. Rather, it means that a Government can be found in breach of that Act, so the crimes in this Bill are simply not limited.

**Mr Kevan Jones:** I congratulate my hon. Friend on the contribution that he is making, and I forgive him his earlier remarks. He says that the scope is unlimited, but it is not, because the guidance that goes alongside the

Bill—which I accept should be in the Bill—makes it clear that it will not lead to the free-for-all that he is suggesting.

**Dan Carden:** I think my right hon. Friend has far more trust in the words of the Government and the guidance than I do.

What would stop an agency deciding that an unofficial dispute constituted disorder or harm to the economy that it was worth taking action against? The Bill is written so badly and broadly that it is effectively a licence to criminally disrupt working people taking action to support themselves, their co-workers and their families, and we have seen this all too often in the past. The Bill paves the way for gross abuses of state power against citizens.

In Liverpool, we have a healthy suspicion of state power, because we have felt its damaging force too often in the past. We have experienced the 30-year fight of the Hillsborough families and survivors for truth and justice. We have had striking workers targeted by state violence, and trade unionists blacklisted and spied on for representing their members, and we are not alone. Campaigners fighting miscarriages of justice across our country, such as Orgreave, the Shrewsbury 24 and now Grenfell Tower, oppose this dangerous Bill.

I fear that my own party is being taken for a ride by this Government, because I will tell you what happens. You start with the idea that legislating for something that operates in the shadows must be a good thing. You then engage in good faith with a morally bankrupt Government arguing for vital safeguards, and once that Government finish stringing you along, you end up in the perverse situation of condoning laws that ride a coach and horses through our nation's civil liberties and could even be used against the labour movement itself.

I am sent here by my constituents to stand up for their rights, freedoms and well-being, and that is what forces me to vote against the Bill tonight.

3 pm

**Dame Diana Johnson** (Kingston upon Hull North) (Lab): The reason I asked to speak later in the debate this afternoon was made clear by the speech by my right hon. Friend the Member for North Durham (Mr Jones). His knowledge and experience from his time on the Intelligence and Security Committee gives him an insight into the issue that many of us in this House just do not have. I am a very new member of the ISC, and I have a lot to learn, but I know that it is important to listen to those who have that knowledge and experience.

On Second Reading, I made a short contribution saying that I supported the law on giving covert sources the right to break the law being set out expressly. I think that is absolutely right. We need to have those legal safeguards set out very clearly, but that also reminded me of those individuals who put themselves at great risk to go undercover to infiltrate terrorist groups, serious organised crime groups or paedophile rings. They are doing that on our behalf, and it is right that we now have a law that gives protection to them for what we are asking them to do.

As has been said already, the Bill could be improved, and I am disappointed that I have not seen much movement from the Government on the improvements that could be made on oversight and additional safeguards.

[*Dame Diana Johnson*]

I am also disappointed that consideration is being squashed into a Thursday afternoon to deal with this really important legislation. As the Chair of the Home Affairs Committee and the Chair of the Intelligence and Security Committee said, the timing of this is not helpful at all.

There has been recognition over several years that our intelligence services have needed to come out of the shadows, and the role of oversight and accountability has developed, not least through the role that Parliament has played in the creation of the Intelligence and Security Committee. Over the past few years it has extended its responsibilities and powers. So I join the Chair of the Intelligence and Security Committee and my right hon. Friend the Member for North Durham in supporting new clause 3 in the name of members of that Committee, cross-party, to give that further oversight every 12 months of the numbers and categories of authorisations given under the Bill. That would, it seems to me, fit with the role that we already have under the Investigatory Powers Act 2016 in the bulk interception power. Having that on the face of the Bill is really important, because it spells out very clearly that Parliament believes that the role of the ISC is to look at issues like this on behalf of Parliament.

The ISC will only be able to review those agencies that we have responsibility for, so I agree with hon. Members who have raised questions about the oversight of some of those agencies included in the Bill. I wonder where that oversight will come from to make sure that the law is being properly applied—for example, by the Food Standards Agency.

I also add my support for the amendments tabled by the Labour Front Bench in good faith to strengthen the Bill and give independent oversight. We all have an interest in making the Bill as clear and as strong as possible, and I am disappointed that we are so limited in our debate this afternoon. I support amendment 7, which would require the use of a warrant issued by a judge when a criminal authorisation order is required. Having that prior judicial authorisation is right. I support amendments 9 and 10—

**Dan Carden:** That is such a fundamental oversight that is needed. Is the Bill really fit for purpose without it?

**Dame Diana Johnson:** As I said, I support what the Labour Front Bench is doing in making that proposal to the Government and I hope the Minister is able to give us some good news when he responds to the debate at the end of the Committee stage.

Amendments 9 and 10 are very clear on the legitimate and legal activities of trade unions, and propose that trade unions should be excluded, on the face of the Bill, from any such acts.

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

**Dame Diana Johnson:** I will not, because I know that other Members want to speak. I need to say just two more things and then I will finish.

Amendment 12, on involving the Investigatory Powers Commissioner within seven days of any criminal conduct authorisation order, is also very welcome, as is new clause 2, on an equality impact assessment.

Finally, I want to pay tribute to the speech made by my hon. Friend the Member for Walthamstow (Stella Creasy) on children and young people. I hope very much that the Minister will address that issue in his closing comments and will put the guidance on the face of the Bill, as my hon. Friend suggests.

**The First Deputy Chairman of Ways and Means (Dame Rosie Winterton):** Order. I would like to try to get three more speakers in before 3.18 pm. I will just put that out there. As Members know, I cannot impose a time limit, but I think that would be fair.

**Gavin Robinson:** Dame Rosie, I will engage in this part of proceedings in the spirit of co-operation and collegiality, so as not to exhaust the comments others may wish to make.

It is a pleasure to follow the hon. Member for Kingston upon Hull North (Dame Diana Johnson), who I believe is now on the Intelligence and Security Committee. She is right to highlight new clause 8, tabled by the hon. Member for Walthamstow (Stella Creasy). I have to say that that is the first time appropriate consideration has been given to those issues in any of our contributions on the Bill. The Minister knows I support the general thrust of the Bill and the provisions in it. I heard him refer to the Children Act 2004 and some of the standards that need to be adhered to when considering children through the prism of the proposed legislation, but the hon. Lady made sincere and serious points. I hope he will reflect on them further.

In fairness, given the amount of time left in the debate and the contribution I can make, it is right that the Minister has more time to respond to the issues raised and that he does so comprehensively. I think there have been fair points made throughout the debate, even on amendments that, ultimately, I may not back. On trade unionism and blacklisting, my reading of the Bill, the guidance and the authorisation process is that there is no fear around those issues. However, there is clearly an apprehension of fear among those who have proposed amendments in that regard and I hope the Minister will deal with them comprehensively.

I have indicated my assent and support for new clause 3. I think the Minister is probably minded to accept it. I hope I am not going too far in suggesting that he should accept new clause 3 from the Intelligence and Security Committee, but I ask that he does.

If I could ask anything from the Minister's response, it would be on these two issues. First, there has been discussion and consideration around the Human Rights Act. In fairness to the hon. Member for Liverpool, Walton (Dan Carden), he did say that that only allows for retrospective accountability on the part of the state. To my mind, however, it would be wholly unlawful for anybody involved in the authorisation process to authorise something that naturally falls foul of the Human Rights Act. They could not do it. They do not have the values to allow for it. In terms of torture, torture is not permissible in any circumstances. It is against our Human Rights Act and it is against international frameworks. It cannot be allowed. That is an absolute right and I think it is clear that there should be no authorisation, and cannot be any authorisation, given on that basis.

I would like the Minister to talk about sexual crime more particularly. I still believe that that should not be, and could not be, authorised. I find that some of the

amendments, because they have a total list of these issues, are unhelpfully drafted. Having each and every one of the aspects contained in an amendment—I am thinking in particular of amendment 13—means that it is unsupportable. There is a world of difference between causing loss of life or serious bodily injury and murder. It is a nuanced legal difference, but there is a world of difference between the two. There are circumstances in which, regrettably, life is lost, and there are circumstances in which it is legitimate for the state to remove life. I do not say that to be controversial; that is part of our human rights framework. That is provided for in our human rights legislation. There is a distinction between the two, and amendments that group all these issues together are unhelpful. They are individually important issues, and we should have the opportunity to engage with them individually and independently of one another. I would be grateful to hear from the Minister on those issues.

I will draw my remarks to a close, but I have to say that this process, with two hours and 20 minutes of debate for Committee stage, is wholly unsatisfactory. These issues are much too important to be left to two hours and 20 minutes of debate.

**Alex Sobel** (Leeds North West) (Lab/Co-op): Time is short, so I will move on rapidly.

Tackling terrorism and ensuring that all our citizens are protected from terrorism is at the core of my being. I was brought up in a family where every day my mum or dad would check under our car for suspect devices and I was prevented from getting in the car until that had happened. I have been the top target on the Fascist website Redwatch, which published my former home address and that of my workplace. Although there were never any physical attacks on me, I was threatened, even in the local newspaper.

More recently, constituents of mine lost their lives in the Manchester Arena bombing. Intelligence on Salman Abedi came into MI5 for six years, and he was a subject of interest right up to the months before he blew himself up and took so many lives. My constituents' families and I do not know everything about Abedi; some of the exact detail could not be made public at the inquiry, and was heard only by the chair. The security services could have placed an individual in a position to stop that attack. Of course, I would have supported that, as I am sure would everyone here.

The Bill puts the pre-authorisation of covert surveillance on a statutory footing, and that aspect must be welcome. The measures in the Bill are limited, but it is vital that its scope is fit for purpose. We must ensure that that statutory footing is limited to those organisations involved in normal policing and intelligence gathering. The scope of the criminality that is allowed for pre-authorisation must also be more tightly legislated for than in the Bill in its current form. The bar for such contentious work must surely be very high, reaching a level where the work is only to protect human life. There is the possibility, as has happened in the past, of the crimes committed by undercover agents far exceeding any danger posed by the group they are infiltrating.

The Government point to the Human Rights Act to say that actions such as torture and murder cannot be committed, but the duty to adhere to that Act applies only to Government bodies. In the Investigatory Powers Tribunal, the Government argued that covert agents were not actually part of the Government. In a 56-page judgment,

the IPT declared that the guidelines do not breach human rights, in which case human rights law would not apply.

Without serious amendments to the Bill, we are looking at a toxic combination of a state licence to commit human rights abuses and the shutdown of any recourse to justice through civil or criminal courts. That leaves a complete absence of justice for victims and a drastic reduction in the ability to hold the state to account. That is why the Bill needs to specify what criminal conduct is permitted by arm's length agents.

Some of the safeguards on activity lie in the "economic well-being of the United Kingdom" provision in the Investigatory Powers Act 2016. However, that is open to interpretation, which leads to perverse authorisations, such as for undercover work against peaceful environmental protests against fossil fuel sites, which in fact are against the long-term economic wellbeing of the planet.

The Minister needs to amend the Bill, as we need a regulatory footing but with a tighter regulatory scope and safeguards. He should do that today by supporting the many great amendments we have heard about, including those tabled by Labour Front Benchers, my hon. Friends the Members for Walthamstow (Stella Creasy) and for Streatham (Bell Ribeiro-Addy) and others. If the Minister uses the Government's majority to push the Bill through, however, perhaps he will listen to their lordships in the other place, as these amendments will surely come back.

How to vote on Third Reading is a marginal decision for me. With the correct safeguards, this Bill could be something that the whole House would support. Its passage in such a contentious fashion is entirely the responsibility of the Government. We all abhor terrorism and take seriously our responsibility to protect the public; at the same time, we live in a democracy and must ensure that there are protections for legitimate protest movements.

**Andy Slaughter** (Hammersmith) (Lab): We have heard many excellent speeches in support of amendments that would substantially improve the Bill—God knows it needs improvement—and we have had some excellent briefings from Reprieve and others on what the deficiencies are. It is therefore appalling that we are so constrained by time and by the attitude of Government in pushing this Bill through, possibly to score political points, or just in a cavalier fashion.

3.15 pm

In reality, there could be a great deal of consensus on the Bill. I am always wary when I see this Minister winding up for the Government because he radiates reasonableness and is therefore usually sent out to defend the unreasonable. I think there is a real consensus around the fact that the measures in the Bill are needed and that statute is the best way to authorise covert operations, but it is defective in lacking the safeguards and limitations on that action.

I am sorry that I do not have time to speak to the many excellent amendments, but I will mention what I think is the most important one, and it is certainly the one that most of my constituents have been concerned about: amendment 13, in the name of the right hon. Member for Haltemprice and Howden (Mr Davis), which I have signed. Amendment 8 in the name of the Leader of the Opposition and amendment 22 in the name of the Mother of the House, my right hon. and

learned Friend the Member for Camberwell and Peckham (Ms Harman), have the same effect, which is to ensure that the most serious offences and those actions we would not wish to see carried out are prohibited in the Bill.

The right hon. Member for Haltemprice and Howden dealt perfectly with the issue of the Human Rights Act. Yes, it could prevent those offences being authorised, but it may well not, and it has not in the past, so we have that dilemma. He also dealt well with the Sopranos gambit, if I can put it that way. The thinness of the objection shows that the Government are on very weak ground. I hope that I am wrong and that the Government will support putting those measures into the Bill in that way. It is terribly short-sighted to push through a Bill like this because, as many Members have said, we are going to have to come back to it very shortly. It may last the three or four years until we get a Labour Government. I doubt it will even last that long.

I cannot support the Bill today, despite the fact that I see the need for a Bill on this subject. I will not vote against it because I think we do have to have a Bill. However, the Government still have time, now or in the other place, to reform and put right a lot of what is wrong with the Bill and to achieve the consensus that means that it could go forward with more certainty and in a better form.

**Joanna Cherry:** I rise to speak to amendments 25, 23 and 22, and new clause 7 in the name of the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman). She has asked me to do so because she is operating on a proxy vote at the moment. She has asked me to remind the Committee that these amendments, as well as having her support and cross-party support, also reflect concerns on the part of the Joint Committee on Human Rights, of which she and I are both members. I will run through them quickly and not address them in detail because we have heard a lot of good speeches and I want to make a couple of points that have not been made.

Amendment 25 and new clause 7 relate to judicial oversight of the grant of authorisations. They would not be effective until there was judicial authorisation from a judicial commissioner and there would be a test of reasonable grounds. Amendment 23 relates to the grounds for granting authority. As with amendments tabled by other hon. Members, we wish to take out references to preventing disorder and to economic wellbeing. Amendment 22 deals with imposing clear and specific limits on the types of crimes that could be authorised, which is done by other Five Eyes countries. I will come to that in a moment.

I also wish to speak to new clause 6 in my name and that of my hon. Friend the Member for Glasgow South West (Chris Stephens), which also has cross-party support. It reflects concerns of the National Union of Journalists in relation to matters that we discussed previously when the Investigatory Powers Bill was going through the House and there was a successful campaign to require prior judicial authorisation when any application was made to identify confidential journalistic sources. Currently, those applications must be given prior authorisation by a judicial commissioner. Our fear is that this Bill, as currently framed, would give back-door access to identifying sources, so new clause 6 attempts to deal with that.

I wish to give my support and that of the Scottish National party to amendments tabled by the hon. Member for Streatham (Bell Ribeiro-Addy) in relation to trade union protection; I know that my hon. Friend the Member for Glasgow South West has worked hard on those matters. I also support amendments 20 and 16 in the name of the right hon. Member for Orkney and Shetland (Mr Carmichael) and new clause 8 in the name of the hon. Member for Walthamstow (Stella Creasy).

Like others, I am extremely concerned about the fact that the Bill is being railroaded through. The indication that not even the modest amendment put forward by the Intelligence and Security Committee will be taken on board by the Government suggests that they are not giving the time of day to amendments lodged by others as we hoped for on Second Reading.

I mentioned what other Five Eyes countries do. The approach that the UK Government want to railroad through in the Bill stands in stark contrast with that of two of our closest allies: the United States of America and Canada, which are two of our closest Five Eyes intelligence partners. The Canadian Parliament prohibits these sorts of authorisation, of serious offences, including murder, torture and violating the sexual integrity of an individual. Canada's intelligence service can only use its authorisation process to give agents a defence to prosecution, rather than any blanket immunity. In America, the FBI has for many years run agents using guidelines that expressly ban certain criminal conduct. According to guidelines issued by the US Attorney General, the FBI may never authorise an informant to

“participate in any act of violence except in self-defense”.

The approach of the United Kingdom Government is without precedent. That is why my SNP colleagues and I will not be taking any lectures from Government Front Benchers or Back Benchers about our commitment to the security of these nations or the prosecution of serious crime.

The Bill has some implications for devolved powers, because in Scotland the prosecution of serious crime is a devolved matter. I regret to say that, while there has been regular engagement with the Scottish Government and Scotland's Lord Advocate in relation to aspects that will impinge upon the investigation and prosecution of serious crime in Scotland, the expectations of the Scottish Government and our chief Law Officer have not been met so far by the UK Government, particularly in respect of independent judicial oversight and prosecutorial independence. As the Bill stands, in so far as it impinges on the prosecution of serious crime in Scotland, the Scottish Government will not be able to recommend a legislative consent motion.

My colleagues in the Scottish Government, like others in this House, recognise that, because of recent litigation, there is a need to provide a statutory footing for the security services and law enforcement agents to sanction some lawbreaking when serious crime is being investigated by covert human intelligence sources. But we think that the Bill goes far too far, and we are frankly exasperated by the lack of time given for scrutiny of the Bill and the Government's attitude towards the many and varied amendments lodged, which is typified by the fact that they do not even seem prepared to accept the modest amendment tabled by the Intelligence and Security Committee.

I want to say something about the human rights aspect. On Second Reading and during this debate, there have been claims that the Human Rights Act is a sufficient safeguard, so we do not need to delimit the offences that can be authorised. That is wrong, and it is close to a disingenuous claim by the Government. The Government themselves, in the third direction case before the Investigatory Powers Tribunal, argued that the Human Rights Act does not apply to crimes committed by CHIS. They said:

“the state, in tasking the CHIS... is not the instigator of that activity and cannot be treated as somehow responsible for it... it would be unreal to hold the state responsible.”

That position is repeated in the human rights memorandum published with the Bill, which claims that

“there would not be State responsibility under the Convention”—the European convention on human rights—

“for conduct where the intention is to disrupt and prevent that conduct, or more serious conduct... and/or where the conduct would take place in any event.”

Based on that analysis, an informant could be authorised to actively participate in shooting on grounds that the perpetrator intended to disrupt crime or that the shooting would take place in any event. I just think that is frankly wrong, and I think we are being given false reassurance by reference to the Human Rights Act.

I will not push my amendment to a vote, or any of the amendments in the name of the right hon. and learned Member for Camberwell and Peckham, but the Scottish National party will support any other amendments that would ameliorate the Bill.

**Chris Stephens** (Glasgow South West) (SNP): On human rights, there is a very real concern about the practice of blacklisting. Obviously the construction industry found its blacklist, but other sectors of the economy have still to find theirs. Is my hon. and learned Friend concerned, as I am, that in years to come someone will find themselves on a blacklist because of this legislation, and because there is no legal protection in this legislation?

**Joanna Cherry**: I do share that concern. I really do not understand—others have made this point eloquently—why organisations indulging in lawful activity, such as trade unions and, indeed, other green activists, are required to be infiltrated by these sorts of covert human intelligence source.

It is all very well to say that there is guidance. I listened carefully and with respect to those who are members of the Intelligence and Security Committee, because I know that they have information that the rest of us do not, but guidance is not good enough; it needs to be in the Bill. We are dealing with a Government who recently made commitments in an international agreement that they now evince the intention to break, so I will not apologise for saying that I do not have much trust in them. I want to see proper protections for civil liberties in the Bill. Without them, the Scottish National party will vote against it.

**Conor McGinn** (St Helens North) (Lab): It is a pleasure, as always, to follow the hon. and learned Member for Edinburgh South West (Joanna Cherry), and to speak with you in the Chair, Dame Rosie. I rise to speak to the amendments in my name and that of my right hon. and learned Friend the Leader of the Opposition and other honourable colleagues.

As I said on Second Reading, my right hon. and learned Friend has made it clear that security is a top priority for the Labour party under his leadership. We will be robust in supporting the fight against terrorism and crime in all its forms. We consider it our first responsibility to keep this country, its citizens and our communities safe, and we are grateful to those in the police, the security services, the National Crime Agency and wider law enforcement. They put their own safety and lives at risk to protect us, and we will meet our duty to support them.

It is worth noting that, since 2017, 27 terror plots have been uncovered and attacks foiled, and last year covert human intelligence sources helped to disrupt 30 threats to life. That is the sobering context of the debate, so we acknowledge and understand the Bill's purpose, and recognise the need to put on a statutory footing the activity of those working to disrupt some of the most vile crimes imaginable, including terrorism, the activities of violent drug gangs, serious and organised crime, and child sexual exploitation.

It cannot be right, for those we ask to undertake that work, for those who might be affected by it or indeed for society as a whole, that that work continues in the shadows, and without boundaries and safeguards. In that vein, our amendment 7 seeks to ensure that the granting of criminal conduct authorisations may not take place until a warrant has been issued by a judge. We believe that it would provide reassurance to have independent judicial oversight of that process.

**Lloyd Russell-Moyle**: Whatever we think of the progress later on of the Bill, we have to agree that judicial oversight is really important. When a Labour Government get in, we will hopefully move towards that, but does my hon. Friend agree that the cases that he has just outlined are serious and severe, so these powers should be for agencies that are investigating them, not every Tom, Dick and Harry in the Food Standard Agency?

**Conor McGinn**: I am sorry that, having been present for the whole debate, my hon. Friend did not get to make a full speech, so I am happy to take his intervention. I hope that the Minister will reply to the valid and valuable point that he makes.

We understand that in a fast-changing intelligence landscape, a degree of operational flexibility is right and necessary, but I urge the Minister to provide some clarity and assurances that the requirements for certification will not simply become catch-all terms, and that there are clear and robust limits to their applicability.

The Bill already states that authorisation may not be granted unless the person believes that the conduct is proportionate to what is sought, but our amendment 11 intends to create a proper framework for that assessment. It ensures that the person must take into account several important questions before being granted any criminal conduct authorisation and provides rigorous assessment to ensure that such decisions are not taken lightly. Similarly, our amendment 10 is specifically about ensuring that the circumstances in which a criminal conduct authorisation is necessary must not include the activities of trade unions.

3.30 pm

As we have heard from Labour Members, we understand the value of collective action, mutual support, campaigning, and giving power and voice to the powerless. That is

what trade unionism is about. I came to the Labour party through the trade union movement, and this legislation must not be used to undermine those hard-won principles of a free and democratic society. As we made clear on Second Reading, the aim of the legislation should be to keep people safe and bring dangerous criminals to justice. Although we appreciate the Minister's assurances to date that the Bill is not in any way designed to disrupt trade union activity, that should be made clear in the Bill.

Our amendment 8 seeks to set specific limits on the conduct and activities that the Bill permits within criminal conduct organisations. It makes it clear that nothing—nothing—justifies murder, torture, sexual violence and other serious offences that would harm people. One of the biggest concerns about the Bill is that there is nothing in it to limit or specify the kinds of offences covered—only that they are to be necessary and proportionate. Similar concerns, I know, are shared across the House. Although the Bill is explicit that the Human Rights Act is applicable in all circumstances, we would like it to go further.

This country should be setting the gold standard for oversight and accountability, yet the powers in the Bill are not as strong as those of our intelligence partners in the United States and Canada. In Canada, recent legislation governing the use of agents by the Canadian intelligence services has put clear legal limits on what crimes their agents can become involved in; in our amendment, we have similarly set out clear legal limits to ensure that there can be no ambiguity. Our amendment 12 sets out that people granted criminal conduct authorisations must inform the Investigatory Powers Commissioner within seven days of the granting of the authorisation. We believe that is vital to ensure the immediate accountability of the authorisation and enable the commissioner to undertake proper scrutiny of decisions. There should be no reason why authorisation cannot be registered within that timeframe, and the amendment would provide a clear and efficient process of record.

The Bill aims to legitimise and clarify the actions of covert human intelligence sources in a recognition that has previously operated in a murky space. There have been times when the law has been broken in a way that was not proportionate or justifiable. Just as the Bill should clarify permissible action for agents working to keep us safe, so it should ensure that victims are properly protected too, and able to seek redress and compensation if those boundaries are broken. We have heard many examples of that today.

Our new clause 1 would ensure that innocent victims are able to seek adequate redress from the Investigatory Powers Tribunal. Given the chorus of concerns about this, I urge the Minister to engage with us on the issue and take our amendment seriously. All victims deserve an unimpeded pass to attaining justice, which is why we need to get this right. I reiterate our party's support for many of the campaigns referred to today, including those relating to Orgreave, the murder of Pat Finucane, the Cammell Laird shipyard workers, the Shrewsbury 24, the Hillsborough families and the spycops women.

**Barry Gardiner** (Brent North) (Lab): May I caution my hon. Friend? The excellence of his speech and the amendments should be an argument that says, "Without these, this Bill cannot be supported." If he is not careful,

his argument will encourage Labour Members to go through the No Lobby and vote against the Bill, should the Government not relent and accept these excellent amendments.

**Conor McGinn:** I always take seriously the advice of a senior and distinguished Member of the House. I am confident that, given the amendments that we have tabled today, as the Bill makes further progress through the House, our colleagues in the other place will be cognisant and take note of that. That is why we are asking the Government to listen carefully to what we propose in our amendments.

In that vein, I give my strong support to new clause 5, tabled by my hon. Friend the Member for Streatham (Bell Ribeiro-Addy). It seeks to ensure that a CCA cannot be applied to a trade union and, specifically, to blacklisted workers. Of course, it was the previous Labour Government who made blacklisting illegal in 2010.

On the issue of oversight and accountability, I wish briefly to mention new clause 3, which was tabled by the right hon. Member for New Forest East (Dr Lewis) and members of the Intelligence and Security Committee. With the additional scrutiny, oversight and accountability that are at the heart of the right hon. Gentleman's sensible proposal, the Secretary of State would be compelled, at the end of each relevant 12-month period, to make a report to the ISC that contains key information on both the number of CCAs and the categories of the conduct authorised. That seems to me to be an eminently reasonable and sensible proposal.

On new clause 2, given the nature of some of the networks that the Bill looks to disrupt, there are clear concerns about its impact on communities and vulnerable individuals throughout our country. One important example is the gendered impact of actions taken by covert human intelligence sources. The Minister must commit, today, that the Government will seek to uphold the highest possible standards on gender impact.

New clause 8 was tabled by my hon. Friend the Member for Walthamstow (Stella Creasy). I have some experience of campaigning with her and know how formidable she can be on these issues. Her new clause raises another crucial point, which is the need to safeguard the welfare of children, vulnerable individuals and victims of modern slavery and trafficking. It would achieve that by ensuring that a CCA is granted for a child or vulnerable adult only in certain exceptional circumstances, and by ensuring that an appropriate adult is present at meetings between the source and those representing the investigating authority.

As outlined in new clause 2, we propose to compel the Secretary of State to prepare and publish an annual equality impact assessment on the use of criminal conduct authorisations in covert operations involving women, children and black, Asian and minority ethnic communities. A motion should then be put to the House within three months of the assessment being published.

In conclusion, the Opposition are committed to working in the national interest to keep people, their families, our communities and the country safe. I entirely understand that some colleagues on both sides of the Chamber have an interpretation of what the Bill does that is different from mine and have arrived at a different view. I think they are wrong, but that does not mean that I do



not respect the arguments they put forward. That is particularly the case in relation to my hon. Friend—and my actual friend—the Member for Liverpool, Walton (Dan Carden). He will know that I once resigned on a point of principle. I hold him and his family in high esteem. The decision he took today to make the points he made was a difficult one. He has my respect, continuing friendship and affection.

This is uncomfortable territory for the whole House. Many of the issues raised by the Bill are felt deeply personally. All I would say, gently, is that those who oppose the Bill in its entirety do not have the monopoly on principles, nor are they the sole moral arbiters when it comes to forming a view on the measures in the Bill. The position reached by the Leader of the Opposition—who literally wrote the book on human rights—and me is a principled one and comes after careful consideration and detailed discussion of the Bill.

It is also our view that we have a duty, as legislators, to meet our responsibility and acknowledge that it is not just the Government who have to make difficult decisions. We want to be in government so we have to take difficult decisions, too. When we are in government, we will return to the Bill based on the principles that I have outlined. That is why we have taken the approach that we have taken: to acknowledge the importance of putting CHIS activities on a statutory footing; to robustly and responsibly scrutinise the way in which that is done; and to place national security, human rights and support for victims at the centre of our attempts to improve the safeguards in the Bill. We will continue to do that as it progresses through Parliament and are confident that the other place will assist us in that task if our amendments are not made today.

**James Brokenshire:** This has been a very informed, considered and thoughtful debate on the various amendments to the Bill that have been tabled for consideration. As right hon. and hon. Members will know, covert human intelligence sources play a crucial part in preventing, and safeguarding the public from, many very serious crimes, including terrorism, drugs and firearms offences, and child sexual exploitation and abuse. In performing that role, it is essential that they can build credibility and gain the trust of those under investigation. At times, that may mean they have to commit criminality in order to maintain that cover.

I hear very clearly the points that have been made about needing to see those powers put on an express legal basis. Indeed, that is the essence of what this Bill is all about. It puts that on a clear statutory footing, putting beyond doubt Parliament's intentions on the matter. From the contributions we have heard on all sides of the House, I think that that point is recognised—the seriousness of that and its implications for our own security in ensuring that the capability is maintained in order to keep us safe in the future, as it has done in the past, but also recognising the need for confidence in and assurance about how those agencies that act to protect us do so in an appropriate way.

Let me deal with the various amendments, because I want to make as much progress on that as possible, and where I can I will give way to right hon. and hon. Members in doing so. First, in that context, there is the issue of oversight. The Government's priority is to provide these public authorities with the powers they need to keep the public safe, while also ensuring that

there are appropriate safeguards. This is the balance that the Bill seeks to provide. We do not believe that prior judicial approval, as proposed in amendment 7 and new clause 7, strikes that balance, as it risks the effective operation of the capability. This is a point we discussed at length on Second Reading. There are ways in which we can provide that safeguard and assurance, and prior judicial approval is not the only way to provide effective oversight of investigatory powers.

Members may find it helpful if I set out in more detail why this capability is different from other powers, such as interception or equipment interference. Put simply, human beings are more complex. Any decision on how to use a CHIS has immediate real-world consequences for that covert human intelligence source and the people around them. This requires deep expertise and close consideration of the personal strengths and weaknesses of the individual, which then enables very precise and safe tasking. These are not decisions that have the luxury of being remade. It is even more critical than for other powers that these decisions are right and are made at the right time.

**Sir John Hayes:** Is not the plain truth of the matter that if we define the role and method of those whose mission is to keep us safe and who are covertly operating on our behalf, we will, among those they have infiltrated, make known what they are doing and possibly who they are, putting their lives at risk? Is not the principal power and the pivotal power of Government to protect their people? Indeed, it is the defining power of the state.

**James Brokenshire:** My right hon. Friend makes a very powerful and important point about the issues at stake here. That is why we judge that there is, of course, a need for robust oversight to give confidence and to ensure that the powers available are exercised in the right way, and we judge that the proposals in the amendments do not achieve that and actually have an impact on the operational effectiveness of what is needed.

**Barry Gardiner:** The Minister will know that many of us are concerned about new section 29B(5)(b) and (c) in clause 1(5). He has rightly stressed the importance of clarity, but it seems to many of us that the clarity of the words “preventing disorder” and of what constitutes “the economic well-being of the United Kingdom”, such that a criminal conduct authorisation can be given, is very vague indeed. He rightly insists on clarity, so could we have it here, please?

3.45 pm

**James Brokenshire:** The language that is used in what would become new subsection 5 of section 29B is reflective of existing provisions within the Investigatory Powers Act. I will go into more detail on the hon. Gentleman's point about disorder and economic wellbeing.

**Joanna Cherry:** The point made by the right hon. Member for South Holland and The Deepings (Sir John Hayes) was dealt with very ably earlier by the right hon. Member for Haltemprice and Howden (Mr Davis) in a reference to the letter from the previous DPP, when he said that this was a bit of a Sopranos argument. Our Five Eyes partners manage to delineate the crimes that a CHIS can commit without having these worries, so is this not really a false worry?

**James Brokenshire:** I know that the hon. and learned Lady was unable to take part in the Second Reading debate, so I will repeat what I said then. We are not suggesting that there is routine testing of suspected CHISs, in all criminal gangs, but there is evidence that it does occur more than infrequently, so this is not a fanciful argument. This is a matter that we take very seriously and one that I think is relevant. I would just pick up on the constructive discussions that we have had with the Scottish Government and I can say to her that it still remains my firm intention that we should reach a position where a legislative consent motion can be achieved. I can certainly assure her and her colleagues in the Scottish Government that we will continue with our discussions in order to reach that conclusion.

**Colum Eastwood (Foyle) (SDLP):** I know that the Minister has a lot of faith in the security services, but some of us know too much about them to have any faith in them. If this Government have so much faith in the behaviour of the security services, why will they not announce a full public inquiry into the murder of Pat Finucane?

**James Brokenshire:** I appreciate the seriousness of the point that the hon. Gentleman has made, and he will know more than anyone in this Chamber about the huge issues involved and, equally, about the statements that have been made by the Government in relation to that appalling murder. I am sure there will be other opportunities to debate that matter further, but I hear the point that he makes. Obviously, this has been considered at length before, but that does not in any way cut across the statements that the Government have made in condemning, underlining and apologising for what happened.

The use of the covert human intelligence source does, as I say, underline the need for this oversight to be provided by an experienced and highly trained authorising officer, but it is about more than that. It is about the Investigatory Powers Commissioner, who already has wide-ranging powers to enable him to carry out his oversight functions, and about the real role that he has. This is why we judge that deep and retrospective oversight is the most appropriate way to provide oversight of this power. This includes regular and thorough inspections of all public authorities that use the power, to ensure that they are complying with the law and following good practice. The frequency of these inspections is decided by the commissioner, and inspectors must have unfettered access to documents and information to support those functions.

Amendment 12 from the Opposition would require a judicial commissioner to be notified of an authorisation within seven days of its being granted. I have underlined the role of the commissioner, which means that we will not support the amendment today. We also believe that amendment 7 and new clause 6 would impact on the operability of the regime. However, I can say to all hon. and right hon. Members that I am giving careful consideration to how this retrospective oversight could be strengthened further, and to how this might be addressed during the Bill's passage in the other place.

Amendments 18 and 19 relate to oversight by prosecutors. A correctly granted authorisation will render conduct lawful for all purposes, so no crime will have been committed. There is therefore no need to introduce a

requirement for prosecuting authorities to play a role in the authorisation process. However, the IPC, supported by judicial commissioners and inspectors, ensures public authorities' compliance with the law through inspections and investigations. That could lead to information being passed to prosecutors if they felt that that was necessary. I would also highlight that where a CHIS commits criminality outside the tight parameters granted by the authorisation, prosecutors can consider a prosecution in the normal way.

**Mr Carmichael:** Will the Minister be addressing the point that I put to him about operations overseas and the application of the Human Rights Act? That is important.

**James Brokenshire:** The UK will comply with obligations under the Human Rights Act, including those that arise extraterritorially. The UK is also bound by obligations under international human rights law.

I wanted to speak to the new clause tabled by the Intelligence and Security Committee, and I thank its members for their support for the Bill. I think that underlines the role for the ISC in the scrutiny that they apply. Indeed, as the Minister who took the Justice and Security Act 2013 through Parliament, I recognised, in the creation of that Committee, its role in providing that rightful scrutiny and confidence in relation to this matter. I welcome the spirit in which new clause 3 has been tabled to emphasise the important role of the Committee, which I respect and appreciate.

I have written to the Committee Chair, my right hon. Friend the Member for New Forest East (Dr Lewis), to underline ways in which I believe we can provide the information that has been sought by the Committee, and I will place the letter in the Library to provide that certainty and clarity. I would say to my right hon. Friend that operational agencies will consider requests and specifics in the usual way, and I can commit to them considering that through the 2013 Act. The fact that it may relate to a live operation should not preclude that information's being shared. I hope that that will be helpful to him in underlining the importance of the information's being forthcoming.

**Dr Lewis:** I accept that assurance in good heart. In his letter, the Minister said, "Such information as is requested in order for the ISC to provide effective oversight of these policies relating to these authorisations shall be provided to the Committee," so I take it he is saying that we will not get refused those statistics when we want them.

**James Brokenshire:** I take in equally good faith the way in which my right hon. Friend and his Committee have approached this, and it is firmly my intent that information will be provided. He knows the debate and discussion over live operations and being bound in that way, but I would want to ensure that information is given to his Committee, so that they can fulfil their oversight function and also, I think, give confidence to the House. He and his Committee have raised an important point, and I recognise the contribution that they make.

I turn to the issues of redress raised by the hon. Member for Streatham (Bell Ribeiro-Addy) in amendment 2, the Leader of the Opposition in new clause 1, and the right

hon. Member for Orkney and Shetland (Mr Carmichael) in amendments 20 and 21. Let me be clear: there is no barrier under the Bill for affected persons seeking a judicial review of a decision made by a public authority. Similarly, the Investigatory Powers Tribunal already has jurisdiction in relation to conduct to which part 2 of RIPA applies, which will include the amendments made by the Bill. I am, though, listening to concerns expressed by Members about the Bill's potential impact on routes of redress, and I am happy to consider whether anything further is needed.

I shall now discuss the amendments that seek to place further limits on what can be authorised. The limits that other countries have chosen to place on the face of their legislation have featured prominently in this debate, as they did on Second Reading. Further to the Second Reading debate we have continued, for example, to engage with our Canadian friends with regard to their limits on the conduct of their covert human intelligence sources. The Solicitor General and I agree that it is correct to say that limits are found on the face of their legislation, but it is not straightforward to make comparisons between what we are proposing here and what might exist for other countries. We have our own legal systems; our operational partners each have their own practices and functions; and—perhaps most important—we have a very different threat picture.

For example, our friends and partners, such as Canada and the US, are not signatories to the European convention on human rights. We are the only members of Five Eyes that are bound by the convention and the obligations that it comes with. Again, I reference clause 1(7)—it has been focused on quite a lot during today's debate—which makes specific reference to the requirements of the Human Rights Act 1998 being taken into consideration. Placing explicit limits on the face of the Bill risks creating a specific list of prohibited activity that would place into the hands of criminals, terrorists and hostile states a means of creating a checklist, as I have explained and as I think my hon. Friend the Member for Bracknell (James Sunderland) set out so clearly in his contribution. Therefore we cannot accept amendments 8, 13 or 22.

**Several hon. Members** *rose*—

**James Brokenshire:** I will give way to the hon. Member for Brighton, Kemptown, just to be fair.

**Lloyd Russell-Moyle:** Is the Minister saying that criminals will not be able to read the Human Rights Act 1998 to realise that these crimes are not permitted to be authorised, or is he saying that actually those serious crimes will be permitted to be authorised? I am confused about the contradiction that he presents us with.

**James Brokenshire:** I reiterate again that a covert human intelligence source is not able to commit any and all criminality. I made that point on Second Reading. There are limits to the activity that can be authorised under the Bill, and they are contained in the Human Rights Act 1998. The covert human intelligence sources code of practice also sits under this legislation, and provides additional guidance and safeguards that apply to the authorisation of such activity.

**Joanna Cherry:** Will the Minister give way?

**James Brokenshire:** I have two minutes left and I still have a few more amendments I would like to discuss.

On the issue of the economic wellbeing of the United Kingdom, it is an established statutory purpose for investigatory powers. It recognises that threats to the economic wellbeing of the UK could be immensely damaging. It might include the possibility of a hostile cyber-attack against our critical infrastructure, our financial institutions or the Government. Similarly, preventing disorder is an important and legitimate law enforcement function found in all investigatory powers legislation. Where illegal activity takes place, public authorities listed on the Bill have responsibility to take action that is necessary and proportionate.

Turning to new clause 8, I do not underestimate the concerns expressed about the use of juvenile or vulnerable individuals as covert human intelligence sources. There are provisions in the code and the guidance, as the hon. Member for Walthamstow (Stella Creasy) knows, and I have sought to discuss those issues with her outside of this place. The provisions also highlight the role of an appropriate adult, but I will continue discussions, because I recognise that there are concerns across the House. In good faith, I would be pleased to continue those discussions to see whether there are other issues there.

On the issue of undercover officers and the authorisation of sexual relations, I will reiterate what police leaders have already said publicly: it is never acceptable for an undercover operative to form an intimate sexual relationship with those they are employed to infiltrate and target or may encounter during their deployment. That conduct will never be authorised, nor must it ever be used as a tactic of deployment.

We discussed trade unions on Second Reading, and I re-emphasise that the Bill does not prevent legitimate and lawful activity, which is precisely what trade unionism is all about. That is why the code of practice is explicit on that. Indeed, section 20 of the Investigatory Powers Act 2016 in another context also highlights that.

We must not forget the human element of this capability. We are not talking about machines and equipment, which is why the Bill is framed in this way. They are real people who are making significant personal sacrifices, and they must be able to continue living their lives safely and securely. That is what this Bill is about. Through the information they provide, lives are saved, which is why the measures in this Bill matter so much.

**Mr Carmichael:** The House has had a debate this afternoon that has been both good and frustrating at the same time: good because of the quality of speeches and the thoughtfulness of those who have made them; frustrating because it needed so much more time. As the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chairman of the Home Affairs Committee and the right hon. Member for New Forest East (Dr Lewis), the Chairman of the Intelligence and Security Committee said, this is really no way to go about this sort of business. The difficulty for the Minister is that it is counterproductive, because all he has done in railroading our proceedings today is give a green light to those at the other end of the building, who lack our democratic mandate, to crawl all over this and fillet his Bill, which they most assuredly will do.

I will seek to divide the Committee and test its opinion on amendment 16, but as for amendment 2; I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

4 pm

*Proceedings interrupted (Programme Order, 5 October).*

*The Chair put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).*

*Amendment proposed: 7, in clause 1, page 2, line 7, at end insert—*

“(1A) The granting of criminal conduct authorisations under subsection (1) may not take place until a warrant has been issued by a judge.

(1B) An application to a judge under subsection (1A) shall be made in writing and be accompanied by an affidavit of the person granting the criminal conduct authorisation which sets out—

- (a) the facts relied on to justify the belief, on reasonable grounds, that a warrant under this section is required;
- (b) the persons or classes of persons to whom the warrant is proposed to be directed;
- (c) a general description of the place where the warrant is proposed to be executed, if a general description of that place can be given;
- (d) the period, not exceeding sixty days or one year, as the case may be, for which the warrant is requested to be in force; and
- (e) any previous application made under subsection (1A) in relation to a person who is identified in the application for the warrant, the date on which each such application was made, the name of the judge to whom it was made and the judge’s decision on it.”—(*Conor McGinn.*)

*The Committee divided: Ayes 256, Noes 317.*

**Division No. 138]****[4 pm****AYES**

Abbott, rh Ms Diane	Carden, Dan
Abrahams, Debbie	Carmichael, rh Mr Alistair
Ali, Rushanara	Chamberlain, Wendy
Ali, Tahir	Champion, Sarah
Allin-Khan, Dr Rosena	Chapman, Douglas
Amesbury, Mike	Charalambous, Bambos
Anderson, Fleur	Cherry, Joanna
Antoniazzi, Tonia	Clark, Feryal
Ashworth, Jonathan	Cooper, Daisy
Bardell, Hannah	Cooper, Rosie
Barker, Paula	Cooper, rh Yvette
Beckett, rh Margaret	Corbyn, rh Jeremy
Begum, Apsana	Cowan, Ronnie
Benn, rh Hilary	Coyle, Neil
Betts, Mr Clive	Crawley, Angela
Black, Mhairi	Creasy, Stella
Blackford, rh Ian	Cruddas, Jon
Blackman, Kirsty	Cryer, John
Blake, Olivia	Cummins, Judith
Bonnar, Steven	Cunningham, Alex
Bradshaw, rh Mr Ben	Daby, Janet
Brennan, Kevin	Davey, rh Ed
Brock, Deidre	David, Wayne
Brown, Alan	Davies, Geraint
Brown, Ms Lyn	Davis, rh Mr David
Brown, rh Mr Nicholas	Day, Martyn
Bryant, Chris	De Cordova, Marsha
Buck, Ms Karen	Debbonaire, Thangam
Burton, Richard	Dhesi, Mr Tanmanjeet Singh
Butler, Dawn	Docherty-Hughes, Martin
Byrne, Ian	Dodds, Anneliese
Byrne, rh Liam	Doogan, Dave
Cadbury, Ruth	Dorans, Allan
Callaghan, Amy	Doughty, Stephen
Cameron, Dr Lisa	Dowd, Peter
Campbell, rh Sir Alan	Dromey, Jack

Eagle, Ms Angela	Long Bailey, Rebecca
Eagle, Maria	Lynch, Holly
Eastwood, Colum	MacAskill, Kenny
Edwards, Jonathan	MacNeil, Angus Brendan
Efford, Clive	Madders, Justin
Elliott, Julie	Mahmood, Mr Khalid
Elmore, Chris	Mahmood, Shabana
Eshalomi, Florence	Malhotra, Seema
Esterson, Bill	Maskell, Rachael
Farron, Tim	Matheson, Christian
Farry, Stephen	Mc Nally, John
Fellows, Marion	McCabe, Steve
Ferrier, Margaret	McCarthy, Kerry
Fletcher, Colleen	McDonagh, Siobhain
Flynn, Stephen	McDonald, Andy
Foxcroft, Vicky	McDonald, Stewart Malcolm
Foy, Mary Kelly	McDonald, Stuart C.
Gardiner, Barry	McDonnell, rh John
Gibson, Patricia	McFadden, rh Mr Pat
Gill, Preet Kaur	McGinn, Conor
Glindon, Mary	McGovern, Alison
Grady, Patrick	McKinnell, Catherine
Grant, Peter	McLaughlin, Anne
Gray, Neil	McMahon, Jim
Green, Kate	McMorris, Anna
Greenwood, Lillian	Mearns, Ian
Greenwood, Margaret	Miliband, rh Edward
Griffith, Nia	Mishra, Navendu
Gwynne, Andrew	Monaghan, Carol
Haigh, Louise	Moran, Layla
Hamilton, Fabian	Morgan, Stephen
Hanna, Claire	Morris, Grahame
Hanvey, Neale	Murray, Ian
Hardy, Emma	Murray, James
Harman, rh Ms Harriet	Nandy, Lisa
Harris, Carolyn	Newlands, Gavin
Hayes, Helen	Nichols, Charlotte
Healey, rh John	Nicolson, John
Hendrick, Sir Mark	Norris, Alex
Hendry, Drew	O’Hara, Brendan
Hill, Mike	Olney, Sarah
Hillier, Meg	Onwurah, Chi
Hodge, rh Dame Margaret	Oppong-Asare, Abena
Hodgson, Mrs Sharon	Osamor, Kate
Hollern, Kate	Osborne, Kate
Hopkins, Rachel	Oswald, Kirsten
Hosie, Stewart	Owatemi, Taiwo
Howarth, rh Sir George	Owen, Sarah
Hussain, Imran	Peacock, Stephanie
Jardine, Christine	Pennycook, Matthew
Jarvis, Dan	Perkins, Mr Toby
Johnson, Dame Diana	Phillips, Jess
Johnson, Kim	Pollard, Luke
Jones, Darren	Powell, Lucy
Jones, Gerald	Qureshi, Yasmin
Jones, rh Mr Kevan	Rayner, Angela
Jones, Ruth	Reed, Steve
Jones, Sarah	Rees, Christina
Kane, Mike	Reeves, Ellie
Keeley, Barbara	Reeves, Rachel
Kendall, Liz	Reynolds, Jonathan
Khan, Afzal	Ribeiro-Addy, Bell
Kinnock, Stephen	Rodda, Matt
Kyle, Peter	Russell-Moyle, Lloyd
Lake, Ben	Saville Roberts, rh Liz
Lammy, rh Mr David	Shah, Naz
Lavery, Ian	Sharma, Mr Virendra
Law, Chris	Sheerman, Mr Barry
Lewell-Buck, Mrs Emma	Sheppard, Tommy
Lewis, Clive	Siddiq, Tulip
Linden, David	Slaughter, Andy
Lloyd, Tony	Smith, Alyn

Smith, Cat  
Smith, Jeff  
Smith, Nick  
Smyth, Karin  
Sobel, Alex  
Spellar, rh John  
Starmer, rh Keir  
Stephens, Chris  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sultana, Zarah  
Tami, rh Mark  
Tarry, Sam  
Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, Nick  
Thomson, Richard  
Thornberry, rh Emily  
Timms, rh Stephen

Trickett, Jon  
Turner, Karl  
Twigg, Derek  
Twist, Liz  
Vaz, rh Valerie  
Webbe, Claudia  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Whitford, Dr Philippa  
Whitley, Mick  
Whittome, Nadia  
Williams, Hywel  
Wilson, Munira  
Winter, Beth  
Wishart, Pete  
Yasin, Mohammad  
Zeichner, Daniel

**Tellers for the Ayes:**  
**Jessica Morden and**  
**Gill Furniss**

### NOES

Afolami, Bim  
Afriyie, Adam  
Ahmad Khan, Imran  
Aiken, Nickie  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Anderson, Stuart  
Andrew, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth  
Bacon, Mr Richard  
Bailey, Shaun  
Baillie, Siobhan  
Baker, Duncan  
Baker, Mr Steve  
Baron, Mr John  
Baynes, Simon  
Bell, Aaron  
Benton, Scott  
Beresford, Sir Paul  
Berry, rh Jake  
Bhatti, Saqib  
Blackman, Bob  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Brady, Sir Graham  
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  
Cartlidge, James  
Cash, Sir William

Caulfield, Maria  
Chalk, Alex  
Chishty, Rehman  
Churchill, Jo  
Clark, rh Greg  
Clarke, Mr Simon  
Clarke, Theo  
Clarke-Smith, Brendan  
Clarkson, Chris  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, rh Dr Thérèse  
Colburn, Elliot  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Coutinho, Claire  
Cox, rh Mr Geoffrey  
Crabb, rh Stephen  
Crosbie, Virginia  
Crouch, Tracey  
Daly, James  
Davies, David T. C.  
Davies, Gareth  
Davies, Dr James  
Davies, Mims  
Davies, Philip  
Davison, Dehenna  
Dines, Miss Sarah  
Djanogly, Mr Jonathan  
Docherty, Leo  
Donelan, Michelle  
Dorries, Ms Nadine  
Double, Steve  
Doyle-Price, Jackie  
Drax, Richard  
Drummond, Mrs Flick  
Duddridge, James  
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  
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  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gibson, Peter  
Gideon, Jo  
Gillan, rh Dame Cheryl  
Glen, John  
Goodwill, rh Mr Robert  
Graham, Richard  
Grant, Mrs Helen  
Green, Chris  
Green, rh Damian  
Griffith, Andrew  
Griffiths, Kate  
Grundy, James  
Gullis, Jonathan  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hancock, rh Matt  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Sally-Ann  
Hart, rh Simon  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heaton-Harris, Chris  
Henderson, Gordon  
Henry, Darren  
Higginbotham, Antony  
Hinds, rh Damian  
Hoare, Simon  
Holden, Mr Richard  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Holloway, Adam  
Holmes, Paul  
Howell, John  
Howell, Paul  
Huddleston, Nigel  
Hudson, Dr Neil  
Hughes, Eddie  
Hunt, Jane  
Hunt, rh Jeremy  
Hunt, Tom  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenkinson, Mark  
Jenkyns, Andrea  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnston, David  
Jones, Andrew  
Jones, rh Mr David  
Jones, Fay  
Jones, Mr Marcus

Jupp, Simon  
Kawczynski, Daniel  
Kearns, Alicia  
Knight, rh Sir Greg  
Knight, Julian  
Kruger, Danny  
Lamont, John  
Largan, Robert  
Latham, Mrs Pauline  
Levy, Ian  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopez, Julia  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Mak, Alan  
Malthouse, Kit  
Mangnall, Anthony  
Mann, Scott  
Marson, Julie  
Mayhew, Jerome  
Maynard, Paul  
McCartney, Jason  
McCartney, Karl  
McVey, rh Esther  
Menzies, Mark  
Merriman, Huw  
Metcalfe, Stephen  
Millar, Robin  
Miller, rh Mrs Maria  
Mills, Nigel  
Mitchell, rh Mr Andrew  
Mohindra, Mr Gagan  
Moore, Damien  
Moore, Robbie  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morrisey, Joy  
Morton, Wendy  
Mullan, Dr Kieran  
Mumby-Croft, Holly  
Murray, Mrs Sheryll  
Murrison, rh Dr Andrew  
Neill, Sir Robert  
Nici, Lia  
Norman, rh Jesse  
O'Brien, Neil  
Offord, Dr Matthew  
Opperman, Guy  
Parish, Neil  
Patel, rh Priti  
Paterson, rh Mr Owen  
Pawsey, Mark  
Penning, rh Sir Mike  
Penrose, John  
Percy, Andrew  
Philp, Chris  
Pincher, rh Christopher  
Poulter, Dr Dan  
Pow, Rebecca  
Pritchard, Mark  
Pursglove, Tom  
Quin, Jeremy  
Quince, Will

Randall, Tom  
Redwood, rh John  
Rees-Mogg, rh Mr Jacob  
Richards, Nicola  
Richardson, Angela  
Robertson, Mr Laurence  
Robinson, Gavin  
Robinson, Mary  
Rosindell, Andrew  
Rowley, Lee  
Russell, Dean  
Rutley, David  
Sambrook, Gary  
Saxby, Selaine  
Scully, Paul  
Seely, Bob  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, rh Alok  
Shelbrooke, rh Alec  
Simmonds, David  
Skidmore, rh Chris  
Smith, Chloe  
Smith, Greg  
Smith, Henry  
Smith, rh Julian  
Smith, Royston  
Solloway, Amanda  
Spencer, Dr Ben  
Spencer, rh Mark  
Stafford, Alexander  
Stephenson, Andrew  
Stevenson, Jane  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Streeter, Sir Gary  
Stride, rh Mel  
Stuart, Graham  
Sturdy, Julian

Sunderland, James  
Swayne, rh Sir Desmond  
Syms, Sir Robert  
Thomas, Derek  
Timpson, Edward  
Tolhurst, Kelly  
Tomlinson, Justin  
Tomlinson, Michael  
Tracey, Craig  
Trott, Laura  
Truss, rh Elizabeth  
Tugendhat, Tom  
Vara, Mr Shailesh  
Vickers, Martin  
Vickers, Matt  
Villiers, rh Theresa  
Wakeford, Christian  
Walker, Sir Charles  
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 Noes:**  
**Maggie Throup and**  
**David Duguid**

Ashworth, Jonathan  
Bardell, Hannah  
Barker, Paula  
Beckett, rh Margaret  
Begum, Apsana  
Benn, rh Hilary  
Betts, Mr Clive  
Black, Mhairi  
Blackford, rh Ian  
Blackman, Kirsty  
Blake, Olivia  
Bonnar, Steven  
Bradshaw, rh Mr Ben  
Brennan, Kevin  
Brock, Deidre  
Brown, Alan  
Brown, Ms Lyn  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Burgon, Richard  
Butler, Dawn  
Byrne, Ian  
Byrne, rh Liam  
Cadbury, Ruth  
Callaghan, Amy  
Cameron, Dr Lisa  
Campbell, rh Sir Alan  
Carden, Dan  
Carmichael, rh Mr Alistair  
Chamberlain, Wendy  
Champion, Sarah  
Chapman, Douglas  
Charalambous, Bambos  
Cherry, Joanna  
Clark, Feryal  
Cooper, Daisy  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Cowan, Ronnie  
Coyle, Neil  
Crawley, Angela  
Creasy, Stella  
Cruddas, Jon  
Cryer, John  
Cummins, Judith  
Cunningham, Alex  
Daby, Janet  
Davey, rh Ed  
David, Wayne  
Davies, Geraint  
Davis, rh Mr David  
Day, Martyn  
De Cordova, Marsha  
Debbonaire, Thangam  
Dhesi, Mr Tanmanjeet Singh  
Docherty-Hughes, Martin  
Dodds, Anneliese  
Doogan, Dave  
Dorans, Allan  
Doughty, Stephen  
Dowd, Peter  
Dromey, Jack  
Eagle, Ms Angela  
Eagle, Maria  
Eastwood, Colum  
Edwards, Jonathan  
Efford, Clive  
Elliott, Julie  
Elmore, Chris  
Eshalomi, Florence

Esterson, Bill  
Farron, Tim  
Farry, Stephen  
Fellows, Marion  
Fletcher, Margaret  
Fletcher, Colleen  
Flynn, Stephen  
Foxcroft, Vicky  
Foy, Mary Kelly  
Gardiner, Barry  
Gibson, Patricia  
Gill, Preet Kaur  
Glindon, Mary  
Grady, Patrick  
Grant, Peter  
Gray, Neil  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Griffith, Nia  
Gwynne, Andrew  
Haigh, Louise  
Hamilton, Fabian  
Hanna, Claire  
Hanvey, Neale  
Hardy, Emma  
Harman, rh Ms Harriet  
Harris, Carolyn  
Hayes, Helen  
Healey, rh John  
Hendrick, Sir Mark  
Hendry, Drew  
Hill, Mike  
Hillier, Meg  
Hodge, rh Dame Margaret  
Hodgson, Mrs Sharon  
Hollern, Kate  
Hopkins, Rachel  
Hosie, Stewart  
Howarth, rh Sir George  
Hussain, Imran  
Jardine, Christine  
Jarvis, Dan  
Johnson, Dame Diana  
Johnson, Kim  
Jones, Darren  
Jones, Gerald  
Jones, rh Mr Kevan  
Jones, Ruth  
Jones, Sarah  
Kane, Mike  
Keeley, Barbara  
Kendall, Liz  
Khan, Afzal  
Kinnock, Stephen  
Kyle, Peter  
Lake, Ben  
Lammy, rh Mr David  
Lavery, Ian  
Law, Chris  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Linden, David  
Lloyd, Tony  
Long Bailey, Rebecca  
Lynch, Holly  
MacAskill, Kenny  
MacNeil, Angus Brendan  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema

*Question accordingly negated.*

*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.*

*Amendment proposed:* 8, page 3, line 2, at end insert—

“(8A) Nothing in this section justifies—

- (a) causing, intentionally or by criminal negligence, death or bodily harm to an individual;
- (b) wilfully attempting in any manner to obstruct, pervert or defeat the course of justice;
- (c) violating the sexual integrity of an individual;
- (d) subjecting an individual to torture or cruel, inhuman or degrading treatment or punishment, within the meaning of the Convention Against Torture;
- (e) detaining an individual; or
- (f) causing the loss of, or any serious damage to, any property if doing so would endanger the safety of an individual.”—(Conor McGinn.)

*Question put,* That the amendment be made.

*The Committee divided:* Ayes 256, Noes 316.

**Division No. 139]**

**[4.16 pm**

**AYES**

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Ali, Tahir  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Anderson, Fleur  
Antoniazzi, Tonia

Maskell, Rachael  
Matheson, Christian  
Mc Nally, John  
McCabe, Steve  
McCarthy, Kerry  
McDonagh, Siobhain  
McDonald, Andy  
McDonald, Stewart Malcolm  
McDonald, Stuart C.  
McDonnell, rh John  
McFadden, rh Mr Pat  
McGinn, Conor  
McGovern, Alison  
McKinnell, Catherine  
McLaughlin, Anne  
McMahon, Jim  
McMorrin, Anna  
Mearns, Ian  
Miliband, rh Edward  
Mishra, Navendu  
Monaghan, Carol  
Moran, Layla  
Morgan, Stephen  
Morris, Grahame  
Murray, Ian  
Murray, James  
Nandy, Lisa  
Newlands, Gavin  
Nichols, Charlotte  
Nicolson, John  
Norris, Alex  
O'Hara, Brendan  
Olney, Sarah  
Onwurah, Chi  
Oppong-Asare, Abena  
Osamor, Kate  
Osborne, Kate  
Oswald, Kirsten  
Owatemi, Taiwo  
Owen, Sarah  
Peacock, Stephanie  
Pennycook, Matthew  
Perkins, Mr Toby  
Phillips, Jess  
Pollard, Luke  
Powell, Lucy  
Qureshi, Yasmin  
Rayner, Angela  
Reed, Steve  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Jonathan  
Ribeiro-Addy, Bell

Rimmer, Ms Marie  
Rodda, Matt  
Russell-Moyle, Lloyd  
Saville Roberts, rh Liz  
Sharh, Naz  
Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sheppard, Tommy  
Siddiq, Tulip  
Slaughter, Andy  
Smith, Alyn  
Smith, Cat  
Smith, Jeff  
Smith, Nick  
Smyth, Karin  
Sobel, Alex  
Spellar, rh John  
Starmer, rh Keir  
Stephens, Chris  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sultana, Zarah  
Tami, rh Mark  
Tarry, Sam  
Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, Nick  
Thomson, Richard  
Thornberry, rh Emily  
Timms, rh Stephen  
Trickett, Jon  
Turner, Karl  
Twigg, Derek  
Twist, Liz  
Vaz, rh Valerie  
Webbe, Claudia  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Whitford, Dr Philippa  
Whitley, Mick  
Whittome, Nadia  
Williams, Hywel  
Wilson, Munira  
Winter, Beth  
Wishart, Pete  
Yasin, Mohammad  
Zeichner, Daniel

**Tellers for the Ayes:**  
**Jessica Morden and**  
**Gill Furniss**

#### NOES

Afolami, Bim  
Afriyie, Adam  
Ahmad Khan, Imran  
Aiken, Nickie  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Anderson, Stuart  
Andrew, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth  
Bacon, Mr Richard

Bailey, Shaun  
Baillie, Siobhan  
Baker, Duncan  
Baker, Mr Steve  
Baron, Mr John  
Baynes, Simon  
Bell, Aaron  
Benton, Scott  
Beresford, Sir Paul  
Berry, rh Jake  
Bhatti, Saqib  
Blackman, Bob  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew

Bradley, Ben  
Brady, Sir Graham  
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  
Caulfield, Maria  
Chalk, Alex  
Chishti, Rehman  
Churchill, Jo  
Clark, rh Greg  
Clarke, Mr Simon  
Clarke, Theo  
Clarke-Smith, Brendan  
Clarkson, Chris  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, rh Dr Thérèse  
Colburn, Elliot  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Coutinho, Claire  
Cox, rh Mr Geoffrey  
Crabb, rh Stephen  
Crosbie, Virginia  
Crouch, Tracey  
Daly, James  
Davies, David T. C.  
Davies, Gareth  
Davies, Dr James  
Davies, Mims  
Davies, Philip  
Davison, Dehenna  
Dines, Miss Sarah  
Djanogly, Mr Jonathan  
Docherty, Leo  
Donelan, Michelle  
Dorries, Ms Nadine  
Double, Steve  
Doyle-Price, Jackie  
Drax, Richard  
Drummond, Mrs Flick  
Duddridge, James  
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  
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  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gibson, Peter  
Gideon, Jo  
Gillan, rh Dame Cheryl  
Glen, John  
Goodwill, rh Mr Robert  
Graham, Richard  
Grant, Mrs Helen  
Green, Chris  
Green, rh Damian  
Griffith, Andrew  
Griffiths, Kate  
Grundy, James  
Gullis, Jonathan  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hancock, rh Matt  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Sally-Ann  
Hart, rh Simon  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heaton-Harris, Chris  
Henderson, Gordon  
Henry, Darren  
Higginbotham, Antony  
Hinds, rh Damian  
Hoare, Simon  
Holden, Mr Richard  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Holloway, Adam  
Holmes, Paul  
Howell, John  
Howell, Paul  
Huddleston, Nigel  
Hudson, Dr Neil  
Hughes, Eddie  
Hunt, Jane  
Hunt, rh Jeremy  
Hunt, Tom  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenkinson, Mark  
Jenkyins, Andrea  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnston, David  
Jones, Andrew  
Jones, rh Mr David  
Jones, Fay  
Jones, Mr Marcus  
Jupp, Simon  
Kawczynski, Daniel  
Kearns, Alicia  
Knight, rh Sir Greg  
Knight, Julian  
Kruger, Danny

Lamont, John  
Largan, Robert  
Latham, Mrs Pauline  
Levy, Ian  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopez, Julia  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Mak, Alan  
Malthouse, Kit  
Mangnall, Anthony  
Mann, Scott  
Marson, Julie  
Mayhew, Jerome  
Maynard, Paul  
McCartney, Jason  
McCartney, Karl  
McVey, rh Esther  
Menzies, Mark  
Merriman, Huw  
Metcalfe, Stephen  
Millar, Robin  
Miller, rh Mrs Maria  
Mills, Nigel  
Mitchell, rh Mr Andrew  
Mohindra, Mr Gagan  
Moore, Damien  
Moore, Robbie  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morrisey, Joy  
Mullan, Dr Kieran  
Mumby-Croft, Holly  
Murray, Mrs Sheryll  
Murrison, rh Dr Andrew  
Nici, Lia  
Norman, rh Jesse  
O'Brien, Neil  
Offord, Dr Matthew  
Opperman, Guy  
Parish, Neil  
Patel, rh Priti  
Paterson, rh Mr Owen  
Pawsey, Mark  
Penning, rh Sir Mike  
Penrose, John  
Percy, Andrew  
Philp, Chris  
Pincher, rh Christopher  
Poulter, Dr Dan  
Pow, Rebecca  
Pritchard, Mark  
Pursglove, Tom  
Quin, Jeremy  
Quince, Will  
Randall, Tom  
Redwood, rh John  
Rees-Mogg, rh Mr Jacob  
Richards, Nicola  
Richardson, Angela  
Robertson, Mr Laurence  
Robinson, Gavin  
Robinson, Mary

Rosindell, Andrew  
Rowley, Lee  
Russell, Dean  
Rutley, David  
Sambrook, Gary  
Saxby, Selaine  
Scully, Paul  
Seely, Bob  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, rh Alok  
Shelbrooke, rh Alec  
Simmonds, David  
Skidmore, rh Chris  
Smith, Chloe  
Smith, Greg  
Smith, Henry  
Smith, rh Julian  
Smith, Royston  
Solloway, Amanda  
Spencer, Dr Ben  
Spencer, rh Mark  
Stafford, Alexander  
Stephenson, Andrew  
Stevenson, Jane  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Streeter, Sir Gary  
Stride, rh Mel  
Stuart, Graham  
Sturdy, Julian  
Sunderland, James  
Swayne, rh Sir Desmond  
Syms, Sir Robert  
Thomas, Derek  
Timpson, Edward  
Tolhurst, Kelly  
Tomlinson, Justin  
Tomlinson, Michael  
Tracey, Craig  
Trott, Laura  
Truss, rh Elizabeth  
Tugendhat, Tom  
Vara, Mr Shailesh  
Vickers, Martin  
Vickers, Matt  
Villiers, rh Theresa  
Wakeford, Christian  
Walker, Sir Charles  
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 Noes:**  
Maggie Throup and  
David Duguid

*Question accordingly negated.*

*The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.*

*Clause 1 ordered to stand part of the Bill.*

## Clause 2

*Amendment proposed:* 16, page 4, line 9, leave out from "services" to end of line 23.—(Mr Alistair Carmichael.)

*This amendment would restrict the authorities that can grant criminal conduct authorisations to police forces, the National Crime Agency, the Serious Fraud Office and the intelligence services.*

*Question put, That the amendment be made.*

*The Committee divided: Ayes 65, Noes 311.*

## Division No. 140]

[4.31 pm

### AYES

Bardell, Hannah  
Black, Mhairi  
Blackford, rh Ian  
Blackman, Kirsty  
Bonnar, Steven  
Brock, Deidre  
Brown, Alan  
Callaghan, Amy  
Cameron, Dr Lisa  
Chamberlain, Wendy  
Chapman, Douglas  
Cherry, Joanna  
Cooper, Daisy  
Cowan, Ronnie  
Crawley, Angela  
Davey, rh Ed  
Davis, rh Mr David  
Day, Martyn  
Docherty-Hughes, Martin  
Doogan, Dave  
Dorans, Allan  
Eastwood, Colum  
Edwards, Jonathan  
Farron, Tim  
Farry, Stephen  
Fellows, Marion  
Ferrier, Margaret  
Flynn, Stephen  
Gibson, Patricia  
Grady, Patrick  
Grant, Peter  
Gray, Neil  
Hanna, Claire  
Hanvey, Neale  
Hendry, Drew

Hosie, Stewart  
Lake, Ben  
Law, Chris  
Linden, David  
MacAskill, Kenny  
MacNeil, Angus Brendan  
Mc Nally, John  
McDonald, Stewart Malcolm  
McDonald, Stuart C.  
McLaughlin, Anne  
Monaghan, Carol  
Moran, Layla  
Newlands, Gavin  
Nicolson, John  
O'Hara, Brendan  
Olney, Sarah  
Oswald, Kirsten  
Robinson, Gavin  
Saville Roberts, rh Liz  
Shannon, Jim  
Sheppard, Tommy  
Smith, Alyn  
Stephens, Chris  
Stone, Jamie  
Thewliss, Alison  
Thomson, Richard  
Whitford, Dr Philippa  
Williams, Hywel  
Wilson, Munira  
Wishart, Pete

### Tellers for the Ayes:

Mr Alistair Carmichael and  
Christine Jardine

### NOES

Afolami, Bim  
Afriyie, Adam  
Ahmad Khan, Imran  
Aiken, Nickie  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Anderson, Stuart  
Andrew, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth

Bacon, Mr Richard  
Bailey, Shaun  
Baillie, Siobhan  
Baker, Duncan  
Baker, Mr Steve  
Baron, Mr John  
Baynes, Simon  
Bell, Aaron  
Benton, Scott  
Beresford, Sir Paul  
Berry, rh Jake  
Bhatti, Saqib  
Blackman, Bob  
Bone, Mr Peter



Bottomley, Sir Peter	Fletcher, Mark	Kruger, Danny	Rosindell, Andrew
Bowie, Andrew	Fletcher, Nick	Lamont, John	Rowley, Lee
Bradley, Ben	Ford, Vicky	Largan, Robert	Russell, Dean
Brady, Sir Graham	Foster, Kevin	Latham, Mrs Pauline	Rutley, David
Brereton, Jack	Francois, rh Mr Mark	Levy, Ian	Sambrook, Gary
Bridgen, Andrew	Frazer, Lucy	Lewer, Andrew	Saxby, Selaine
Bristow, Paul	Freeman, George	Lewis, rh Brandon	Scully, Paul
Britcliffe, Sara	Freer, Mike	Lewis, rh Dr Julian	Seely, Bob
Brokenshire, rh James	Fuller, Richard	Liddell-Grainger, Mr Ian	Selous, Andrew
Browne, Anthony	Fysh, Mr Marcus	Loder, Chris	Shapps, rh Grant
Bruce, Fiona	Gale, rh Sir Roger	Logan, Mark	Sharma, rh Alok
Buchan, Felicity	Ghani, Ms Nusrat	Longhi, Marco	Shelbrooke, rh Alec
Buckland, rh Robert	Gibb, rh Nick	Lopez, Julia	Simmonds, David
Burghart, Alex	Gibson, Peter	Lord, Mr Jonathan	Skidmore, rh Chris
Burns, rh Conor	Gideon, Jo	Loughton, Tim	Smith, Chloe
Butler, Rob	Gillan, rh Dame Cheryl	Mackinlay, Craig	Smith, Greg
Cairns, rh Alun	Glen, John	Macleane, Rachel	Smith, Henry
Carter, Andy	Goodwill, rh Mr Robert	Mak, Alan	Smith, rh Julian
Cartlidge, James	Graham, Richard	Malthouse, Kit	Smith, Royston
Cash, Sir William	Grant, Mrs Helen	Mangnall, Anthony	Solloway, Amanda
Caulfield, Maria	Green, Chris	Mann, Scott	Spencer, Dr Ben
Chalk, Alex	Green, rh Damian	Marson, Julie	Spencer, rh Mark
Chishty, Rehman	Griffith, Andrew	Mayhew, Jerome	Stafford, Alexander
Churchill, Jo	Griffiths, Kate	Maynard, Paul	Stephenson, Andrew
Clark, rh Greg	Grundy, James	McCartney, Jason	Stevenson, Jane
Clarke, Mr Simon	Gullis, Jonathan	McCartney, Karl	Stevenson, John
Clarke, Theo	Halfon, rh Robert	McVey, rh Esther	Stewart, Bob
Clarke-Smith, Brendan	Hall, Luke	Menzies, Mark	Stewart, Iain
Clarkson, Chris	Hammond, Stephen	Merriman, Huw	Streeter, Sir Gary
Cleverly, rh James	Hands, rh Greg	Metcalfe, Stephen	Stride, rh Mel
Clifton-Brown, Sir Geoffrey	Harper, rh Mr Mark	Millar, Robin	Sturdy, Julian
Coffey, rh Dr Thérèse	Harris, Rebecca	Miller, rh Mrs Maria	Sunderland, James
Colburn, Elliot	Harrison, Trudy	Mills, Nigel	Swayne, rh Sir Desmond
Collins, Damian	Hart, Sally-Ann	Mitchell, rh Mr Andrew	Syms, Sir Robert
Costa, Alberto	Hart, rh Simon	Mohindra, Mr Gagan	Thomas, Derek
Courts, Robert	Hayes, rh Sir John	Moore, Damien	Timpson, Edward
Coutinho, Claire	Heald, rh Sir Oliver	Moore, Robbie	Tolhurst, Kelly
Cox, rh Mr Geoffrey	Heaton-Harris, Chris	Morris, Anne Marie	Tomlinson, Justin
Crabb, rh Stephen	Henderson, Gordon	Morris, David	Tomlinson, Michael
Crosbie, Virginia	Henry, Darren	Morris, James	Tracey, Craig
Crouch, Tracey	Higginbotham, Antony	Morrissey, Joy	Trott, Laura
Daly, James	Hinds, rh Damian	Mullan, Dr Kieran	Truss, rh Elizabeth
Davies, David T. C.	Hoare, Simon	Mumby-Croft, Holly	Tugendhat, Tom
Davies, Gareth	Holden, Mr Richard	Murray, Mrs Sheryll	Vara, Mr Shailesh
Davies, Dr James	Hollinrake, Kevin	Murrison, rh Dr Andrew	Vickers, Martin
Davies, Mims	Hollobone, Mr Philip	Nici, Lia	Vickers, Matt
Davies, Philip	Holloway, Adam	Norman, rh Jesse	Villiers, rh Theresa
Davison, Dehenna	Holmes, Paul	O'Brien, Neil	Wakeford, Christian
Dines, Miss Sarah	Howell, John	Offord, Dr Matthew	Walker, Sir Charles
Djanogly, Mr Jonathan	Howell, Paul	Opperman, Guy	Wallis, Dr Jamie
Docherty, Leo	Huddleston, Nigel	Parish, Neil	Warburton, David
Donelan, Michelle	Hudson, Dr Neil	Patel, rh Priti	Warman, Matt
Dorries, Ms Nadine	Hughes, Eddie	Paterson, rh Mr Owen	Watling, Giles
Double, Steve	Hunt, Jane	Pawsey, Mark	Webb, Suzanne
Doyle-Price, Jackie	Hunt, rh Jeremy	Penning, rh Sir Mike	Whately, Helen
Drax, Richard	Hunt, Tom	Penrose, John	Wheeler, Mrs Heather
Drummond, Mrs Flick	Jayawardena, Mr Ranil	Percy, Andrew	Whittaker, Craig
Duddridge, James	Jenkin, Sir Bernard	Philp, Chris	Whittingdale, rh Mr John
Duncan Smith, rh Sir Iain	Jenkinson, Mark	Pincher, rh Christopher	Wiggin, Bill
Dunne, rh Philip	Jenkyns, Andrea	Poulter, Dr Dan	Wild, James
Eastwood, Mark	Johnson, Dr Caroline	Pow, Rebecca	Williams, Craig
Edwards, Ruth	Johnson, Gareth	Pritchard, Mark	Williamson, rh Gavin
Ellis, rh Michael	Johnston, David	Pursglove, Tom	Wood, Mike
Ellwood, rh Mr Tobias	Jones, Andrew	Quin, Jeremy	Wragg, Mr William
Elphicke, Mrs Natalie	Jones, rh Mr David	Quince, Will	Wright, rh Jeremy
Eustice, rh George	Jones, Fay	Randall, Tom	Young, Jacob
Evans, Dr Luke	Jones, Mr Marcus	Redwood, rh John	Zahawi, Nadhim
Evennett, rh Sir David	Jupp, Simon	Rees-Mogg, rh Mr Jacob	
Everitt, Ben	Kawczynski, Daniel	Richards, Nicola	
Fabricant, Michael	Kearns, Alicia	Richardson, Angela	
Fell, Simon	Knight, rh Sir Greg	Robertson, Mr Laurence	
Fletcher, Katherine	Knight, Julian	Robinson, Mary	

**Tellers for the Noes:**  
Maggie Throup and  
David Duguid

*Question accordingly negated.*

*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.*

*Clauses 2 to 7 ordered to stand part of the Bill.*

#### New clause 4

#### TRADE UNIONS

(1) A criminal conduct authorisation shall not be granted in respect of the actions of a covert human intelligence source relating to a trade union or a member or officer of a trade union acting or proposing to act in contemplation or furtherance of any issue which is or could be—

- (a) the subject matter of collective bargaining within the meaning of section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (b) the subject of a trade dispute within the meaning of section 244 of the Trade Union and Labour Relations (Consolidation) Act 1992; or
- (c) within the lawful objects of the trade union. Committee of the whole House: 15 October 2020 13 Covert Human Intelligence Sources (Criminal Conduct) Bill, continued

(2) In this section, “trade union” has the same meaning as in section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.—(*Bell Ribeiro-Addy.*)

*This new clause lays out that a criminal conduct authorisation could not be applied to a trade union, thereby putting a limit on where such authorisations can apply.*

*Brought up.*

*Question put, That the clause be added to the Bill.*

*The Committee divided: Ayes 255, Noes 314.*

**Division No. 141]**

**[4.46 pm**

#### AYES

Abbott, rh Ms Diane	Callaghan, Amy
Abrahams, Debbie	Cameron, Dr Lisa
Ali, Rushanara	Campbell, rh Sir Alan
Ali, Tahir	Carden, Dan
Allin-Khan, Dr Rosena	Carmichael, rh Mr Alistair
Amesbury, Mike	Chamberlain, Wendy
Anderson, Fleur	Champion, Sarah
Antoniazzi, Tonia	Chapman, Douglas
Ashworth, Jonathan	Charalambous, Bambos
Bardell, Hannah	Cherry, Joanna
Barker, Paula	Clark, Feryal
Beckett, rh Margaret	Cooper, Daisy
Begum, Apsana	Cooper, Rosie
Benn, rh Hilary	Cooper, rh Yvette
Betts, Mr Clive	Corbyn, rh Jeremy
Black, Mhairi	Cowan, Ronnie
Blackford, rh Ian	Coyle, Neil
Blackman, Kirsty	Crawley, Angela
Blake, Olivia	Creasy, Stella
Bonnar, Steven	Cruddas, Jon
Bradshaw, rh Mr Ben	Cryer, John
Brennan, Kevin	Cummins, Judith
Brock, Deidre	Cunningham, Alex
Brown, Alan	Daby, Janet
Brown, Ms Lyn	Davey, rh Ed
Brown, rh Mr Nicholas	David, Wayne
Bryant, Chris	Davies, Geraint
Buck, Ms Karen	Davis, rh Mr David
Burgon, Richard	Day, Martyn
Butler, Dawn	De Cordova, Marsha
Byrne, Ian	Debbonaire, Thangam
Byrne, rh Liam	Dhesi, Mr Tanmanjeet Singh
Cadbury, Ruth	Docherty-Hughes, Martin

Dodds, Anneliese	Law, Chris
Doogan, Dave	Lewell-Buck, Mrs Emma
Dorans, Allan	Lewis, Clive
Doughty, Stephen	Linden, David
Dowd, Peter	Lloyd, Tony
Dromey, Jack	Long Bailey, Rebecca
Eagle, Ms Angela	Lynch, Holly
Eagle, Maria	MacAskill, Kenny
Eastwood, Colum	MacNeil, Angus Brendan
Edwards, Jonathan	Madders, Justin
Efford, Clive	Mahmood, Mr Khalid
Elliott, Julie	Mahmood, Shabana
Elmore, Chris	Malhotra, Seema
Eshalomi, Florence	Maskell, Rachael
Esterson, Bill	Matheson, Christian
Farron, Tim	Mc Nally, John
Farry, Stephen	McCabe, Steve
Fellows, Marion	McCarthy, Kerry
Ferrier, Margaret	McDonagh, Siobhain
Fletcher, Colleen	McDonald, Andy
Flynn, Stephen	McDonald, Stewart Malcolm
Foxcroft, Vicky	McDonald, Stuart C.
Foy, Mary Kelly	McDonnell, rh John
Gardiner, Barry	McFadden, rh Mr Pat
Gibson, Patricia	McGinn, Conor
Gill, Preet Kaur	McGovern, Alison
Glindon, Mary	McKinnell, Catherine
Grady, Patrick	McLaughlin, Anne
Grant, Peter	McMahon, Jim
Gray, Neil	McMorrin, Anna
Green, Kate	Mearns, Ian
Greenwood, Lilian	Miliband, rh Edward
Greenwood, Margaret	Mishra, Navendu
Griffith, Nia	Monaghan, Carol
Gwynne, Andrew	Moran, Layla
Haigh, Louise	Morgan, Stephen
Hamilton, Fabian	Morris, Grahame
Hanna, Claire	Murray, Ian
Hanvey, Neale	Murray, James
Hardy, Emma	Nandy, Lisa
Harman, rh Ms Harriet	Newlands, Gavin
Harris, Carolyn	Nichols, Charlotte
Hayes, Helen	Nicolson, John
Healey, rh John	Norris, Alex
Hendrick, Sir Mark	O'Hara, Brendan
Hendry, Drew	Olney, Sarah
Hill, Mike	Onwurah, Chi
Hillier, Meg	Oppong-Asare, Abena
Hodge, rh Dame Margaret	Osamor, Kate
Hodgson, Mrs Sharon	Osborne, Kate
Hollern, Kate	Oswald, Kirsten
Hopkins, Rachel	Owatemi, Taiwo
Hosie, Stewart	Owen, Sarah
Howarth, rh Sir George	Peacock, Stephanie
Hussain, Imran	Pennycook, Matthew
Jardine, Christine	Perkins, Mr Toby
Jarvis, Dan	Phillips, Jess
Johnson, Dame Diana	Pollard, Luke
Johnson, Kim	Powell, Lucy
Jones, Darren	Qureshi, Yasmin
Jones, Gerald	Rayner, Angela
Jones, rh Mr Kevan	Reed, Steve
Jones, Ruth	Rees, Christina
Kane, Mike	Reeves, Ellie
Keeley, Barbara	Reeves, Rachel
Kendall, Liz	Reynolds, Jonathan
Khan, Afzal	Ribeiro-Addy, Bell
Kinnock, Stephen	Rimmer, Ms Marie
Kyle, Peter	Rodda, Matt
Lake, Ben	Russell-Moyle, Lloyd
Lammy, rh Mr David	Saville Roberts, rh Liz
Lavery, Ian	Shah, Naz

Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sheppard, Tommy  
Siddiq, Tulip  
Slaughter, Andy  
Smith, Alyn  
Smith, Cat  
Smith, Jeff  
Smith, Nick  
Smyth, Karin  
Sobel, Alex  
Spellar, rh John  
Starmer, rh Keir  
Stephens, Chris  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sultana, Zarah  
Tami, rh Mark  
Tarry, Sam  
Thewliss, Alison  
Thomas, Gareth  
Thomas-Symonds, Nick

Thomson, Richard  
Thornberry, rh Emily  
Timms, rh Stephen  
Trickett, Jon  
Turner, Karl  
Twigg, Derek  
Twist, Liz  
Vaz, rh Valerie  
Webbe, Claudia  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Whitford, Dr Philippa  
Whitley, Mick  
Whittome, Nadia  
Williams, Hywel  
Wilson, Munira  
Winter, Beth  
Wishart, Pete  
Yasin, Mohammad  
Zeichner, Daniel

**Tellers for the Ayes:**

**Jessica Morden and  
Gill Furniss**

**NOES**

Afolami, Bim  
Afriyie, Adam  
Ahmad Khan, Imran  
Aiken, Nickie  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Anderson, Stuart  
Andrew, Stuart  
Ansell, Caroline  
Argar, Edward  
Atherton, Sarah  
Atkins, Victoria  
Bacon, Gareth  
Bacon, Mr Richard  
Bailey, Shaun  
Baillie, Siobhan  
Baker, Duncan  
Baker, Mr Steve  
Baron, Mr John  
Baynes, Simon  
Bell, Aaron  
Benton, Scott  
Beresford, Sir Paul  
Berry, rh Jake  
Bhatti, Saqib  
Blackman, Bob  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Brady, Sir Graham  
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  
Cartlidge, James  
Cash, Sir William  
Chalk, Alex  
Chishti, Rehman  
Churchill, Jo  
Clark, rh Greg  
Clarke, Mr Simon  
Clarke, Theo  
Clarke-Smith, Brendan  
Clarkson, Chris  
Cleverly, rh James  
Clifton-Brown, Sir Geoffrey  
Coffey, rh Dr Thérèse  
Colburn, Elliot  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Coutinho, Claire  
Cox, rh Mr Geoffrey  
Crabb, rh Stephen  
Crosbie, Virginia  
Crouch, Tracey  
Daly, James  
Davies, David T. C.  
Davies, Gareth  
Davies, Dr James  
Davies, Mims  
Davies, Philip  
Davison, Dehenna  
Dines, Miss Sarah  
Djanogly, Mr Jonathan  
Docherty, Leo  
Donelan, Michelle  
Dorries, Ms Nadine  
Double, Steve  
Doyle-Price, Jackie  
Drax, Richard  
Drummond, Mrs Flick  
Duddridge, James  
Duguid, David  
Duncan Smith, rh Sir Iain  
Dunne, rh Philip  
Eastwood, Mark  
Edwards, Ruth

Ellis, rh Michael  
Ellwood, rh Mr Tobias  
Elphicke, Mrs Natalie  
Eustice, rh George  
Evans, Dr Luke  
Evennett, rh Sir David  
Everitt, Ben  
Fabricant, Michael  
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  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gibson, Peter  
Gideon, Jo  
Gillan, rh Dame Cheryl  
Glen, John  
Goodwill, rh Mr Robert  
Graham, Richard  
Grant, Mrs Helen  
Green, Chris  
Green, rh Damian  
Griffith, Andrew  
Griffiths, Kate  
Grundy, James  
Gullis, Jonathan  
Halfon, rh Robert  
Hall, Luke  
Hammond, Stephen  
Hands, rh Greg  
Harper, rh Mr Mark  
Harris, Rebecca  
Harrison, Trudy  
Hart, Sally-Ann  
Hart, rh Simon  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heaton-Harris, Chris  
Henderson, Gordon  
Henry, Darren  
Higginbotham, Antony  
Hinds, rh Damian  
Hoare, Simon  
Holden, Mr Richard  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Holmes, Paul  
Howell, John  
Howell, Paul  
Huddleston, Nigel  
Hudson, Dr Neil  
Hughes, Eddie  
Hunt, Jane  
Hunt, rh Jeremy  
Hunt, Tom  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenkinson, Mark  
Jenkyns, Andrea  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnston, David

Jones, Andrew  
Jones, rh Mr David  
Jones, Fay  
Jones, Mr Marcus  
Jupp, Simon  
Kawczynski, Daniel  
Kearns, Alicia  
Knight, rh Sir Greg  
Knight, Julian  
Kruger, Danny  
Lamont, John  
Largan, Robert  
Latham, Mrs Pauline  
Levy, Ian  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopez, Julia  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Mak, Alan  
Malthouse, Kit  
Mangnall, Anthony  
Mann, Scott  
Marson, Julie  
Mayhew, Jerome  
Maynard, Paul  
McCartney, Jason  
McCartney, Karl  
McVey, rh Esther  
Menzies, Mark  
Merriman, Huw  
Metcalf, Stephen  
Millar, Robin  
Miller, rh Mr Maria  
Mills, Nigel  
Mohindra, Mr Gagan  
Moore, Damien  
Moore, Robbie  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morrissey, Joy  
Mullan, Dr Kieran  
Mumby-Croft, Holly  
Murray, Mrs Sheryll  
Murrison, rh Dr Andrew  
Neill, Sir Robert  
Nici, Lia  
Norman, rh Jesse  
O'Brien, Neil  
Offord, Dr Matthew  
Opperman, Guy  
Parish, Neil  
Patel, rh Priti  
Pateron, rh Mr Owen  
Pawsey, Mark  
Penning, rh Sir Mike  
Penrose, John  
Percy, Andrew  
Philp, Chris  
Pincher, rh Christopher  
Poulter, Dr Dan  
Pow, Rebecca  
Pritchard, Mark  
Pursglove, Tom

Quin, Jeremy  
 Quince, Will  
 Randall, Tom  
 Redwood, rh John  
 Rees-Mogg, rh Mr Jacob  
 Richards, Nicola  
 Richardson, Angela  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Rowley, Lee  
 Russell, Dean  
 Rutley, David  
 Sambrook, Gary  
 Saxby, Selaine  
 Scully, Paul  
 Seely, Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, rh Alok  
 Shelbrooke, rh Alec  
 Simmonds, David  
 Skidmore, rh Chris  
 Smith, Chloe  
 Smith, Greg  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Solloway, Amanda  
 Spencer, Dr Ben  
 Spencer, rh Mark  
 Stafford, Alexander  
 Stephenson, Andrew  
 Stevenson, Jane  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 Streeter, Sir Gary  
 Stride, rh Mel  
 Stuart, Graham

Sturdy, Julian  
 Sunderland, James  
 Swayne, rh Sir Desmond  
 Syms, Sir Robert  
 Thomas, Derek  
 Timpson, Edward  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Trott, Laura  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Vickers, Matt  
 Villiers, rh Theresa  
 Wakeford, Christian  
 Walker, Sir Charles  
 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 Noes:**  
**Maggie Throup and**  
**Maria Caulfield**

Bowie, Andrew  
 Bradley, Ben  
 Brady, Sir Graham  
 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  
 Cartlidge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chishti, Rehman  
 Churchill, Jo  
 Clark, rh Greg  
 Clarke, Mr Simon  
 Clarke, Theo  
 Clarke-Smith, Brendan  
 Clarkson, Chris  
 Cleverly, rh James  
 Clifton-Brown, Sir Geoffrey  
 Coffey, rh Dr Thérèse  
 Colburn, Elliot  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Coutinho, Claire  
 Cox, rh Mr Geoffrey  
 Crabb, rh Stephen  
 Crosbie, Virginia  
 Crouch, Tracey  
 Daly, James  
 Davies, David T. C.  
 Davies, Gareth  
 Davies, Dr James  
 Davies, Mims  
 Davies, Philip  
 Davison, Dehenna  
 Dines, Miss Sarah  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Donelan, Michelle  
 Dorries, Ms Nadine  
 Double, Steve  
 Doyle-Price, Jackie  
 Drax, Richard  
 Drummond, Mrs Flick  
 Duddridge, James  
 Duguid, David  
 Duncan Smith, rh Sir Iain  
 Dunne, rh Philip  
 Eastwood, Mark  
 Edwards, Ruth  
 Ellis, rh Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Mrs Natalie  
 Eustice, rh George  
 Evans, Dr Luke  
 Evennett, rh Sir David  
 Everitt, Ben  
 Fabricant, Michael  
 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  
 Ghani, Ms Nusrat  
 Gibb, rh Nick  
 Gibson, Peter  
 Gideon, Jo  
 Gillan, rh Dame Cheryl  
 Glen, John  
 Goodwill, rh Mr Robert  
 Graham, Richard  
 Grant, Mrs Helen  
 Green, Chris  
 Green, rh Damian  
 Griffith, Andrew  
 Griffiths, Kate  
 Grundy, James  
 Gullis, Jonathan  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, Stephen  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harris, Rebecca  
 Harrison, Trudy  
 Hart, Sally-Ann  
 Hart, rh Simon  
 Hayes, rh Sir John  
 Heald, rh Sir Oliver  
 Heaton-Harris, Chris  
 Henderson, Gordon  
 Henry, Darren  
 Higginbotham, Antony  
 Hinds, rh Damian  
 Hoare, Simon  
 Holden, Mr Richard  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Adam  
 Holmes, Paul  
 Howell, John  
 Howell, Paul  
 Huddleston, Nigel  
 Hudson, Dr Neil  
 Hughes, Eddie  
 Hunt, Jane  
 Hunt, rh Jeremy  
 Hunt, Tom  
 Jayawardena, Mr Ranil  
 Jenkin, Sir Bernard  
 Jenkinson, Mark  
 Jenkyns, Andrea  
 Johnson, Dr Caroline  
 Johnson, Gareth  
 Johnston, David  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Fay  
 Jones, Mr Marcus  
 Jupp, Simon  
 Kawczynski, Daniel  
 Kearns, Alicia  
 Knight, rh Sir Greg  
 Knight, Julian

*Question accordingly negated.*

*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 and 2 agreed to.*

*The Deputy Speaker resumed the Chair.*

*Bill reported, without amendment.*

*Question put forthwith, That the Bill be now read the Third time.*

*The House divided: Ayes 313, Noes 98.*

**Division No. 142]**

**[5.2 pm**

**AYES**

Afolami, Bim  
 Ahmad Khan, Imran  
 Aiken, Nickie  
 Aldous, Peter  
 Allan, Lucy  
 Amess, Sir David  
 Anderson, Stuart  
 Andrew, Stuart  
 Ansell, Caroline  
 Argar, Edward  
 Atherton, Sarah  
 Atkins, Victoria  
 Bacon, Gareth  
 Bacon, Mr Richard

Bailey, Shaun  
 Baillie, Siobhan  
 Baker, Duncan  
 Baker, Mr Steve  
 Baron, Mr John  
 Baynes, Simon  
 Bell, Aaron  
 Benton, Scott  
 Beresford, Sir Paul  
 Berry, rh Jake  
 Bhatti, Saqib  
 Blackman, Bob  
 Bone, Mr Peter  
 Bottomley, Sir Peter

Kruger, Danny  
Lamont, John  
Largan, Robert  
Latham, Mrs Pauline  
Levy, Ian  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Loder, Chris  
Logan, Mark  
Longhi, Marco  
Lopez, Julia  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
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  
Merriman, Huw  
Metcalf, Stephen  
Millar, Robin  
Miller, rh Mrs Maria  
Mills, Nigel  
Mohindra, Mr Gagan  
Moore, Damien  
Moore, Robbie  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morrisey, Joy  
Mullan, Dr Kieran  
Mumby-Croft, Holly  
Murray, Mrs Sheryll  
Murrison, rh Dr Andrew  
Neill, Sir Robert  
Nici, Lia  
Norman, rh Jesse  
O'Brien, Neil  
Offord, Dr Matthew  
Opperman, Guy  
Parish, Neil  
Patel, rh Priti  
Paterson, rh Mr Owen  
Pawsey, Mark  
Penning, rh Sir Mike  
Penrose, John  
Percy, Andrew  
Philp, Chris  
Pincher, rh Christopher  
Poulter, Dr Dan  
Pow, Rebecca  
Pritchard, Mark  
Pursglove, Tom  
Quin, Jeremy  
Quince, Will  
Randall, Tom  
Redwood, rh John  
Rees-Mogg, rh Mr Jacob  
Richards, Nicola  
Richardson, Angela  
Robertson, Mr Laurence  
Robinson, Gavin

Robinson, Mary  
Rosindell, Andrew  
Rowley, Lee  
Russell, Dean  
Rutley, David  
Sambrook, Gary  
Saxby, Selaine  
Scully, Paul  
Seely, Bob  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, rh Alok  
Shelbrooke, rh Alec  
Simmonds, David  
Skidmore, rh Chris  
Smith, Chloe  
Smith, Greg  
Smith, Henry  
Smith, rh Julian  
Smith, Royston  
Solloway, Amanda  
Spencer, Dr Ben  
Spencer, rh Mark  
Stafford, Alexander  
Stephenson, Andrew  
Stevenson, Jane  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Streeter, Sir Gary  
Stride, rh Mel  
Stuart, Graham  
Sturdy, Julian  
Sunderland, James  
Swayne, rh Sir Desmond  
Syms, Sir Robert  
Thomas, Derek  
Timpson, Edward  
Tolhurst, Kelly  
Tomlinson, Justin  
Tracey, Craig  
Trott, Laura  
Truss, rh Elizabeth  
Tugendhat, Tom  
Vara, Mr Shailesh  
Vickers, Martin  
Vickers, Matt  
Villiers, rh Theresa  
Wakeford, Christian  
Walker, Sir Charles  
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:**  
Maggie Throup and  
Michael Tomlinson

**NOES**

Abbott, rh Ms Diane  
Afriyie, Adam  
Ali, Tahir  
Bardell, Hannah  
Barker, Paula  
Begum, Apsana  
Black, Mhairi  
Blackford, rh Ian  
Blackman, Kirsty  
Blake, Olivia  
Bonnar, Steven  
Brock, Deidre  
Brown, Alan  
Burgon, Richard  
Butler, Dawn  
Byrne, Ian  
Callaghan, Amy  
Cameron, Dr Lisa  
Carden, Dan  
Chamberlain, Wendy  
Chapman, Douglas  
Cherry, Joanna  
Cooper, Daisy  
Corbyn, rh Jeremy  
Cowan, Ronnie  
Crawley, Angela  
Davey, rh Ed  
Davies, Geraint  
Day, Martyn  
Docherty-Hughes, Martin  
Doogan, Dave  
Dorans, Allan  
Eastwood, Colum  
Edwards, Jonathan  
Farron, Tim  
Farry, Stephen  
Fellows, Marion  
Ferrier, Margaret  
Flynn, Stephen  
Foy, Mary Kelly  
Gardiner, Barry  
Gibson, Patricia  
Grady, Patrick  
Grant, Peter  
Gray, Neil  
Greenwood, Margaret  
Hanna, Claire  
Hanvey, Neale  
Hendry, Drew  
Hopkins, Rachel  
Hosie, Stewart

Johnson, Kim  
Lake, Ben  
Lavery, Ian  
Law, Chris  
Lewis, Clive  
Linden, David  
Lloyd, Tony  
Long Bailey, Rebecca  
MacAskill, Kenny  
MacNeil, Angus Brendan  
Mc Nally, John  
McDonald, Stewart Malcolm  
McDonald, Stuart C.  
McDonnell, rh John  
McLaughlin, Anne  
Mearns, Ian  
Mishra, Navendu  
Monaghan, Carol  
Moran, Layla  
Morris, Grahame  
Newlands, Gavin  
Nicolson, John  
O'Hara, Brendan  
Olney, Sarah  
Osamor, Kate  
Osborne, Kate  
Oswald, Kirsten  
Owen, Sarah  
Ribeiro-Addy, Bell  
Russell-Moyle, Lloyd  
Saville Roberts, rh Liz  
Sheppard, Tommy  
Smith, Alyn  
Stephens, Chris  
Farron, Tim  
Stone, Jamie  
Sultana, Zarah  
Thewliss, Alison  
Thomson, Richard  
Trickett, Jon  
Webbe, Claudia  
Whitford, Dr Philippa  
Whitley, Mick  
Whittome, Nadia  
Williams, Hywel  
Wilson, Munira  
Winter, Beth  
Wishart, Pete

**Tellers for the Noes:**

Mr Alistair Carmichael and  
Christine Jardine

*Question accordingly agreed to.*

*Bill read the Third time and passed.*

*The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.*

**Business without Debate****DELEGATED LEGISLATION**

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

**EXITING THE EUROPEAN UNION (TRADE)**

That the draft Common Rules for Exports (EU Exit) Regulations 2020, which were laid before this House on 21 September, be approved.—(*Maria Caulfield.*)

*Question agreed to.*

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

## EXITING THE EUROPEAN UNION (IMMIGRATION)

That the draft Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020, which were laid before this House on 21 September, be approved.—(*Maria Caulfield.*)

*Question agreed to.*

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

## EXITING THE EUROPEAN UNION (IMMIGRATION)

That the draft Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020, which were laid before this House on 21 September, be approved.—(*Maria Caulfield.*)

*The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 21 October (Standing Order No. 41A).*

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

## EXITING THE EUROPEAN UNION (IMMIGRATION)

That the draft Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020, which were laid before this House on 21 September, be approved.—(*Maria Caulfield.*)

*Question agreed to.*

**BUSINESS OF THE HOUSE (20 OCTOBER)**

*Ordered,*

That, at the sitting on Tuesday 20 October, the business determined by the Backbench Business Committee may continue until 7.00 pm or for three hours after its commencement, whichever is the later, and shall then lapse if not previously disposed of and may be proceeded with, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Maria Caulfield.*)

**Ministry of Defence Tenants: Evictions**

*Motion made, and Question proposed,* That this House do now adjourn.—(*Maria Caulfield.*)

5.18 pm

**Stephen Crabb** (Preseli Pembrokeshire) (Con): I am grateful to have secured this debate on the efforts by the Ministry of Defence to evict civilian tenants living in service family accommodation that is no longer required for use by the armed forces. I will focus my remarks principally on the affected families in my constituency, but I am aware that around a dozen other colleagues have constituents who have received similar eviction notices in recent days. I will try to keep my remarks as brief as possible in order to allow my hon. Friend the Member for Devizes (Danny Kruger) to speak, too.

I am delighted to see the Minister for Defence Procurement, my hon. Friend the Member for Horsham (Jeremy Quin), in his place. The last time we faced each other was in a Westminster Hall debate in February. On that occasion, we were discussing the planned closure of Cawdor barracks, which is the home of 14 Signal Regiment in my constituency. I used that debate to explain why I thought that closure decision was a bad one. I still think it is a bad decision, but today I will focus on what the Ministry of Defence is doing with the stock of service family accommodation linked to that base, and specifically the houses that are no longer required for service use, which are now being sub-let to civilian tenants.

These houses are part of the Cashfield Estate in Haverfordwest, some 10 miles from the isolated base at Brawdy in north-west Pembrokeshire. There are, of course, Army families still living on the estate, but it is not full. The number of empty properties fluctuates over time, depending on service requirements. Alongside the empty properties, which I think are known in the language of the MOD as voids, live civilian families, renting homes at market rates. These are properties that the MOD has decided it will never need to use again because of the overall service requirement, and because of the decision to exit the Cawdor Barracks base. The properties are being sub-let by the MOD through its contracted letting agency, Orchard & Shipman.

Cashfield is a small and pleasant estate, built about 25 years ago. It is good-quality housing on the edge of Haverfordwest, just a short walk from the town centre and the local supermarkets. It is a nice place to live; I have heard that so many times over the years from service families living there. The properties in question are part of the enormous portfolio of service accommodation that was sold to Annington Homes Ltd in 1996 through a lease and leaseback contract.

I have no intention of using the short time I have today to remind the House of the full history of that private finance initiative deal, or of how it has performed in terms of its value for money for the taxpayer. Instead, I urge any interested colleagues to read what the National Audit Office and the Public Accounts Committee have had to say on the subject. They have produced several reports on this matter over a number of years. However, the context is important, because what struck me when I read through the history of the deal—which, by the way, has hundreds of years left to run—was the sheer complexity of some of the arrangements entered into by the MOD and Annington, as well as the way that

multiple agreements and reviews between the two parties, and the mixture of incentives and obligations that fall on them both, have served to create a moment when the MOD now feels it needs to evict civilian families in order to hand empty properties back to Annington.

**Mr Shailesh Vara** (North West Cambridgeshire) (Con): My right hon. Friend is making a powerful case. He mentions the complexity of the agreements. Given the pandemic and all the circumstances as well as the size of the Ministry of Defence and Annington Homes, which is a very big company, does he agree that they need to do the right thing by both parties and not get bogged down in the details?

**Stephen Crabb:** I completely agree with my hon. Friend, and caught in the middle of those two big parties are the residents affected—our constituents, who are being told that they need to change their life plans and find somewhere else to live at the worst possible time.

I first became aware of what was happening on 11 September. A constituent contacted me in distress, having received an email from the letting agent on 9 September with the subject header “Notice to Quit”. The email explained that the MOD had decided that it no longer wished to continue with the current lease and was thus planning to terminate the tenancies by the end of March 2021. My constituent was told that they would receive a formal notice to quit from the Defence Infrastructure Organisation in the next few days, and that they would have six months to leave.

Over the next few days, I received similar emails from other residents, all expressing anxiety and shock at the news and all incredibly worried about what the future would hold for them and their families. My first reaction was to assume that this was a move initiated by Annington, which after all basically owns the properties. I was surprised and disappointed to find out, from reading the emails and then speaking to residents in person, that it is actually the Ministry of Defence that is behind this eviction. With no concrete reason or explanation it is evicting a block of families in the middle of a pandemic, and at a time of mounting economic uncertainty and hardship. There is no plan whatever for what should happen to those families, and I just feel that that is unacceptable. We can, and should, do a lot better.

**Bob Stewart** (Beckenham) (Con): I just do not understand this. The Ministry of Defence does not own the properties but it is telling the residents to get out. Annington owns them, so why does the MOD have a dog in the fight?

**Stephen Crabb:** Because, as I said, the PFI deal was a lease and leaseback arrangement, so the MOD has leased back the homes—I think for a period of about 200 years, but the Minister will enlighten us further. It is a complicated arrangement, and caught in the middle of it are these families, who have now been told at the worst possible moment, “You have to get out and find somewhere else to live.”

Annington Homes has told me categorically that it was not aware of those notices being sent out. The housing department of Pembrokeshire County Council tells me that it was not aware of them. I am not sure that Ministers were informed and, given the comments of the permanent secretary at the Public Accounts Committee

a fortnight ago, it looks as if senior civil servants were not informed either—certainly local Members of Parliament were not given any warning. So the move by the MOD came well and truly out of the blue.

The Minister is fully aware of my concern and anger about the issue; I appreciate his taking the time to discuss it with me when I first became aware of it. He has since responded to letters from me and from, other colleagues and met us as a cross-party group to discuss the matter. We really appreciate that. I am fully aware of the financial pressures on his Department over service accommodation—especially the empty properties, which are losing significant sums for the Government. I am also fully aware of the commitments that the Department has entered into with Annington to hand back blocks of empty housing over the next few years.

The question for us is how we should treat the properties where civilian families are living. I have heard it said by Ministers on previous occasions that the MOD should not really be in the business of being a landlord to civilian tenants, and I have some sympathy for that view. But as recently as January this year, Ministers were acknowledging that sub-letting to civilian tenants is actually a core part of MOD strategy. In a written answer to Lord Hylton in the other place, the Minister of State said:

“The Department is focused on reducing the number of empty properties in the UK from the current level of 20% overall to a 10% management margin by Autumn 2021. This is being achieved by handing back vacant properties in England and Wales to Annington Homes; widening eligibility to cohabiting couples and Service leavers; and”—

this is the important bit—

“accelerating the letting of temporarily empty properties to screened members of the public at prevailing market rates.”

So yes, the MOD is very much in the business of being a landlord. Indeed, when we consider that the MOD is paying Annington only 42% of market rent for the properties, it is difficult to see how it cannot make money by letting to civilian families. But that is a side issue as far as today is concerned.

One of my main points to the Minister this evening is to encourage the MOD to be a good landlord. Many of us will have experience of renting over the years and will know some of the key characteristics of good landlords, who recognise the importance of treating tenants fairly: providing clear, open information at all times and taking the time to share with tenants their intentions if they wish to dispose of properties. That has not happened in this case. I would go further. Given the unique circumstances we are in, I urge the Department to be not just a good landlord but a model landlord. The uncertainty and, sadly, the increase in unemployment and hardship, mean that this is a rotten time for someone to be told to quit the home they rent. We have a duty to look after these families.

My second point to the Minister, stemming from the first, is that, although the Department may sometimes speak in—forgive me—the cold language of “units”, “voids”, “vacancy rates”, “dilapidation relief” and so on, what we are actually talking about here are homes: homes where, behind each front door, there are individuals and families whose viewpoint and experience in all this, I think, really matters.

I have spent time talking to the tenants on the estate and many have since emailed me their stories: why they decided to move there and what living there means

[Stephen Crabb]

for them. One of the things that really troubles me is the number of them who said they were under the impression that the property would be a long-term home; they did not see it as a short-term let—a place to stay before moving on somewhere else—at all. They have settled there and do not want to move.

One constituent told me how he had found the property online through Zoopla; it was listed with Orchard & Shipman. It was perfect for him and his family—it is near his work, it allows pets and it has a garage. He describes the location as lovely: nice and peaceful. They get on with all the neighbours. Since this announcement, he has started to look around for a new home, but he cannot find one; Pembrokeshire is not exactly full of available, good-quality, affordable housing options at this time. The news is really devastating for his family and others across the estate.

Another constituent is finding the situation equally hard. She and her family had struggled to find a home until these homes became available and they moved in early 2018. They love living on the estate, which is near their work. They are finding it almost impossible to find other available properties. When they moved in, they were told that the only reason they would have to vacate was if the nearby barracks at Brawdy increased the numbers, but as we have discussed, Brawdy is earmarked for closure, so they naturally and rightly assumed that this was unlikely and felt that it was going to be a pretty secure long-term tenancy. This decision has completely blindsided them.

I have other testimonies from people who are living there, some of whom have disabled or vulnerable family members, and they all say the same thing. They say that it is a nice estate, that they enjoy living there, and that there is very little alternative provision of good-quality, affordable accommodation. That is the third point I want to leave the Minister with this evening: what is the current situation regarding the availability of quality affordable accommodation locally? Yesterday I spoke to the housing department of the county council just to check again whether its assessment of the situation was the same as mine, and it confirmed that evicting a group of 17 families at one time would create real problems for it, saying that very few properties were becoming available at this time and that finding new homes would be difficult.

So what is to be done? The first response from the MOD when challenged on this was to extend the notice period from six to 12 months where there were cases of hardship, and I appreciate the Minister's team trying to plot a way forward that is fair and workable, but I think we can and should do better. I believe that, in the first instance, these notices need to be withdrawn, in order to create peace of mind for the families affected. That is the first thing I will be asking the Minister to do.

The Ministry also needs to do something that it never did at the start, which is to sit down with Annington, with my local authority, the county council, and with any interested housing associations to work out a plan for the properties that does two things. First, it must enable these good-quality homes to become part of the local affordable housing stock. Secondly, it must enable the tenancies to be transferred seamlessly, with no family forced out against their wishes. It cannot be beyond the

wisdom and good sense of all the interested parties to work out a solution that is fair and just, notwithstanding all the mind-boggling complexity of the deal between Annington and the MOD. I know that the county council has already spoken to Annington, and there is the beginning of a discussion about what might be possible, but I hope the MOD will also speak to Pembrokeshire County Council directly about this.

I am aware of one further headache, and it relates to the arrangements that are in place for water services to the estate to be delivered via a deal that is currently dependent on the MOD base. I have spoken to Welsh Water about this, and it tells me that it owns the infrastructure, so this is not a question of shared infrastructure; it is purely a financial arrangement. Again, it cannot be beyond the intelligence and good judgment of people to sort this out.

Let me finish by saying that the Minister is a good Minister—he knows Wales, and he is a highly intelligent man who has a great heart—and I am appealing to him to try to find a way forward for us that is workable and just. I will leave him with the point that Annington receives more than £180 million every year in rents from the MOD on an estate that is valued at somewhere around £7.2 billion. Surely, with the resources of the MOD together with the powerful resources of Annington, he can come up with a solution that allows people to stay in their homes, enjoy their Christmas and not have to worry about putting another roof over their heads, with all the heartache that comes with that, at the worst possible time.

5.33 pm

**Danny Kruger** (Devizes) (Con): I thank my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) for securing this important debate and for that absolutely excellent speech. I agree with every word of it. I also want to pay tribute to the Minister, who, since this sad story came to his attention—rather too late, I fear—has engaged with me and other Members from across the House in a really tremendous and constructive way. I pay tribute to the efforts he is making on behalf of our constituents.

I invite the House to consider the plight of these constituents of ours, including more than 100 families across Wiltshire, some of whom I represent. In this terrible crisis that the whole country is in, they are worrying about their children's education, worrying about their own jobs and employment prospects and worrying about their elderly parents, and suddenly they are being told that they also have to worry about their own homes. The threat of having to leave immediately was hanging over them, as a very short notice period was given. I pay tribute to the Minister for his efforts to extend that notice period, but I am afraid that even 12 months is too short. As my right hon. Friend says, we have to do better than that.

There are really only two possible satisfactory solutions for these families. One is that Annington agrees to take back the homes with the tenants in place and to give them some security of tenure, so that it cannot just evict them a couple of weeks after receiving them back. The other is that the Government work with Annington and with local authorities to ensure that the houses can be passed over to local councils or to their subsidiaries. In Wiltshire, we have an excellent company called Stone Circle, which is a subsidiary of the local authority and which



would be very glad to take possession—take ownership—of those houses, but this requires Annington to co-operate. As my right hon. Friend says, it should be able to do that. It secured the houses 25 years ago or so for less than £2 billion. They are now worth over £7 billion. It has had a very good ride thanks to the taxpayer, and it should now be enjoined to do everything it can.

I end by echoing my right hon. Friend's point: please will the Minister, with the undoubted good will that he has for these families, convene and host a proper, open and transparent conversation with all the interested parties, including Annington, Members of the House and our local authorities, about which assets are actually under threat—because it is not just the families that we currently know about; there are probably more—and work with all those parties to devise a plan that ensures that these families can remain in their homes?

5.35 pm

**The Minister for Defence Procurement (Jeremy Quin):**

Over the last few weeks, I have had many discussions with my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) and other colleagues here today who are representing the 14 sites around England where this has taken place. I am acutely aware from those discussions, and the emails and communications that my hon. Friends have been receiving from their constituents of what great distress these notices to quit have caused. I am very grateful that my right hon. Friend secured this debate this evening so that we could clarify the situation.

It is perfectly understandable that there are so many difficulties faced by families at this time, as hon. Members have highlighted in this evening's debate, and I am determined that we do all we can to get to a better solution. I reaffirm at the outset that while we have given notice on these 350 homes, the notice period is a full 12 months for all those homes and for every tenant, taking us through to the end of September 2021. I want to provide full clarity to tenants as soon as possible, but we are totally committed, over the next few weeks and months—if a way can possibly be found with Annington, as my hon. Friend the Member for North West Cambridgeshire (Mr Vara) and other Members suggested—to finding a way to enable tenants to have the offer of remaining in their homes when those properties transfer.

I should be clear from the outset that the MOD's service family accommodation has one strategic purpose, which is to provide homes for our service personnel and their families wherever and whenever they are required to serve. When we no longer need housing to meet military requirements, it is disposed of. My right hon. Friend is absolutely right that over recent years, to reduce the voids, for reasons I will get on to, where properties have been temporarily vacant, we have made those available for sub-let to civilians.

Until 1996, the MOD owned the vast majority of service accommodation outright. However, that year, the MOD entered into an agreement with Annington Homes Ltd. Under the agreement, the MOD provided a 999-year lease to Annington on 57,428 homes. The MOD proceeded to sub-let the same properties on a 200-year underlease. Under the terms of the arrangement, the MOD retained all the costs of maintaining and managing the estate. This, among other reasons, meant

that the MOD received a 58% discount on open market rents for the houses concerned for the first 25 years. Hon. Members will appreciate that those 25 years start to come up from next year. Annington has publicly stated that it believes that new rental arrangements should result in a significant increase in rent. The MOD disagrees and the matter is currently subject to arbitration.

Given that both parties recognised from the outset that the needs for MOD housing evolve over time, there was always an understanding that the MOD could return homes to Annington, and since 1996, over 19,000 homes have indeed been given back. Furthermore, last year, we agreed with Annington that we would hand back a minimum of 500 properties annually for the next seven years in return for a reduction in the dilapidation charge on each house of up to £7,000 per property, delivering up to a £24.5 million improvement to the taxpayer. However, homes can only be handed back as a group of contiguous properties, usually minimum packages of 20 homes. Where a group of properties is vacant, and it is absolutely clear that there is no future military use, the route to hand-back is very clear. However, in many cases, I am afraid, the situation has lacked that clarity, and rather than leave family homes vacant for potentially years, the MOD has sub-let those homes on a short-term basis to civilian tenants. First, this provides a home to the tenants; and secondly, it mitigates the cost to the MOD while longer-term decisions are made, or, indeed, while a vacancy exists before service personnel move in. Let me emphasise that we do not actually make money on these civilian lets. After all associated costs, the MOD estimates that they are, on average, loss making, but it is only a small loss compared with that which would otherwise be the case. About 1,500 Annington Homes properties have been sub-let in this way.

I am very sorry that decisions were taken—my right hon. Friend raised this—on the notice to quit and communications made without MPs or, indeed, the local authorities being informed sooner. Decisions that were made on the portfolio of properties that would be passed back to Annington as part of a wider programme were only made during the course of the summer, and I am afraid that covid did have a direct impact on this timing. During the lockdown, base moves were frozen. This has had an ongoing impact throughout the defence estate, with homes that might have been vacated remaining occupied for longer. In addition, during the same period, more than 1,200 service personnel and family members who would ordinarily have moved on from SFA housing either due to the end of service or, sadly, in some cases, due to family estrangement, have, as a result of the specific circumstances of covid, remained in their homes. This number continues to grow.

The consequences of these constraints forced us to identify other properties surplus to MOD requirements that we could hand back. But whatever the strategic position for the MOD and the nature of the short-term tenancies entered into, I want action to be taken for the future, to pick up on the point raised by my right hon. Friend. While it is absolutely right that temporarily vacant homes are made available for rent rather than being left vacant, I want greater clarity at the outset given to residents if the property is expected to be required for military use or disposal, and, if so, in what timeframe.

**Stephen Crabb:** Has my hon. Friend looked at the way these houses are being marketed through Orchard & Shipman? Is it being straight with these families about the terms on which they are taking on these properties? Many of the residents in my constituency tell me that they were under the impression that this would be secure and that they could look forward to many years of living in these properties.

**Jeremy Quin:** No such impression should have been given. These are short-term lets with, after the first four months, two months' notice periods. They are temporarily vacant and they are being occupied on that basis. I was very concerned to hear from my right hon. Friend and from others that that might have taken place. I have received absolute assurances that that was not part of the marketing strategy from the managing agents.

**Mr Vara:** In my constituency, as my hon. Friend knows, there are some 60 such houses in Wittering. Certainly some of those householders were told that this would be medium to long-term, and some of them have only recently moved in—literally a few weeks ago.

**Jeremy Quin:** I have been made aware of that by my hon. Friend. I am particularly sorry to hear that that was the case, and it should not have been the case. I have had written assurances that no such undertakings were received, but if he would like to write to me further, I will of course pick up on that. I had a written assurance that that was not the case and not part of the marketing, and it certainly should never have been part of the marketing of these properties. We would of course look into that and take it enormously seriously if it was the case.

That makes it even more clear that what we need to ensure for the future is that more clarity is given to sub-letting tenants. It would be a crying shame not to make homes available that are vacant, but we need to make certain that we are clear regarding tenancies. That work is also being undertaken so that where there are existing tenancies in place, the same process should take place so that tenants can have that peace of mind for the future. I also want to ensure that in circumstances where disposals are due to take place, as in the case that my hon. Friend the Member for North West Cambridgeshire raised, wherever possible those are staggered over time to reduce the impact on local communities. It clearly has a significant impact on local housing demand where

disposals happen in too great a number, and I am sure that we can make certain that we stagger them in the future.

My right hon. Friend asked why we could not simply rescind. I understand the passion behind the question and I understand what drives it. I cannot pretend to these civilian tenants that there is a long-term future in the MOD estate—that simply is not the case—but I am determined that we will do all we can to make the transfer and the transition as smooth as possible.

My right hon. Friend is also absolutely right that the properties at Cormorant Close are not linked to base utilities. In fairness to Annington, a lot of the data on this goes right back to 1996. I have had a full review of the circumstances for each of these, and we will obviously share that with Annington as, I hope, we move towards a better solution—I sincerely hope that we do—but it turns out that only four of the 14 sites have that linkage to MOD utilities. I hope that is helpful in ongoing discussions.

I do really want us to secure good and improved circumstances for our tenants. If we can work with social housing providers, as my hon. Friend the Member for Devizes (Danny Kruger) mentioned, we would clearly wish to do so. We cannot sell to social housing providers; if we can facilitate a process with Annington Homes—that may well be in its interests—we will be very keen to do exactly that.

My right hon. Friend asked about the overall shape of things. Yes, we must work with Annington. I really do hope that we can get somewhere. Many Ministers before me have looked at this agreement in detail to find out what levers they have. I am again reviewing where we are with the circumstances, but I really hope that we can come to an agreement. In fairness to Annington, it has not said that it has an in-principle opposition to finding an arrangement, but I am aware that come September next year, it will have the absolute right to demand vacant possession of the homes being transferred. However, we are determined to work with it.

I sincerely hope that we can come to a satisfactory conclusion that works for Annington and works for these sub-let tenants. We will do all we can to try to get to a situation that will work for Annington and has benefits for the tenants concerned.

*Question put and agreed to.*

5.47 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) (Lab)	Bell Ribeiro-Addy
Dr Rosena Allin-Khan (Tooting) (Lab)	Chris Elmore
Mr Richard Bacon (South Norfolk) (Con)	Stuart Andrew
Siobhan Baillie (Stroud) (Con)	Stuart Andrew
Hannah Bardell (Livingston) (SNP)	Patrick Grady
Mr John Baron (Basildon and Billericay) (Con)	Stuart Andrew
Margaret Beckett (Derby South) (Lab)	Chris Elmore
Sir Paul Beresford (Mole Valley) (Con)	Stuart Andrew
Jake Berry (Rossendale and Darwen) (Con)	Stuart Andrew
Mhairi Black (Paisley and Renfrewshire South) (SNP)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber) (SNP)	Patrick Grady
Bob Blackman (Harrow East) (Con)	Stuart Andrew
Kirsty Blackman (Aberdeen North) (SNP)	Patrick Grady
Mr Peter Bone (Wellingborough) (Con)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Patrick Grady
Ben Bradley (Mansfield) (Con)	Stuart Andrew
Andrew Bridgen (North West Leicestershire) (Con)	Stuart Andrew
Ms Lyn Brown (West Ham) (Lab)	Chris Elmore
Richard Burgon (Leeds East) (Lab)	Zarah Sultana
Conor Burns (Bournemouth West) (Con)	Stuart Andrew
Ian Byrne (Liverpool, West Derby) (Lab)	Bell Ribeiro-Addy
Liam Byrne (Birmingham, Hodge Hill) (Lab)	Chris Elmore
Amy Callaghan (East Dunbartonshire) (SNP)	Patrick Grady
Gregory Campbell (East Londonderry) (DUP)	Sammy Wilson
Sir William Cash (Stone) (Con)	Stuart Andrew
Sarah Champion (Rotherham) (Lab)	Chris Elmore
Douglas Chapman (Dunfermline and West Fife) (SNP)	Patrick Grady
Feryal Clark (Enfield North) (Lab)	Chris Elmore
Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)	Stuart Andrew
Chris Clarkson (Heywood and Middleton) (Con)	Stuart Andrew
Damian Collins (Folkestone and Hythe) (Con)	Stuart Andrew
Rosie Cooper (West Lancashire) (Lab)	Chris Elmore
Ronnie Cowan (Inverclyde) (SNP)	Patrick Grady
Geoffrey Cox (Torridge and West Devon) (Con)	Stuart Andrew
Angela Crawley (Lanark and Hamilton East) (SNP)	Patrick Grady
Tracey Crouch (Chatham and Aylesford) (Con)	Rebecca Harris
John Cryer (Leyton and Wanstead) (Lab)	Chris Elmore
Janet Daby (Lewisham East) (Lab)	Chris Elmore
Geraint Davies (Swansea West) (Lab/Co-op)	Dawn Butler
Dr James Davies (Vale of Clwyd) (Con)	Stuart Andrew
Martyn Day (Linlithgow and East Falkirk) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
Marsha De Cordova (Battersea) (Lab)	Rachel Hopkins
Allan Dorans (Ayr, Carrick and Cumnock) (SNP)	Patrick Grady
Ms Nadine Dorries (Mid Bedfordshire) (Con)	Stuart Andrew
Peter Dowd (Bootle) (Lab)	Chris Elmore
Jack Dromey (Birmingham, Erdington) (Lab)	Chris Elmore
Philip Dunne (Ludlow) (Con)	Jeremy Hunt
Ruth Edwards (Rushcliffe) (Con)	Stuart Andrew
Sir David Evennett (Bexleyheath and Crayford) (Con)	Stuart Andrew
Michael Fabricant (Lichfield) (Con)	Stuart Andrew
Stephen Farry (North Down) (Alliance)	Wendy Chamberlain
Marion Fellows (Motherwell and Wishaw) (SNP)	Patrick Grady
Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Jonathan Edwards
Katherine Fletcher (South Ribble) (Con)	Stuart Andrew
Stephen Flynn (Aberdeen South) (SNP)	Patrick Grady
Vicky Foxcroft (Lewisham, Deptford) (Lab)	Chris Elmore
Mr Mark Francois (Rayleigh and Wickford) (Con)	Stuart Andrew
George Freeman (Mid Norfolk) (Con)	Bim Afolami
Marcus Fysh (Yeovil) (Con)	Stuart Andrew
Sir Roger Gale (North Thanet) (Con)	David Rutley
Patricia Gibson (North Ayrshire and Arran) (SNP)	Patrick Grady
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op)	Chris Elmore
Dame Cheryl Gillan (Chesham and Amersham) (Con)	Stuart Andrew
Mary Glindon (North Tyneside) (Lab)	Chris Elmore
Mrs Helen Grant (Maidstone and The Weald) (Con)	Stuart Andrew
Peter Grant (Glenrothes) (SNP)	Patrick Grady
Neil Gray (Airdrie and Shotts) (SNP)	Patrick Grady
Andrew Gwynne (Denton and Reddish) (Lab)	Graham Stringer
Fabian Hamilton (Leeds North East) (Lab)	Chris Elmore
Claire Hanna (Belfast South) (SDLP)	Liz Saville Roberts
Neale Hanvey (Kirkcaldy and Cowdenbeath) (SNP)	Patrick Grady
Ms Harriet Harman (Camberwell and Peckham) (Lab)	Chris Elmore
Sir Oliver Heald (North East Hertfordshire) (Con)	Stuart Andrew
Sir Mark Hendrick (Preston) (Lab/Co-op)	Chris Elmore
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)	Patrick Grady
Simon Hoare (North Dorset) (Con)	Fay Jones
Dame Margaret Hodge (Barking) (Lab)	Chris Elmore
Mrs Sharon Hodgson (Washington and Sunderland West) (Lab)	Chris Elmore
Kate Hollern (Blackburn) (Lab)	Chris Elmore
Adam Holloway (Gravesham) (Con)	Maria Caulfield
Sir George Howarth (Knowsley) (Lab)	Chris Elmore
Dr Neil Hudson (Penrith and The Border) (Con)	Stuart Andrew
Imran Hussain (Bradford East) (Lab)	Mohammad Yasin

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Dan Jarvis (Barnsley Central) (Lab)	Chris Elmore	Gavin Newlands (Paisley and Renfrewshire North) (SNP)	Patrick Grady
Mr Ranil Jayawardena (North East Hampshire) (Con)	Stuart Andrew	John Nicolson (Ochil and South Perthshire) (SNP)	Patrick Grady
Andrea Jenkyns (Morley and Outwood) (Con)	Stuart Andrew	Dr Matthew Offord (Hendon) (Con)	Rebecca Harris
Simon Jupp (East Devon) (Con)	Stuart Andrew	Brendan O'Hara (Argyll and Bute) (SNP)	Patrick Grady
Alicia Kearns (Rutland and Melton) (Con)	Stuart Andrew	Chi Onwurah (Newcastle upon Tyne Central) (Lab)	Chris Elmore
Barbara Keeley (Worsley and Eccles South) (Lab)	Chris Elmore	Guy Opperman (Hexham) (Con)	Stuart Andrew
Afzal Khan (Manchester, Gorton) (Lab)	Chris Elmore	Abena Oppong-Asare (Erith and Thamesmead) (Lab)	Chris Elmore
Sir Greg Knight (East Yorkshire) (Con)	Stuart Andrew	Kate Osamor (Edmonton) (Lab/Co-op)	Nadia Whittome
Julian Knight (Solihull) (Con)	Stuart Andrew	Kirsten Oswald (East Renfrewshire) (SNP)	Patrick Grady
John Lamont (Berwickshire, Roxburgh and Selkirk) (Con)	Stuart Andrew	Mr Owen Paterson (North Shropshire) (Con)	Stuart Andrew
Mrs Pauline Latham (Mid Derbyshire) (Con)	William Wragg	Sir Mike Penning (Hemel Hempstead) (Con)	Stuart Andrew
Ian Lavery (Wansbeck) (Lab)	Kate Osborne	Matthew Pennycook (Greenwich and Woolwich) (Lab)	Chris Elmore
Chris Law (Dundee West) (SNP)	Patrick Grady	Dr Dan Poulter (Central Suffolk and North Ipswich) (Con)	Peter Aldous
Clive Lewis (Norwich South) (Lab)	Lloyd Russell-Moyle	Lucy Powell (Manchester Central) (Lab/Co-op)	Chris Elmore
Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Stuart Andrew	Yasmin Qureshi (Bolton South East) (Lab)	Chris Elmore
Tony Lloyd (Rochdale) (Lab)	Chris Elmore	Christina Rees (Neath) (Lab/Co-op)	Chris Elmore
Mr Jonathan Lord (Woking) (Con)	Stuart Andrew	Ellie Reeves (Lewisham West and Penge) (Lab)	Chris Elmore
Holly Lynch (Halifax) (Lab)	Chris Elmore	Selaine Saxby (North Devon) (Con)	Stuart Andrew
Kenny MacAskill (East Lothian) (SNP)	Patrick Grady	Bob Seely (Isle of Wight) (Con)	Stuart Andrew
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)	Patrick Grady	Mr Virendra Sharma (Ealing, Southall) (Lab)	Chris Elmore
Karl McCartney (Lincoln) (Con)	Stuart Andrew	Mr Barry Sheerman (Huddersfield) (Lab/Co-op)	Chris Elmore
Andy McDonald (Middlesbrough) (Lab)	Chris Elmore	Alec Shelbrooke (Elmet and Rothwell) (Con)	Stuart Andrew
Stuart C. McDonald (Cumbria, Kilsyth and Kirkintilloch East) (SNP)	Patrick Grady	Tommy Sheppard (Edinburgh East) (SNP)	Patrick Grady
Stewart Malcolm McDonald (Glasgow South) (SNP)	Patrick Grady	Tulip Siddiq (Hampstead and Kilburn) (Lab)	Chris Elmore
John McDonnell (Hayes and Harlington) (Lab)	Zarah Sultana	Chloe Smith (Norwich North) (Con)	Stuart Andrew
Anne McLaughlin (Glasgow North East) (SNP)	Patrick Grady	Henry Smith (Crawley) (Con)	Stuart Andrew
John Mc Nally (Falkirk) (SNP)	Patrick Grady	Nick Smith (Blaenau Gwent) (Lab)	Chris Elmore
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Chris Elmore	Andrew Stephenson (Pendle) (Con)	Stuart Andrew
Seema Malhotra (Feltham and Heston) (Lab/Co-op)	Chris Elmore	Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	Wendy Chamberlain
Christian Matheson (City of Chester) (Lab)	Chris Elmore	Sir Gary Streeter (South West Devon) (Con)	Stuart Andrew
Ian Mearns (Gateshead) (Lab)	Kate Osborne	Mel Stride (Central Devon) (Con)	Stuart Andrew
Mark Menzies (Fylde) (Con)	Stuart Andrew	Alison Thewliss (Glasgow Central) (SNP)	Patrick Grady
Stephen Metcalfe (South Basildon and East Thurrock) (Con)	Stuart Andrew	Gareth Thomas (Harrow West) (Lab/Co-op)	Chris Elmore
Edward Miliband (Doncaster North) (Lab)	Chris Elmore	Richard Thomson (Gordon) (SNP)	Patrick Grady
Nigel Mills (Amber Valley) (Con)	Chris Elmore	Jon Trickett (Hemsworth) (Lab)	Dawn Butler
Carol Monaghan (Glasgow North West) (SNP)	Patrick Grady	Karl Turner (Kingston upon Hull East) (Lab)	Chris Elmore
Anne Marie Morris (Newton Abbot) (Con)	Stuart Andrew	Dr Jamie Wallis (Bridgend) (Con)	Stuart Andrew
David Morris (Morecambe and Lunesdale) (Con)	Stuart Andrew	Claudia Webbe (Leicester East) (Ind)	Bell Ribeiro-Addy
Ian Murray (Edinburgh South) (Lab)	Chris Elmore	Dr Philippa Whitford (Central Ayrshire) (SNP)	Patrick Grady
James Murray (Ealing North) (Lab/Co-op)	Chris Elmore	Hywel Williams (Arfon) (PC)	Liz Saville Roberts
		Pete Wishart (Perth and North Perthshire) (SNP)	Patrick Grady

# Westminster Hall

Thursday 15 October 2020

[ANDREW ROSINDELL *in the Chair*]

## Covid-19: Disability-Inclusive Response

1.30 pm

**Andrew Rosindell (in the Chair):** I remind Members that there have been some changes to the normal practice in order to support the new call list system and to ensure that social distancing can be respected. Members should sanitise their microphones with the cleaning materials provided before they use them, and they should respect the one-way system around the room. Members should speak only from the horseshoe. Members can speak only if they are on the call lists; this applies even if debates are undersubscribed. Members cannot join a debate if they are not on the call list. Members are not expected to remain for the winding ups. Members in the latter stages of the call list should use the seats in the Public Gallery and move to the horseshoe when seats become available. I remind hon. Members that there is less of an expectation that Members stay for the next two speeches once they have spoken; this is to help manage attendance in the room. Members may wish to stay beyond their speech, but they should be aware that doing so may prevent Members in seats in the Public Gallery from moving to seats on the horseshoe.

1.31 pm

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): I beg to move,

That this House has considered a disability inclusive covid-19 response.

It is an absolute honour to serve under your chairmanship, Mr Rosindell. I thank the many Members who have been in touch with me all week and have dedicated their time today to speak in the debate. I declare my interest as chair of the all-party parliamentary group for disability, and I thank the organisations that have been in touch and that have supported people with disabilities across the United Kingdom during the pandemic. They include Disability Rights UK, Inclusion Scotland, Sense, Scope, Mencap, Leonard Cheshire, Care England, Age UK and Disability at Work, just to name a few.

Some 14 million people live with a disability in the United Kingdom. Although people with disabilities make up the largest minority group in the country, they have reported feeling largely forgotten in this time of crisis. In many ways, they have been the invisible victims of the coronavirus pandemic across the UK. Tragically, people with disabilities have accounted for six out of 10 deaths involving covid-19.

It is clear that the pandemic has had a disproportionate impact on people with disabilities, and the all-party parliamentary group for disability therefore sent an open letter to the Prime Minister in April of this year. It has since been signed by more than 100 MPs and peers of different parties. It called for five things. First, it called for Government guidance and restrictions to be communicated in a way that is accessible to people with

disabilities. Secondly, it called for social distancing measures to be mindful of people with disabilities who need exemptions. Thirdly, it called on the Government to provide clear guidance on the implications of changes to the Care Act 2014 under the covid-19 legislation. Fourthly, it asked the Government to meet the needs of disabled people in the allocation of additional funding, training and personal protective equipment provision throughout the pandemic. Fifthly, it requested that the Government place people with disabilities at the very heart of their economic recovery plan.

It is very difficult to overestimate the disruptive impact that the covid-19 restrictions, which were implemented with little or no notice, have had on the lives of many people with disabilities. The restrictions have fundamentally affected not just whether people can go out socially with friends but whether the care services that many rely on day in, day out, are available to them. Some 75% of unpaid carers have reported receiving no information about support and care being reduced prior to that happening.

I am sure hon. Members would agree that it is of grave importance to ensure that Government guidance, communications and changes regarding the restrictions that we face are accessible for those with disabilities. All televised Government press conferences should, therefore, be interpreted live via British Sign Language and should have televised subtitles as standard. All Government communications about new guidance and policies must be created in accessible formats.

More and more, we rely on mobile devices, although I am quite technologically challenged in many ways. These devices, which we rely on so heavily, should now incorporate disability functionality and accessibility into their design. These issues must be researched and taken forward quickly.

This pandemic, as we know, is not going away. Communications must be improved at all levels of government, including local government. Will the Minister build an inclusive approach to communications and involve people with disabilities in the communications strategy?

Regarding restrictions, a survey conducted in April by the Office for National Statistics found that nearly nine out of 10 disabled adults expressed concern about the effect of the pandemic on their lives and their levels of isolation. Many have found it difficult to build confidence to go out, particularly after shielding for so many months. Some 42% of disabled people have reported feeling lonely or isolated due to the pandemic, and 41% of those interviewed by Scope believe that life will become worse for them over the long term.

Sense's "Forgotten Families" campaign has demonstrated that the health and wellbeing of disabled adults and their family members has been adversely affected by this pandemic. It is vital that people have confidence to go back out into the community within safe restrictions given by Government.

Individuals with health conditions and disabilities are often exempt from wearing face masks. However, as chair of the all-party parliamentary group for disability, I have received numerous reports from people with disabilities across the UK who tell me that they have been verbally abused or harassed in the community because they were not wearing a face mask. They have

[Dr Lisa Cameron]

since lost all confidence to go out. Will the Minister support a public awareness campaign about these exemptions and standardise techniques, such as the accessibility of lanyards for people with disabilities or those who may be exempt in a wider group, so that they can go outside with confidence in a safe way, and never again feel the need to justify and explain themselves or deal with harassment?

It would be remiss of me not to highlight the significant consequences of the Coronavirus Act 2020 on the health and care provisions afforded to people with disabilities over the past six months. One service user from Inclusion Scotland described their situation:

“I have gone from 20 hours of care... to ZERO. I am now bedbound completely because of this.”

Another said,

“I am so lonely and feel so depressed. I feel suicidal.”

Research by Leonard Cheshire shows that 55% of disabled people in receipt of social care have experienced changes to their care packages since April and 18% reported difficulties in even accessing food. Action is, therefore, desperately needed to support disabled people and their families to recover from the impact of lockdown. Testing will be fundamental to that, in terms of management in non-community settings; perhaps designating one person per resident as a special visitor in care home accommodation would increase vital contact with family. I would be obliged if the Minister could look at that issue.

The Government must commit to switching off the Care Act easements as soon as it is safely possible and provide reassurance that the high bar set in these easements will not become the new normal in terms of social care for those with disabilities across the UK.

To conclude, I would like to highlight the importance of an inclusive economic recovery plan in education, employment, business and beyond. This is an immense opportunity in many ways for disability inclusion in employment practices across the UK, and to develop strategies to help disabled people start their own businesses and become entrepreneurs.

However, I must begin with a word of caution. Analysis by Disability at Work shows that, historically, disabled people have been disproportionately impacted by economic downturns, in terms of new employment and redundancy. It is therefore vital that inclusion is a core element in the build back better plans that the Government are developing. However, I was incredibly disappointed that the Government’s plan for jobs, which was published recently, mentioned disability only once. I am sure the Minister will highlight that to his Cabinet colleagues to ensure that disability is a priority and retains the status that it should have.

The all-party parliamentary group for disability made several recommendations about employment and preventing people with disabilities from losing their jobs and livelihoods as a result of the long-term consequences of this pandemic. We are asking the Government to monitor and regularly publish data on disability prevalence. Beyond that, we have long recommended that they take steps towards introducing mandatory reporting of employers’ performance on disability inclusion in the workplace. We believe it is vital to make kickstart available to disabled candidates by guaranteeing funding for reasonable adjustments

through the Access to Work scheme, but that must be done in a timely manner. We must better promote and fund Access to Work so that it can widen the support that it gives, as it has helped many people into work and to remain in work as disabilities arise.

We believe that there must be a review of the impact and promotion of home working, which might offer flexibility for people with disabilities and help them into employment. The Government should consider introducing a new support scheme or extending furlough for those who are at high risk due to health issues and are unable to return to work safely when furlough comes to an end.

We believe that it is absolutely vital that we change the narrative on entrepreneurship. People with disabilities are pigeonholed unfairly into single issues by the Department for Work and Pensions. There should be a great harnessing of potential, skills and ability. We support self-employment and entrepreneurship among disabled people. I recommend that hon. Members join the new all-party parliamentary group for inclusive entrepreneurship, which has been set up to maximise those ends.

Many hon. Members wish to speak, so I will finish in a moment. I have not been able to touch on education or many of the other areas affected, but I hope other hon. Members will be able to lend their voices to those issues. I agree with the World Health Organisation director general Tedros Adhanom Ghebreyesus, who said that those with disabilities

“must not be left behind”

in the covid-19 response. We must ensure that that is undertaken domestically and internationally. I understand that the Minister will not be able to respond on behalf of all his Cabinet colleagues, but I want to reiterate that UK aid should be supporting people with disabilities internationally. We must have a leadership role in the aim of leaving no one behind and meeting the sustainable development goals. We must show true leadership in the UK and beyond.

I am asking the Minister to cover a wide base, and I realise that he will have to speak to his colleagues in order to do that. I thank everyone who has come to the debate, which has wide, cross-party support. I look forward to hearing people’s thoughts, ideas and recommendations. I hope we can have a consensual debate that highlights the great support that people from across parties and across the United Kingdom have for people with disabilities. It is important that we prioritise and support their needs.

**Andrew Rosindell (in the Chair):** We are quite short of time, so I ask colleagues to keep their remarks to no longer than four minutes or four and a half minutes—five minutes maximum—if we are to get everybody in.

1.45 pm

**Joy Morrissey (Beaconsfield) (Con):** I thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for calling this debate on such an important topic.

I want to highlight some of the issues that constituents or local charities have directly contacted me about; I will shamelessly go through them all. However, this

debate is really about the wider issue of disability inclusivity and I will ask the Minister to consider a disability awareness charter, whereby we can encourage businesses and local communities to think about the disabled—particularly the visually impaired, the hearing impaired and those with more complex disabilities—in relation to practical things such as shopping and other everyday activities during covid-19.

There is a local charity in Beaconsfield called Blind Ambition, which works with the visually impaired. It is excellent and one of the things that it has highlighted during covid-19 was the difficulty that the visually impaired have at their local supermarket. When someone who is visually impaired goes to a supermarket, they may need to touch items and feel their way around, which was difficult during covid. Oftentimes they bring a buddy with them, but during the total lockdown they were not allowed to bring a companion, the store was not able to give them one and they were unable to get a delivery, so they felt very cut off and isolated. They could not even receive an explanation as to why they could not bring a buddy with them.

In places where there are more restrictive measures in place for covid-19, I ask that we consider encouraging supermarkets to allow a visually impaired person to bring a companion or a volunteer with them, to help them—in a covid-secure way—around the supermarket. That is just so that they have dignity and quality of life, and are not afraid, thinking, “How will I get my daily food delivery?” There is a shortage of supermarket slots for delivery online; there is that challenge for them, as well.

The visually impaired also had challenges around NHS appointments, so it would be very helpful if the NHS could consider how it can help visually impaired people when they come to a hospital or a GP’s surgery. The same restriction applies; they are not allowed to bring a companion. However, they feel very insecure about going through the hospital or even the waiting room, and I have had visually impaired people asking me, “What should I do?” and “What should I wear?”, and feeling very frightened, to the point that they did not want to go to their GP or hospital for any reason, because they were just so afraid. Having that information at the NHS and public health level for the visually impaired would be incredibly helpful.

The same applies for face masks and those who are hearing impaired, because if someone reads lips and they can no longer see what someone is saying, it is very difficult. If they are standing there waiting, say at the bus stop, and someone says, “You are too close”, or is shouting something at them, because of the face mask they cannot actually see what that person is saying. We have had reports of hearing-impaired people being abused, kicked and spat on, because they could not hear and they could not see that someone was speaking to them.

I have a few of the transparent face masks, so that the lips can be seen, but having that level of awareness of other people and trying to help them to carry on in normal society is important. I do not think there is anything that the Minister or anyone can do; it is about having an awareness of other people and how covid is affecting them.

My last point is on community or day centres, which are a lifeline to people who might have an adult living with them who has complex disabilities or severe autism. The day centre is a lifeline for that family. Sometimes, the disabled person may be in the day centre for eight hours a day, or it may just be an hour, but it is perhaps the only time, depending on the level of complex disability, that the care-giver or the parent has to take a shower or indeed do anything. What happened during lockdown was that these carers were given 24/7 care of their loved one, who was usually very disabled. They could cope with that on a normal basis, but they had their support completely removed; carers could not find anyone to speak to for support. This does not just come from speaking to people in my constituency. It was national, across the board. I have an incredible day centre in my constituency, Burnham Opportunities Centre, and they were coming in, helping and volunteering for as long as they possibly could, but as the severity of the lockdown continued, they also had to close. I have heard from family after family that if they had a child, or an adult, with complex disabilities living with them, they could not cope by the end, and then returning to work was more than they could handle. Some of them had to quit their employment because they simply could not handle the stress and ongoing responsibility of full-time care.

I know I have gone over my time, but thank you, Mr Rosindell, and I appreciate this consideration of these wider issues. I hope that we will consider a disability awareness charter.

**Andrew Rosindell (in the Chair):** I ask Members to try to stick to time, otherwise some people will not be able to make a contribution.

1.51 pm

**Debbie Abrahams (Oldham East and Saddleworth (Lab):** It is a pleasure to serve under your chairmanship, Mr Rosindell, and I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) on her speech. It is also a pleasure to follow the hon. Member for Beaconsfield (Joy Morrissey), who made some fantastic points that I absolutely support.

In the four or so minutes that I have, I would like to make the following brief points. First, covid is a disease of poverty: people with existing health conditions or disabilities are particularly at risk of contracting the virus and, unfortunately, suffering its worst effects. Data from the Office for National Statistics shows that between March and July, disabled people accounted for three-fifths of covid deaths in England and Wales, and the ONS has said that this is probably an underestimate. There were more than 27,500 coronavirus-related deaths of disabled people, compared with 18,800 deaths of non-disabled people. Disabled women are nearly 11 times more likely to die than non-disabled women; for men, the figure is about six and a half times.

Why is that happening? As I have just said, covid is a disease of poverty, and we know that disabled people are more likely to live in poverty than non-disabled people. Last year’s very good Disability Benefits Consortium report showed that on average, disabled people have lost £1,200 every year over the past decade, compared with

[Debbie Abrahams]

£300 for a non-disabled person. That figure significantly increases when there is more than one disabled person in a household, and of course we must not forget the extra costs that disabled people face as a result of their disability, which are about £538 extra a month. Overall, £36 billion will have been taken out of social security support for working-age people by 2022.

On top of that, I am afraid that the shielding system the Government set up was completely useless. The Greater Manchester Disabled People's Panel did a large-scale survey that it published in July, which revealed that one in five people had been included in the Government's shielding list. The 80% who were excluded did not get any of the support that was available to officially shielded people. Given that the majority of disabled people were not shielded, one would think that the Government would recognise that fact, and that additional financial support would be provided through social security—not at all. Poor disabled people were faced with the additional dilemma of having extra costs on top of their extra costs. They had to get food somehow: did they go into debt? Did they get food delivery schemes that they had to pay for, or did they risk their health and go to the shops?

As the Select Committee on Work and Pensions heard during our coronavirus inquiry in April, and as we were already anecdotally aware of people saying, disabled people in work were more likely to be made redundant than non-disabled people. Citizens Advice then showed in its survey that more than a third of disabled people were likely to be made redundant, compared with 17% of the working-age population as a whole. Access to Work is meant to enable disabled people to stay in work, so I ask the Minister this: of the 4.1 million disabled people able to work, how many more disabled people have been able to avail themselves of the support over and above the 43,400 who have done so since the covid pandemic?

What can we do about it? We need to have a supportive shielding system that identifies vulnerable people not via an algorithm but at a local level, with disabled people's organisations. They have been completely excluded from any decisions made about what is going to affect them. It is not good enough. That needs to be done for all tiers of the new system. Personally, I believe we should be going for a national circuit-breaker. I am a former public health consultant and we know that, because of seeding, local lockdowns will not work.

Access to Work must be extended to ensure that disabled people can work from home wherever possible, or furloughed on 100% pay. The Government must monitor any unlawful discrimination of disabled people in the workplace through the Equality and Human Rights Commission, and must take enforcement action where that is happening. The Government must transfer resources to local authorities not just in terms of the national Test and Trace programme, but also to ensure that adequate support is made available to protect and support disabled people. We are at war with this virus, and the Treasury need to recognise that and invest and support our people appropriately, including disabled people.

1.56 pm

**Mrs Maria Miller** (Basingstoke) (Con): It is a great pleasure to serve under your chairmanship Mr Rosindell, and also to be able to take part in this debate called by the hon. Member for East Kilbride, Strathaven and Lesmahagow (Lisa Cameron).

The impact of coronavirus on disabled people has been profound. It is absolutely right that we should be drawing attention to that at this time. The scale of the issue is concerning: disabled people have accounted for 59% of deaths due to coronavirus between March and July. It is an enormous issue. Another issue is the hidden deaths that have occurred as a result of people not being able to access the healthcare they need, and the way that that has particularly impacted people with learning disabilities. The deaths of people detained in hospitals subject to the Mental Health Act 1983 in the community have doubled from the number of deaths in the same period last year. It is a concern, and we are right to be debating it.

There is also the impact on people who care for disabled people. Like my hon. Friend the Member for Beaconsfield (Joy Morrissey), during lockdown I was speaking to my constituents in that position, who were caring for somebody without the support that they may otherwise have. We need to look at the whole family when we consider the issue as we move forward. The Government's response has been entirely as it should be: an extra £9 billion of welfare support has been put in place. Specifically within the area of disability, spending this year has increased from £19 billion to £20 billion. I am pleased to see the Minister in his place, and we could not have a better Minister looking at these issues with the sort of credentials that he has for action in the area.

I would like to talk about three issues. The first is easements, the second is communication relating to disability, and the third is employment. The easements are causing all of us concern. The emergency Coronavirus Act 2020 allowed the suspension of some of the duties that local authorities have within the Care Act 2014. Many organisations are now calling for a rethink on that, including Liberty and Disability Rights UK. The easements are there for a reason: to make sure that local authorities can operate in a really difficult situation. Where easements are operated, local authorities may not be complying with what disabled people need within their community. There has been no correlation between the number of covid-19 positive cases and the decision to operate easements in local authority areas. I would appreciate the Government giving us an update on that and on their plans with regards to guidance on the use of easements in the future.

The second issue is communication. A number of hon. Members in the Chamber today will, I think, hope that as we move forward, accessible communication will become fully embedded into every single bit of Government communication. I remember sitting in the Minister's place, and it is difficult to get easy-read versions and British sign language versions when trying to bring out policy recommendations. It takes time and I understand that. We must still challenge ourselves to communicate with everybody when we are communicating with the British public, not just with those who do not have a disability. I challenge the Minister to think of new and better ways to ensure that a lack of information for disabled people is a thing of the past.



Finally, on employment, we know that many thousands of disabled people in this country want to be in employment but are not. The Minister has done an enormous amount to make sure there is support in place to ensure that as many disabled people as possible are able to get into employment, though Access to Work, the Work and Health programme and intensive personalised employment support programmes. We need to redouble those efforts and challenge Access to Work, to make sure adaptive technology is available to disabled people who may now be having to work from home for the first time.

The national strategy for disabled people is a crucial part of supporting people with disabilities in our country and I applaud the work of the Government on that. Can the Minister provide an update on the work that he is doing to make sure that the strategy delivers for every single disabled person in the country, across all Government activity?

2.1 pm

**Jim Shannon (Strangford) (DUP):** I had not expected to be called to speak so early in the debate, but I appreciate your doing so, Mr Rosindell. I thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for setting the scene. She and I work together on many disability issues in the House, and it is always a pleasure to support her whenever she speaks in a debate. She speaks straight from her heart; we know it is a good heart, Mr Rosindell.

The pandemic has been hard on every person in the nation, but none more so than those in the disabled sector. I want to speak quickly about some of them. The Royal National Institute of Blind People has told me that 250 people begin to lose their sight every day in the United Kingdom. A lot of people find it difficult to socially distance or to see direction arrows on the ground. Would they be able to negotiate their way into this room? They would have no idea how to do that without an assistant to help them. I have heard about many people being yelled at for not keeping social distance. They were not recognised as disabled—maybe they were not wearing the black glasses or did not have the stick—but they are partially disabled from the point of view of their sight.

The RNIB has made various suggestions, of which I hope the Minister has been made aware and that he can work on them. The suggestions do not mean breaking social distance rules, but being kind and compassionate, and taking time to speak to someone who looks as if they might be struggling to navigate through the shops. People have difficulty because they are disabled, not because there is anything else wrong with them.

Cotters is a shop in Newtownards that sells a range of groceries, cleaning products, hardware and other valuable daily essentials. That is not a plug for them, by the way, although I will send the staff a copy of *Hansard* afterwards and let them know that they were mentioned in Westminster Hall. The staff noticed that many of their elderly customers were struggling to understand them through their masks. The muffled voices of the staff could not be heard and the customers could not understand what they were saying. Out of their own pockets, the staff ordered masks that have plastic across the mouth to make it easier for those who cannot hear to see.

It took a few months to get that measure in place, but we are all adapting to new regulations and systems put in place because of coronavirus. Local councils could

help to direct people in relation to those issues, but it would be more effective if measures relating to those who have hearing difficulties that need to be addressed came from this place.

Northern Ireland has introduced a circuit breaker, but the rules are not easy for many to understand. Elderly people ring or make a journey to my office to try to understand how they can do things. Do you know why, Mr Rosindell? Because most people want to do it right. They want to know what to do. By and large, most people—probably 98%—will do exactly what they are asked to do. We should try to help them. People want to get a lift to church. A lady who had a heart operation and has not been allowed to drive needs to get to church, because that is probably her only contact with other people. That lady needs somewhere to contact so she can sort that out.

There is an 84-year-old lady who drives her 86-year-old brother's dinner round to him every night. She asked if she was allowed to stay to tidy his kitchen, as she could not do that during the last lockdown. I am not being disrespectful, and neither is she, but by the end of that period, the kitchen was a mess. The cleaning up she had to do on her brother's behalf was horrendous—those are her words. Can she care for her brother?

I must ask the Minister for a dedicated phoneline for people to get informal help. Can there be a dedicated line for people to ask a question and get some direction and guidance on what they can do? That would be a great helper.

The vulnerable people who hear “circuit breaker” fear that, for them, it will be a life breaker because of the impact the regulations would have on their heads. We must have more information for our disabled and vulnerable and step it up on their behalf. For guidance to be issued a week before might be fine for you and me in this place, Mr Rosindell, but it is not okay for someone to feel for a month like they cannot see or speak to another living person or for someone not to be able to care for those who depend on them. That is happening to people in my area and yours. We must address it quickly.

**Several hon. Members** *rose*—

**Andrew Rosindell (in the Chair):** Order. I ask Members to stick to four minutes, please. I do not want to have to impose a strict rule, but, if we do not stick to that, not everyone will get in to speak.

2.6 pm

**Sally-Ann Hart (Hastings and Rye) (Con):** It is no secret that the coronavirus pandemic has been extremely difficult for the people of this country. While everyone has an equal chance of catching the virus, there is no doubt that the effects of the pandemic have not been felt equally across our society. The disadvantaged, the elderly, people from ethnic minorities and people with disabilities have all been disproportionately affected by covid-19. It is the latter group whose struggle has been tragically under-reported. I therefore thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing the debate so that the House has the opportunity to discuss this issue.

Lockdown and the subsequent changes to our behaviour have had an extremely negative effect on people with disabilities. Social distancing, for example, is difficult for people who are blind, and people who are deaf or

[Sally-Ann Hart]

hard of hearing have difficulty reading lips when everyone is wearing masks. What may seem like a small inconvenience for the able bodied becomes an enormous challenge for people with disabilities.

One of the most tragic aspects of the pandemic has been its effect on those with learning disabilities, particularly those in social care and education. A recent survey by Mencap reports that seven in 10 people with learning disabilities have experienced a reduction in social care during lockdown while seeing their needs nearly double. It was deeply concerning this week to listen to some of the brave panel members on the all-party parliamentary group for special educational needs and disabilities describing their difficulties in accessing learning and getting the right support.

While the Government have published extensive guidelines on visits to care homes, there is little guidance about visits to people in supported living arrangements. That has a devastating effect on many people with learning disabilities, who often find themselves completely cut off from their traditional support networks. The loneliness that many feel is heartbreaking—and that coupled with depression leads to serious health issues.

Only one word can describe the situation, and that is “crisis”. While news reports stoke fears of further restrictions, the simple fact is that, for some, the original restrictions never ended. People with disabilities have suffered isolation, loneliness and the loss of their independence. Emergency measures used to preserve resources for local authorities have led to de facto cuts to social care. We must set this right. Our responsibility to all our constituents and our simple human decency demand that we do so.

There must be an understanding that covid is a long-term problem and a long-term plan must be put in place to safeguard the most vulnerable in our communities. We must increase funding to education and social care schemes to ensure that people with learning and physical disabilities are not left behind. If we do not increase funding, that will have a knock-on effect on the rest of society as families are forced to stop working to care for their disabled family member. That can put serious strains on families, many of whom are not equipped or trained to provide the long-term care that a complex learning or physical disability case requires.

We must ensure that visiting guidelines are clarified, so people can meet with friends and family safely. We must do our best to ensure that the precautions designed to keep us safe do not come at the cost of people’s independence or their ability to communicate.

The pandemic has changed everything. What it should not change, however, is our collective commitment to safeguard the most vulnerable in our community. People with disabilities, both physical and learning, deserve better, and this House should commit to ensuring that. The coronavirus has left disabled people feeling abandoned, ignored and devalued. We must put that right.

2.10 pm

**Florence Eshalomi** (Vauxhall) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Rosindell, and I pay tribute to the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate.

Data released by the Office for National Statistics in September shows that disabled people accounted for 59% of covid-related deaths in England and Wales between March and July when the pandemic was at its height. The disproportionality is staggering. In these circumstances, it is vital that our response to the pandemic ensures that people with disabilities continue to receive the services and support they need and that their rights are respected and enacted. Sadly, that has not been the case.

My constituent has severe cerebral palsy and is a wheelchair user. He occasionally needs help from his colleagues in the office for minor tasks, such as passing folders and opening doors. Until recently, he had been volunteering for a large national charity, working three to four days a week, on shifts, in a job that he loves and that he has been doing for the last four years. In August, he contacted me to say he was told by his manager not to return to work because he would put his colleagues at risk, because of the 2-metre social distancing rule. He said:

“I’m really upset... before February I did a shift every 72 hours with no problem and I have been banned ever since. My boss is holding on to this 2-metre rule for dear life and I really think she has misinterpreted the guidance. Her latest email suggests that the office could be made to shut down if the Government found out that my colleagues were passing me a folder... even though I have made suggestions as to how we can mitigate any risks, my boss says that I cannot 100% guarantee that I will not need close contact help”.

As hon. Members will know, under the Equality Act 2010, employers have a duty to make reasonable adjustments to remove disadvantages faced by disabled employees. The question of what is reasonable will always need to be assessed on an individual basis. In this case, help to maintain social distancing and to protect the health and safety of the workplace are relevant considerations. Will the Government provide greater clarity on how disabled workers can be protected from employers who, shamefully, are using the pandemic as a reason not to make reasonable adjustments in the workplace?

Covid-19 has pressed the reset button on so many of the things that we are doing, and on so many commonly-held assumptions and established ways of doing things. When so many practices are being challenged, it is time to implement a recovery plan that consults and proactively empowers disabled people, for the benefit of all of us.

2.13 pm

**Mike Wood** (Dudley South) (Con): I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) on securing the debate on this very important issue. I know she has worked tirelessly on the issue for many years, since she was elected to the House, both as chair of the all-party parliamentary group for disability and through the all-party parliamentary group on learning disability.

I declare an interest as my wife works providing support and tutoring to a child with special educational needs in Birmingham, who receives support through the welfare system.

The covid pandemic has had a severe impact on many children around the country—on their education, their development and their welfare—but it has had a particular effect on many children with speech, language and learning disabilities. Understandably, some of the legal obligations on local authorities and on the national

health service were eased earlier in the year with respect to the availability of staff during the heavier stages of lockdown. That was a necessary step, but it must not be a signal that necessary and vital support, particularly for children and young people with disabilities, is in some way discretionary. It is pleasing that no local authorities at all are currently using the easement provisions, which must be triggered only where absolutely necessary. Even then, all public authorities and agencies must ensure that appropriate and suitable provision can be made with the available staff.

Many local authority and national health service workers did heroic work throughout the first wave of the pandemic, particularly in the period between late March, when lockdown started and schools closed, and the end of the summer term in July. It was a time when an awful lot was expected of relatively few people, who did amazingly well, but far too many children received no specialist support during that time. It is almost worse that they did not even receive any explanation from the various agencies involved about why support was being withdrawn and when it might return.

Although it is clearly right for the Government to be doing everything possible to keep schools open and to be taking the measures available to ensure that children can continue going to school, we need to recognise that many children, particularly those with the most severe and complex special educational needs, have not been able to return to school. Many are still being educated at home, so it is important that a disability-inclusive covid response must involve thinking about how agencies can evolve to support SEND children who are stuck at home, and considering the parents and families of those children.

I see that my four minutes are up, so I will draw my remarks to a close. I am grateful for the opportunity to speak, and I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow on securing the debate.

2.17 pm

**Daisy Cooper** (St Albans) (LD): I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) on securing this debate, on a topic that she knows is close to my heart.

Without doubt, the pandemic's impact on the disabled has been absolutely catastrophic. During the lockdown period, almost seven in 10 people with a learning difficulty have had their care packages reduced or cut completely, which the Disability Law Service says is illegal. We all need to hear assurances from the Government that the easements will be repealed and never repeated.

Children and young people with special educational needs and disabilities have also been spectacularly disadvantaged by the pandemic. In a Westminster Hall debate in January, a number of Members of different parties voiced concerns about how SEND children and their families were struggling to get their education, health and care plans. The challenges of home schooling have been well documented. It has had a huge effect on SEND children and their families. Organisations such as Scope and the National Society for the Prevention of Cruelty to Children are doing incredible work in producing online resources for parents, but we still need more. Parents and families are still telling me that they are struggling to get the laptops and specialist equipment that they need. When will the Government get that much-

needed kit to every single child, so that they have a fighting chance to learn during covid? With reports that almost one in five SEND children have been out of school since lockdown, will the Government produce a dedicated plan to help SEND children and their families to get the education that they deserve and to which they are entitled?

The UK is home to a world-leading disability creative arts sector. Many of its members fall into a similar category to ExcludedUK, with freelancers having received absolutely no Government support at all. Without help, these disabled creatives could completely disappear from our screens, theatres and comedy circuits. They could become invisible in our public realm and debate. Will the Minister therefore heed calls from the UK Disability Arts Alliance and commit specific resources to those who are clinically vulnerable and at risk of becoming invisible in creative content?

There is, as we have heard from other Members today, a risk to jobs. As we head into a recession with the prospect of job losses it is vital that those disabled people who are in jobs can be kept in them, because it is so much harder for disabled people and all those with protected characteristics to get into the workplace in the first instance. Will the Government look at urgently amending section 159 of the Equality Act 2010 to empower, but not require, all employers to look at retaining workers with disabilities or other protected characteristics during the redundancy process?

Other hon. Members have mentioned the need for an awareness-raising campaign for disabled and other people who are exempt from face covering. On 15 July I asked the Government whether they would run such a campaign, and on 18 August I received a rather peculiar answer about dentistry and personal protective equipment. I have chased it up and have not had a proper response yet, so I would be grateful if the Minister would look into it.

Finally, the House must lead by example. I urge every Member to petition the Government to re-establish the access to elected office fund. There is a shocking lack of disabled voices in the House of Commons, and I say that as an MP with a hidden disability. The entry cost for many disabled MPs is far too high and we need a proper fund to be established so that candidates of all political persuasions have the opportunity to stand and to represent their communities.

2.21 pm

**Andy Carter** (Warrington South) (Con): It is a pleasure to serve under your chairmanship, Mr Rosindell. I pay tribute to the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate. I am delighted to follow the hon. Member for St Albans (Daisy Cooper), who spoke with such power about the hidden disabilities that so many of us face.

I quite often hear it said that covid-19 does not discriminate. It is a social virus that affects everyone. That is certainly true, but the risk of hospitalisation, ventilation and, sadly, death is much higher in someone who suffers from an underlying health condition or disability. I am afraid that the virus does discriminate in a cruel, unpleasant way. That is highlighted by stark covid mortality data from Warrington Hospital: 70% of

[Andy Carter]

those who died were male, 80% were over the age of 70, and 90% had underlying health conditions or a disability. There is a mass of evidence that covid-19 has a disproportionate impact on the lives of disabled people in the UK. It affects the quality of their lives dramatically. In a recent Office for National Statistics study, 55% reported an impact on their mental wellbeing as a result of isolation due to the requirement to shield. As we look across what I fear will be a challenging six months to come, and further to the recovery from the pandemic, it is essential not to leave behind anyone who is disabled.

I pay tribute to the work undertaken by my hon. Friend the Minister and his Department in recent weeks to break down the many social and structural barriers that have existed in the workplace, education and wider society. However, coronavirus has revealed that many disabled people are at a precipice, and at risk of experiencing severe effects on their financial security, their health, and their wellbeing, into the long term. I know that the Minister agrees with me about anyone with a disability being able to expect the same access to financial security and career satisfaction as those with none. It would be helpful if he could set out steps, in the Chancellor's plan for jobs, to support disabled people and say how they can expect to find and retain high-quality jobs.

I want to pay particular tribute to Warrington Disability Partnership and its fantastic chief executive, Dave Thompson, with whom I had the pleasure of spending some time in the summer recess to talk about the work that the partnership has been doing through the pandemic. WDP is an internationally acclaimed charity. All through lockdown it was active, supporting anyone who needed practical assistance, and being a friend at the end of a phone for people to chat with, as support for those who were shielding. Next year it celebrates its 30th anniversary of delivering mobility and independent living services to people in my Warrington South constituency.

Disability Awareness Day is an annual highlight in my constituency. It is a fun community event held at Walton Hall. The event attracts around 200 exhibitors from across the UK's disability sector. Remarkably, it now attracts 24,000 visitors each year and is acknowledged to be the world's largest voluntary-led disability event. It is a bright highlight in my local constituency and has taken disability to the majority of people in Warrington.

Due to covid-19, this year's event could not be held live outdoors, as originally planned. It would have taken place in July, but, as I have come to expect in Warrington, the organisers have innovated. Knowing about the need for information and advice, as so many Members have talked about, they have taken the entire event online into a virtual setting, to take place on Sunday 25 October. There are 200 exhibition stands online. They are already booked, and it is the talk of the mobility and independent living equipment sector.

I know the Minister is aware of the work of WDP, and I would be delighted if he would join me in wishing the event the success it deserves. When he is able to visit, I hope he can come to Warrington to meet the wonderful team at the partnership, to see how it has developed such a successful organisation.

2.26 pm

**Olivia Blake** (Sheffield, Hallam) (Lab): It is a pleasure to serve under your chairmanship, Mr Rosindell. I thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important and timely debate.

Covid-19 has changed the way in which people work. ONS data on coronavirus and homeworking in the UK reveals that 46% of people in employment did some homeworking in April, and 86% of them did so because of the coronavirus pandemic. Throughout the pandemic we have seen workplaces close and moves towards remote working for some. However, the tools can be inaccessible for many people with hearing loss and deafness. For example, the 2019 Action on Hearing Loss report, "Working for Change", which sought to understand the workplace experiences of people with hearing loss and deafness, revealed that 75% of respondents found it difficult to take part in video or teleconference meetings.

In those workplaces that have been able to remain open, we have rightly seen the imposition of social distancing and other safety measures, such as opaque face coverings to protect employees. However, those measures can alienate people with hearing loss and deafness from both their work and their colleagues. It is therefore crucial that employers are encouraged and supported to offer new reasonable adjustments to address the barriers, including for healthcare professionals. That is particularly pertinent when considering how different disabilities and health conditions will, no doubt, be affected in different ways. Many charity organisations are putting together advice and support to show how that can be done in workplaces, but it needs to be collated in one accessible point and to be endorsed and promoted by the Government. I support the calls by many disability charities for a disability information hub for employers, and ask the Minister to commit to that.

The 2017 Action on Hearing Loss "Working for Change" report showed gaps in employers' knowledge of disability and that their confidence in hiring and supporting disabled people has been a long-term problem, existing well before covid-19. Even though the Government's "Health is everyone's business" consultation closed more than a year ago, they have still not responded or made any progress in improving employer information. The Minister might suggest that the delay has been caused by covid-19—which is the Government's response when asked why the report on special educational needs and disabilities provision has been much delayed—but covid-19 makes the provision of disability-specific information even more important. At a time when employers need access to support and guidance on how to make new adjustments for disabled people, I ask the Minister to tell us when the Government will publish their consultation response. More generally, will he confirm that the Government intend to keep their target of helping an additional 1 million disabled people into work by 2027?

We should also be mindful of the mental health of people with hearing impairment during the pandemic. The latest ONS data from July 2020 showed that 64% of people with hearing impairment reported feeling lonely always, often, some of the time or occasionally, compared with just 44% of non-disabled people.

The Government must do more to ensure that people who are deaf or have hearing loss have access to both healthcare and timely covid-19 public health information. The Secretary of State for Health and Social Care highlighted in a speech to the Royal College of Physicians on 30 July that all health consultations should be remote unless there is a “compelling” reason otherwise. However, people who are deaf or have hearing loss rely heavily on visual cues for effective communication. The accessible information standard requires health and social care providers to identify, record and meet the specific communication needs. Can the Minister clarify whether face-to-face appointments will be maintained where that is the individual’s preference? Clarity is desperately needed on that. I am over my time, so will finish there.

[STEVE McCABE *in the Chair*]

2.30 pm

**Sir David Amess** (Southend West) (Con): The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) has done the House a great service by allowing us to debate these issues concerning disabled people, but I am very worried about our general approach to the coronavirus pandemic, because we have a Chancellor of the Exchequer who has become a cash dispenser; he is entirely demand-led. If we continue with this approach, the economy will crash, and then how will we help all these disabled people about whom we are so desperately concerned?

Last Friday, I was delighted to see the inspirational Music Man Project, which I have mentioned in the House on a number of occasions. That project is for people with learning difficulties and, through the power of music, their lives have been transformed. As many hon. Members will know, they have performed at the London Palladium. They performed last year at the Royal Albert Hall. And they were going to Broadway, but unfortunately, because of the coronavirus pandemic, that has been delayed a little. I thank the Leigh Salvation Army for giving that organisation the opportunity to perform. It has been absolutely wonderful, and I know, from talking to the families of the people with learning difficulties, that it has transformed their lives.

Access Anyone is a wonderful local company in my constituency that specialises in supplying transport for adults and children with disabilities; it allows them to go to school. It is looking for better Government guidance on the way in which such companies can safely provide transport to those who are disabled or have special educational needs.

In Southend West, we have a number of wonderful special schools. I was contacted by Julie Archer, headteacher of Estuary High School, who had difficulty in getting covid tests for her residential students. I have also been contacted by Louise Robinson, headteacher of Kingsdown School, who has serious issues with the social distancing guidelines announced on 28 August. She is very worried about how they are being interpreted.

In Southend, there are 1,135 people registered as blind and partially sighted and an estimated 6,500 people living with sight loss. Their difficulties have been raised with me on many occasions by a lady called Jill Allen-King, who is a staunch fighter on their behalf. They are very concerned about the new measures to protect the public and enforce social distancing and the increased use of pavement tables outside restaurants, which mean that

blind people are finding it more and more difficult to navigate independently. I was horrified to read that two thirds of blind and partially sighted people had told the Royal National Institute of Blind People that they felt less independent during the lockdown. Much more needs to be done to promote the RNIB’s “Please give me space” logo.

Blind and partially sighted people often struggle with the use of smartphones and computers. The Government’s track and trace scheme relies almost entirely on the use of smartphones, particularly with the new app. I ask my hon. Friend the Minister what provision is being made by the Government to ensure that blind and partially sighted people are not put in greater danger or at greater risk.

The increased wearing of face masks is causing difficulties for those with hearing loss, which has been mentioned already, who rely on communication through facial expressions and lip reading. My local YMCA, led by the wonderful Syrie Cox, launched the Find Your Voice initiative, which was a competition to design a face mask. A child called Lily was the winner. She created a mask with a clear window in it so that people who are deaf can lip-read through the mask.

A number of constituents have expressed to me their concerns that some disabled people are being refused services because they are not wearing a face covering, despite being exempt. Although many charities and organisations, such as Mencap, have produced their own exemption cards, more clarity is needed.

In addition, I hope that people suffering from endometriosis whose operations have been delayed are not overlooked.

2.34 pm

**Bambos Charalambous** (Enfield, Southgate) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe. I pay tribute to the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate and for her excellent speech. She has saved me time by covering many of the points I would have made.

I will focus on people with hidden disabilities who are unable to wear masks. I was contacted earlier this year by a young woman called Georgina Fallows, who is a rape survivor and is unable to wear a mask because it triggers her post-traumatic stress disorder. She has experienced a number of incidents: one on a visit to a hair salon—she had booked the appointment in advance, but was challenged quite aggressively by a customer, who accused her of killing her dad because she was not wearing a mask—and another in a local supermarket. That has led to Georgina not wanting to go out for fear of being challenged and facing other such attacks.

Georgina is just one example of a person who has a hidden disability and is unable to wear a mask. She waived her right to anonymity about her rape attack so that she could champion this cause, because it is very close to her heart. She wants people to be aware that she is unable to wear a mask, and she does not want to feel awkward about that. Since Georgina got in touch with me, I have met a number of charities that have told me about the need for greater awareness of people with hidden disabilities. The charities that I spoke to include Mencap, the National Autistic Society, Sense, Asthma UK, the British Lung Foundation, Mind, Disability

[*Bambos Charalambous*]

Rights UK and Inclusion London. I appreciate that the Government have set out a number of exemptions for wearing facemasks, but unfortunately many members of the public are not aware of them. The Government need a clear, high-profile public campaign.

To help to identify people who cannot wear a facemask, an organisation called Hidden Disabilities produces a lanyard that has a sunflower around the outside, and a badge similar in size to a parliamentary pass, that people can wear. I have spoken to some of the Minister's colleagues about that, and I am sure he will be very positive about it in his response. We desperately need quick action, because we are approaching a situation in which people will have more restrictions placed upon them, so anybody who is not seen to be complying with the rules faces more of a challenge.

I will not repeat what other colleagues have said, but clearly social distancing is an issue for people with sight loss, and we must ensure that that is taken into consideration when looking at licences for street furniture, outdoor seating and that sort of thing. Communication is also very important; Sense and the right hon. Member for Basingstoke (Mrs Miller) raised that issue. We need British Sign Language as a standard and subtitled videos, and all Government comms and guidance must be accessible. A point was made about the easements, and I am sure the Minister will take that on board. We do not want the provision of care packages to people with disabilities to be restricted.

2.38 pm

**Alex Norris** (Nottingham North) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr McCabe. I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) on securing this important debate about an issue that affects all our constituencies. Lots of people will be watching this debate online with interest, so I hope they feel that we have done the issue justice and see the strength of feeling. This is as full as this Chamber can be in these challenging times, which shows how much Members from across the House care about it.

The hon. Lady made particularly important points about accessibility and the Care Act easements, and other hon. Members also covered those issues. The hon. Member for Beaconsfield (Joy Morrissey) talked about retail, which you and I are passionate about, Mr McCabe. She talked about the experience of people with disabilities in accessing retail, and I will talk about that shortly. The hon. Member for Hastings and Rye (Sally-Ann Hart) and my hon. Friend the Member for Warrington South (Andy Carter) made very important remarks about how this pandemic has not been felt equally. We have to be mindful of that when we design our approaches.

The hon. Member for Dudley South (Mike Wood) made particularly poignant comments about Care Act easements. We all had that in mind when we passed the Coronavirus Act 2020. We were all concerned about it, so if local government uses those easements sparingly, or indeed not at all, we will be pleased. We will all be keeping a keen eye on the situation, because we are all keen to drop that provision at the first moment we can.

The right hon. Member for Basingstoke (Mrs Miller), who as a former Chair of the Women and Equalities Committee has a strong track record in this area, made excellent points about accessible communications, I hope the Minister will take some time to reflect on those points and perhaps give us some good news. The hon. Gentleman from England's next fine city, Southend, the Member for Southend West (Sir David Amess), raised an issue that I am very passionate about: endometriosis. I recently tabled a number of written questions on that topic, and I have to say that I did not get particularly persuasive answers back, so I hope he and other colleagues will help me with that. I knew he would mention the Music Man Project. I did not know they had not been able to get to Broadway, but I am sure that in time they will get there, and the hon. Gentleman might go with them to show them around.

Turning to the contributions from the Opposition side of the House, my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) talked about the disproportionality of deaths from covid. The statistic that 60% of deaths are among people living with disabilities is a sobering one, and something that we have to be exceptionally mindful of. The hon. Member for Strangford (Jim Shannon) made a lovely point when he talked about this issue coming from the heart: that has very much been the theme of the debate. We all come here in good faith; that does not mean we do not profoundly disagree about some things, and we might have assertive conversations about them, but we are coming from the heart.

I will share some reflections later on the points that my hon. Friend the Member for Vauxhall (Florence Eshalomi) made about work, but that is a particularly important issue. As the hon. Member for St Albans (Daisy Cooper) was speaking, I was thinking about my concern about the SEND educational attainment gap in my community and across the country. I fear that current conditions will only make that more challenging.

My hon. Friend the Member for Sheffield, Hallam (Olivia Blake) highlighted some of the pitfalls of home working and the need to help employers. I was romanced by the idea of an employers' hub, because I believe that the vast majority of employers want to do the right thing, but we might need to help them do so. My hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) shared the powerful story of his constituent Georgina. It was very difficult to hear, but it was important that it was heard, because those are the sorts of stories that exist up and down this country, and we have to do something about them.

I pay tribute to my hon. Friend the Member for Lewisham, Deptford (Vicky Foxcroft), who at this moment, I would rather was in my chair than me. She has been an outstanding champion for people with disabilities throughout this outbreak, fighting their corner in every single way, and the fact that the lifelong condition she is living with has prevented her from taking part today tells its own story. I do not think it reflects well on us that we have the technology to be much more inclusive, but choose not to use it, so I will pay tribute to her in my traditional way: stealing her ideas and passing them off as my own. [*Laughter.*] This one's for you, Vicky.

I will discuss Scope's disability report to add a little context, because it painted a striking, worrying picture. A quarter of respondents said they felt forgotten or

ignored by the Government; half said they have had issues getting essential items; a third were extremely concerned about their mental health and wellbeing if they were required to self-isolate for more than three months; two thirds were concerned that they will not get the treatment they need if they contract the virus; and nine out of 10 reported themselves to be very worried or somewhat worried about the effect that the pandemic is having on their lives. That is the reality for people living with disabilities during coronavirus: whether it is the fact that supermarket deliveries that are hard to come by—that is now starting to happen again—social distancing, which other Members have raised, or benefits, there are lots of concerns. Many of these challenges are presented to us by the pandemic, but that is not a reason to ignore them; it is a reason for us to do our utmost to mitigate them as best we can.

As we go into the second wave, if that is how we choose to characterise it, we have to understand that we have seen some of these problems before. It behoves us to meet these challenges better on the second occasion, and we ought to be able to demonstrate clearly that we will do so. There might be some latitude when it comes to making mistakes the first time; there will be no latitude if we do the same thing again, so let us have clear support for people with disabilities, and let us have clear guidance around shielding. People have often asked me where shielding fits into the three-tier system—perhaps the Minister will cover that in his response.

I know we have collectively fired a lot of questions at the Minister, so I will give him the maximum available time to answer them all as fully as possible, but in the time remaining, I will make some constructive suggestions for him to consider, starting with the welfare system. We have called throughout the pandemic for a range of social security measures that would provide immediate support for disabled people. They include converting universal credit advances into grants rather than loans, ending the five-week wait entirely, suspending the benefit cap, and abolishing the two-child limit in universal credit. The uplift to universal credit is very welcome—we recognise that—and we have called for that to be extended to legacy benefits.

I hope the Minister will reflect on those measures and commit to a few of them since he is here. I hope he will also commit to the imminent publication of the Government's national strategy for disabled people and the Green Paper on health and disability benefits and support. The response to the call for evidence on violence and abuse against shopworkers got blocked in the coronavirus communications, because there was a sense that there was no opportunity to communicate on anything else. Actually, we knew it was more necessary, because of the conditions for retail workers in the pandemic. The principle is the same here. The sooner we can see those things, the better our response and our support will be for those living with disabilities.

Moving on to the world of work, my hon. Friend the Member for Sheffield, Hallam made a point about face-to-face assessments for in-work or not-in-work welfare benefits. Obviously, those were suspended in March. I think every MP has constituents who have had really horrible experiences at those assessments and talked about how that made them feel. I certainly felt a bit of relief that they were suspended. How have the Government used the time before they are resumed, or

the system gets back on to a more normal footing, to come up with a more dignified, more humane and fairer assessment process that does not cause such physical or mental harm to those who have to go through it? *[Interruption.]* The Minister speaks from a sedentary position; I am sure he will go on in even greater detail in just a couple of minutes.

On employment issues, there is guidance on covid-secure workplaces and the vast majority of employers are doing the right things. I would be interested in learning how the shoe drops for those who are not, particularly for those who are living with disabilities at work. We have heard stories from many colleagues that this is a particularly stressful situation, and we know that it is translating into rates of employment for those with and without disabilities and creating even greater disparities. In my three years as adult services lead in Nottingham, one of my greatest frustrations was our failure to make better progress on rates of employment for those living with disabilities. This will only make that more challenging.

The recent report from Citizens Advice has worried all of us. It found that 27% of disabled people face redundancy, rising to 37% of those whose disability has a substantial impact on their activities and nearly half of those who are extremely clinically vulnerable to coronavirus. None of us wants that to be the case and none of us thinks that it should be the case, so I would be interested to know the Minister's views on why that is happening and what he intends to do about it. Otherwise, it will just be another disproportionality that those living with disabilities suffer from.

I have covered as much ground as I could in the time available and I want to leave the Minister plenty of time. In many senses, the Government are getting a second bite of the cherry. If they reflect on the experiences in the first wave, if they talk and engage those with disabilities as experts to co-design the services that they use and need, they can do much better this time. I hope to hear that commitment from the Minister today.

2.48 pm

**The Minister for Disabled People, Health and Work (Justin Tomlinson):** It is a pleasure to serve under your chairmanship once again in Westminster Hall, Mr McCabe. I pay tribute to the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who has a long-standing reputation as a proactive, constructive chair of the all-party parliamentary group for disability. I have had the pleasure of attending many meetings, including one this week virtually, as we embrace new technology. She is held in high regard across Government and that was reflected in the nature of this debate. It has been good-natured, conducted with good spirit, and has highlighted the important concerns that we collectively have to address as we navigate the unprecedented challenges of covid.

I also pay tribute to the former Minister, my right hon. Friend the Member for Basingstoke (Mrs Miller), who did so much work in this role to lay the foundations that so many disabled people, pan-disability, have benefited hugely from.

I will try to respond to as many points as I can, in particular where MPs have raised specific points, but first, a sense check: I am the Minister for Disabled People, but the Department for Education leads on special educational needs, for example, and the Department of Health and Social Care leads on care easements.

[Justin Tomlinson]

However, I have attended a Women and Equalities Committee hearing that covered those things, so I have a reasonable understanding of them. As the Minister for Disabled People, Health and Work, I have two primary roles. I am responsible for all things related to disability in the Department for Work and Pensions—predominantly the provision of disability benefits—but I am also responsible for our Disability Unit, which was launched last year and which is based in the Cabinet Office.

The unit is the eyes and ears of disability issues across Government, making sure that disability issues are embedded in policy development. It is personally supported by the Prime Minister, which makes my job much, much easier. Disability issues are brought up at Cabinet and in interministerial groups, where I get to instruct other Ministers about their importance. We are an asset across Government, because we spend—I in particular spend—a huge amount of time on stakeholder engagement. In the past seven days, just as part of my ongoing work, I have met representatives of all the national charities that have been mentioned in the speeches today. I enjoy talking to people with real lived experience, and we then flag up that experience with the relevant Department if it is not DWP, and it makes a tangible difference.<sup>1</sup>

Many people today have talked about the challenges of accessing food during covid. Actually, the Royal National Institute of Blind People was one of the many charities that we were able to link up with the Department for Environment, Food and Rural Affairs, which allowed its representatives to bring their real lived experience to bear, and that sped up the process of improving the situation. The DEFRA Minister was then able to share that exchange as best practice with other Ministers and tell them to look at Disability Unit as a helpful resource, because we can signpost people to experts, who speed up policy development and make sure that it is right first time.

Looking at the broader points that were raised, one was accessible communications, and it is absolutely vital. Again, through interministerial groups and with the support of the Prime Minister, we have been reminding cross-Government Departments and public sector organisations outside Government that they have a duty under the Equality Act to ensure that communications are accessible. Using the RNIB again as an example, it has proactively helped us to look at communications and put them into Easyread and braille. In my own Department, we have launched our deaf-signed YouTube channel, which explains benefits through British Sign Language. There is a lot more best practice that we have to share, but again, through the Disability Unit, we are keeping a very close eye on what the Government and other connected organisations are doing.

**Jim Shannon** rose—

**Justin Tomlinson:** I will take some interventions in a bit; let me just clear a few things first.

I also believe that we need to be smarter about how we use our stakeholders in future announcements regarding the difference in guidance on tiers 1, 2 and 3. What we should do is to make sure, as quickly as possible, that we communicate to our extensive network of stakeholders the potential impacts or opportunities as guidance changes, so that they can then share that very quickly with their

members. That is because a lot of communication is reliant on people watching the news and following our powerful speeches in Parliament, but sometimes they do not do that, so we need to rely on our network of stakeholders, who have much better reach than our Twitter channels. Both my hon. Friends the Members for Warrington South (Andy Carter) and for Southend West (Sir David Amess) highlighted the trust, expertise and reach of good local organisations. Again, if they are part of sharing the communication, we know that those who are most in need of good communication will be able to get it.

On social distancing and hidden disabilities, the hon. Member for Enfield, Southgate (Bambos Charalambous) is absolutely right about the sunflower lanyard. The dilemma for the Government is that technically it is produced by a commercial organisation, because it can sell these lanyards, and Governments do not normally publicly endorse a commercial organisation when it has competitors, because we are not supposed to pick winners; we are supposed to do open exercises. However, my personal view is that these are unprecedented times and that of all the different schemes—there are many very good schemes—that is easily the best known one and I think that we absolutely should get behind it.

Other Ministers who have been in conversation about this issue with the hon. Gentleman have also talked to me, and we are trying to work out the best way to promote this scheme, because it works two ways. One, we absolutely need to make things as easy as possible for people with hidden disabilities, and the hon. Member for St Albans (Daisy Cooper) very eloquently set out the importance of that. However, there are also people we rely on to challenge people who are not abiding by the rules, because they do not like it when they get it wrong and they ask a question of somebody with a hidden disability. We have to get it right for both parties. However, this is an issue that I am really keen to push on, and I think that is the best possible scheme.

I pay tribute to organisations such as Transport for London, which have been brilliant at improving communications, so that the general public are more aware about hidden disabilities. I know that lots of other businesses are looking at that issue and I encourage them to do more. I also welcome the fact that the NHS is trialling 250,000 clear masks. Again, there will be lessons to learn from that.

I turn now to care easements, which have been used by only eight of 151 local authorities and are meant to be a last resort. It is not *carte blanche*, as they are underpinned by the Human Rights Act, but the broad principle is that if covid causes an organisation to have such a depleted workforce, we do not want a situation where immediate urgent care in somebody's home is missed for the sake of filling in an annual report. That is an extreme example, but that is the sort of reason why, with great reluctance, we all collectively voted for that. Absolutely, the moment when we do not need those emergency powers, they should go. What stakeholders are asking me—many of the stakeholders actually deliver adult social care, so they are saying it from two angles—is to ensure good transparency so that, when a local authority does that, not only the Care Quality Commission but independent stakeholders can keep an eye on it. That is an example of where something came to us, the Disability Unit took it across Government and, within



hours, guidance was pushed through and it was easier to be more transparent. Again, we will keep a close eye on that.

I turn now to my responsibility in the DWP in terms of face-to-face assessments. My shadow, the hon. Member for Nottingham North (Alex Norris), kindly said that we should continue to improve them, and rightly so. They were introduced under a Labour Government, and we have done over 100 improvements following five independent reviews. One thing about suspending face-to-face assessments and doing auto-renewals is that what limited capacity we had left was then able to concentrate on new claimants, so new disabled people and people with health conditions could access financial support; those whose conditions had changed and who would be entitled to more money; and, absolutely, those with terminal illness, so we could still process those in four to six days.

We brought forward telephone assessments. We had planned to pilot them over 12 to 18 months; we piloted them over about 12 to 18 minutes in the end. As part of the Green Paper, we will be looking at how well received they were. Anecdotally, the stakeholders like them. They are not perfect, and there is more work to do, but stakeholders want them to stay. Will video assessments help? What more can we do to gather clearer evidence that increases the likelihood of a paper-based review and getting the assessment right first time round? Collectively, the improvements we have been making have delivered an additional £10 billion a year to support people with disabilities or long-term health conditions.

Access to Work is changing, and that is a good thing and an opportunity for the future. It recognises, for the first time, that people do not always have to come into the traditional workplace. We will provide funding for people at home and towards additional travel costs if there are links around covid. We are doing proactive webinars through Disability Confident, and I pay tribute to Microsoft, which has sponsored an additional round of those. Our Disability Confident leaders are sharing best practice through their business networks.

On the broader points about disability employment, all the funding for the Work and Health programmes,

intensive personalised employment support, Access to Work and Disability Confident has been protected, and all of the £30 billion Plan for Jobs package is open to disabled people. Access to Work can help if additional assistance is needed. We are working proactively with our jobcentres to promote that.

On the final, broader point about the national strategy and the Green Paper, both are happening. The Green Paper focuses on the DWP around improving access to evidence, assessments, monetary consideration, appeals and employment support. We are actively doing pre-stakeholder engagement before we look to launch the Green Paper towards the end of the year. The national strategy for disabled people, personally supported by the Prime Minister, is cross-Government. Each Department has to set out what its ambitious priorities are to remove barriers and be more inclusive for disabled people. We will put that to disabled people for them to audit, and we will then bring forward conclusions on both of those papers.

We are absolutely determined that there will be an inclusive recovery. Disabled people, disabled people's organisations and stakeholders will always be at the heart of our policy development. We are proud that we have delivered record disability employment and that we are increasing funding for those most in need in society. Covid has given us unprecedented challenges, but we will not be diminished in our ambition to improve the lives of disabled people.

2.59 pm

**Dr Cameron:** I thank all hon. Members on both sides of the House who took part in this excellent debate. I thank the Minister and shadow Minister for their heartening responses. We all wish to ensure that disabled people are at the heart of strategy moving forward. For the hon. Member for St Albans (Daisy Cooper), the APPG for disability will be taking forward an inquiry into access to parliamentary offices.

*Motion lapsed (Standing Order No. 10(6)).*

3 pm

*Sitting suspended.*

## Sudan

3.1 pm

**Steve McCabe (in the Chair):** I want to mention a few things. I will not go through the whole routine, but you are advised to wipe the microphones, observe social distancing and speak from the horseshoe. Only people on the call list can be called. If people use their time sensibly and modestly, we could possibly get through this before the Divisions at 4 pm, which I think would help everyone.

3.2 pm

**Harriett Baldwin (West Worcestershire) (Con):** I beg to move,

That this House has considered the June massacres in Sudan and the UK's support for Sudan's democratic transition.

Thank you, Mr McCabe—I shall try to observe that departure time. I thank the Backbench Business Committee for allowing us to have this as one of the first debates in Westminster Hall since it reopened. In a world full of bad news, Sudan's transition to civilian rule is a beacon of good news. We must make every effort to ensure that this transition to democracy is peaceful and successful. We all remember the years of brutal conflict in Darfur, and that underlines how important it is that Sudan makes a successful transition to freedom, peace and justice.

Last year the people of Sudan rose up and ousted former President Omar al-Bashir, who was in power for 30 years, and who was the first sitting President to be indicted by the International Criminal Court, for allegedly directing a campaign of mass killings, rape and pillage against civilians in Darfur. After he was deposed by the Sudanese people last year, he was imprisoned, tried and convicted on multiple corruption charges.

However, on 3 June 2019, after the Sudanese had forcibly removed President Omar al-Bashir in April 2019, but still during the uprising calling for freedom, peace and justice, some military units stormed the protesters' sit-in site, leading to the death of perhaps as many as 100 protesters. So my first question to the Minister this afternoon is, what can our ambassador to Khartoum, the excellent Irfan Siddiq, tell us about the progress of the inquiry into this massacre? It has been over 15 months, and the inquiry is under way, but the world will not forget the victims and wishes to see justice. Is there more that the UK Government could do to help the inquiry and the search for justice?

The transition to democracy, with a Transitional Legislative Council led by Prime Minister Abdalla Hamdok, is civilian-led. The all-party parliamentary group for Sudan and South Sudan, which I chair, gives the Prime Minister and the process of transition its full backing. Some of the legislative changes brought in so far to end the oppressive legislation of the Bashir era are world class in their scope. I particularly welcome the fact that female genital mutilation has been criminalised. I remember seeing in Khartoum how the UK was funding programmes to help women speak out against this practice on behalf of their daughters. I seek reassurance from the Minister that that type of work continues. What else can the UK do to support the Transitional Legislative Council to build democratic institutions and prepare for the elections in 2022? We are funding a range of programmes aimed at building democratic institutions, and I would be grateful for an update from the Minister on his thinking on that.

The all-party group also welcomes the recent historic peace deal. Comprehensive and inclusive security sector reform is vital, but it will be challenging. The key test of a civilian democracy is that the armed forces are under civilian control, and can intervene in domestic matters only at the request of civilian authorities that are accountable to the people. With the joint African Union and UN peacekeeping mission in Darfur ending, pending an update provided to the Security Council this month, I would be grateful for an update from the Minister on how he will reassure himself that the new joint force is trained and able to protect civilians peacefully. What is the UK doing to assure itself that the peace deal is effectively implemented on the ground, and how can we encourage non-signatory groups to sign the peace agreement?

Every country in the world is having a tough time economically at the moment, but poor people in Sudan are having a particularly tough time. Unlike most places in the world, which often attract global investment when there is regime change of this nature, Sudan is hampered by being on the United States state sponsor of terrorism list. The former regime was, of course, a state sponsor of terrorism, so that was appropriate. However, the transitional Government have taken steps to agree reparations.

I welcome the announcement at the Berlin partnership conference in June of the UK's pledge of £150 million to help the economy, including £75 million of bilateral support and £80 million for the World Bank and IMF's work on economic reforms. The bilateral support covers not only vital humanitarian assistance but vital funding for health, clean water and media freedom. The UK has also helped the UN Sudan Humanitarian Fund to help the victims of this year's exceptional floods. In addition, through our funding of the Global Partnership for Education, the UK is helping to educate children in Darfur and elsewhere.

However, no economy can truly recover without being able to attract global inward investment. That is why I believe that now is the time for the US to lift Sudan's designation as a state sponsor of terrorism. I understand that it is a bilateral issue between the United States and Sudan. I also understand that President Trump had the paperwork near his desk this summer, but that, at the last minute, the US Secretary of State made an additional request to Sudan that it normalise relations with Israel. No one would be more delighted than I if Sudan's transitional Government chose to take that step, but it is a big ask of a transitional Government that has not been installed in any democratic exercise.

If the Prime Minister of Sudan feels that now is the right time, and that this is the right move for Sudan, I am sure such a move would have the UK Government's whole-hearted support. It would certainly have the support of the all-party group. We have warmly welcomed normalisation between Israel and the United Arab Emirates, and between Israel and Bahrain, and it would be historic progress. However, I would understand if that step were thought too great a leap for the transitional Government right now. I certainly do not think the United States should make it a prerequisite for lifting the state sponsor of terrorism designation.

I ask the Minister to reach out to his US counterpart—and to ask his boss, the Foreign Secretary, to reach out to his US counterpart—to urge the Administration to

act within the next few weeks. Whatever the outcome of the US elections, now would be a good time to celebrate one of the foreign policy achievements of President Trump's Administration, reward the historic progress made in Sudan and enable the economic benefits of inward investment to flow into the country. My final question is, if that happens, will the Minister recommend that the Prime Minister appoint a UK trade envoy to Sudan, so that our two countries can increase their economic links?

Thank you again, Mr McCabe, and thanks again to the Backbench Business Committee for timetabling this important debate.

3.10 pm

**Jim Shannon** (Strangford) (DUP): I extend my thanks to the hon. Member for West Worcestershire (Harriett Baldwin) for setting the scene so well, as she always does, and for bringing this important debate to Westminster Hall. I also put on record my thanks to her for the excellent work she did in her former position as Minister for Africa. It is not a surprise that she is here to put the case, and we are pleased to benefit from her wealth of knowledge. I am also happy to see the Minister in his place.

I echo the comments that the hon. Lady made in the House in June last year, when she rightly described attacks against civilians in Sudan as “sickening and brutal,” and they were. How else could one describe the terrible killings of over 100 peaceful protestors in Khartoum by members of the security forces? There is an urgent need to conduct detailed investigations into that violence and to hold all those found complicit in human rights violations in Sudan to account. When the Minister responds, can he tell us if he has had those discussions and, if so, can we be assured that those involved in those terrible atrocities will be accountable?

The Sudanese constitutional declaration commits to establishing an independent committee to investigate these killings. I urge the Minister to encourage his Sudanese counterparts to bring the people responsible to justice and to offer any support that the Government can to help make that happen. There is also a need to ensure that other human rights—particularly freedom of religion or belief—are respected in Sudan. At this point, I should register an interest as chair of the APPG for international freedom of religion or belief.

In terms of that fundamental human right, there have been many positive developments recently in Sudan. We have to welcome those, because that is good, positive progress. The Government have abolished legislation that made apostasy punishable by death. It has also made changes including the end of public flogging; the banning of female genital mutilation, which the Lady referred to, and which we all abhor, so we are glad to see that step; allowing non-Muslims to drink, import, and sell alcohol; and giving women the right to travel abroad with their children without producing proof of permission from their husbands. Some of these are small steps, but they are giant steps for people who have had their basic human rights denied for many years.

However, there are still problems. For example, Sudan's criminal code contains several other provisions that limit personal freedoms and criminalise blasphemy, which have not yet been changed. So there are things we can still do. Churches have also been targeted by attackers,

despite recent developments. As Sudan moves slowly towards a transition to equality and opportunity, and the right for people to express themselves, we find that some are holding things back. For example, a temporary straw church building belonging to the Sudanese Church of Christ in Omdurman was set on fire on 14 August 2020, just a few months ago.

In another recent development, on 13 August 2020, a judge in Khartoum sentenced a Christian woman to two months imprisonment and a 50,000 Sudanese pound fine for violating article 79 by dealing in alcohol, despite amendments that have been introduced, but which do not seem to be being implemented, stipulating that article 79 is no longer applicable to non-Muslims. The Government have made a commitment, which has to be delivered on. A Christian woman found herself in a position where she thought she was working within the law but was then disciplined because of the interpretation of it.

These incidents highlight how much more work there is still to do. It is important that the UK Government push for commitment to human rights reform. The hon. Lady referred to that, I want to see it and I believe everyone here would say the same thing. International scrutiny will be essential to make sure that the demands of Sudanese people are met. Those demands include the creation of a transitional Parliament representing every region, and it is important to set aside seats in it for those of other ethnic and religious minorities. Other countries have done it. Why not Sudan?

The demands also include the appointment of civilian governors, justice and accountability for human rights violations, so that when violations happen there is a methodology for addressing them. The UN Human Rights Council, in particular, should be pushed to maintain close scrutiny of the human rights situation in Sudan: is it transitioning correctly and are the steps that have been committed to taking place? That needs to be established. The Human Rights Council should also be pressed to adopt a resolution allowing for annual independent reports from an individual or a body mandated to monitor and investigate human rights abuses in Sudan. I believe that, if we can monitor, check and regulate from outside we can see whether the job that the hon. Member for West Worcestershire and I want done is getting done.

I urge the Minister to help by pushing for the removal of sanctions on Sudan, and encouraging the US to remove it from its list of state sponsors of terrorism. The hon. Member for West Worcestershire is absolutely right about that. If we are to encourage democracy and encourage the country to move forward, we need to do that, and I fully support it. Restrictions on US foreign assistance would be lifted and Sudan would be allowed access to much-needed debt relief and financing from the International Monetary Fund and the World Bank. If we want to bring a nation forward and give it the opportunities that others have had, one thing that must be done is to give people the opportunity to have a better life—a better quality of life and greater wellbeing through employment, living standards, and so on. That can happen if we act as I have outlined.

Finally, I call on the UK Government to work with the international community to provide financial and technical assistance to the Sudanese Government for the reform process, so that we can help them to manage

[Jim Shannon]

the process and the transition from a dark past to a bright future. It is a pivotal and delicate moment in Sudan's history, and we want to help. There is a good opportunity for progress, after decades of oppression, but there is also the ever-present danger of descent back into tyranny and chaos, as we know all too well from the Arab spring, which showed how quickly things can change. I know that the Minister acts on his words, and we know him by reputation and the job he has done in the past. I urge him to do all he can to ensure that that pain of transition will turn to prosperity for the Sudanese people. That is what I and the hon. Member for West Worcestershire and, I believe, the Minister all want.

3.17 pm

**Alexander Stafford** (Rother Valley) (Con): It is a rare delight to speak in this House on Sudan, a topic that we do not often debate. When I visited the country a few years ago I discovered a beautiful land with a rich history, many UNESCO world heritage sites and a warm and friendly people. However, the Sudanese have been failed; they have suffered systemic poverty, an earth-shattering civil war and Government repression. Members will be all too aware of the terrible massacre of 3 June 2019 when security forces opened fire outside a military headquarters in Khartoum on protesters who were calling for the generals to hand power to a civilian Government. Countless innocent people died. Opposition doctors claimed that 130 people were killed and hundreds more injured. That was a disgusting and sickening crime against people who were standing up for democracy, and this country and its Government must stand with those who died and support them and their relatives.

After the massacre, the UK summoned the Sudanese ambassador to the Foreign Office to register its concerns and called for the establishment of an independent inquiry into the massacre. The Government also made it clear that there must be an agreed transfer of power, as demanded by the people of Sudan. Today I am pleased that significant progress has been made as a result of the constitutional declaration of August 2019, and that the UK's statement has been heeded. I appreciate the fact that the Government has stepped in to protect people and move things forward.

The agreement secures the creation of a council of Ministers and a legislative council. Encouragingly, 40% of seats on the legislative council are reserved for women, which is a remarkable statistic for the region. The agreement also includes a commitment to an independent investigation of the atrocities of the June massacre. The transition really does promise a bright new future for Sudan, and it gives the Sudanese people a real stake in their country for the first time. We have heard passionate descriptions by my hon. Friend the Member for West Worcestershire (Harriett Baldwin) and the hon. Member for Strangford (Jim Shannon) of what has been done in the transition, but clearly a lot more needs to be done and words need to be backed up by actions on the part of the current regime in Sudan.

The UK's support for Sudan's democratic transition remains resolute and steadfast. In June's aid conference, we committed £150 million to Sudan for humanitarian aid, social programmes, new infrastructure, Government reforms, and, in addition, the coronavirus response. At the conference, the Minister for Africa repeated that the

UK Government would work with the Sudanese Government for successful democratic transition. However, as we have heard, things have not always gone to plan and not always gone smoothly, so we must press the Government to go further and faster with the Sudanese Government.

Considerable challenges remain for Sudan, and there is more that the UK must do to secure the country's future. This month's peace agreement, signed by the transitional Government and armed rebel groups, was welcome news. However, it needs to be fully implemented and must be expanded to include all armed actors. Sudan must undertake serious economic reform, building on the help already offered by UK experts, and must ensure greater transparency in governance, a robust environment for media freedom and improved healthcare provision.

Of particular interest to me is the religious freedom of Sudan and the protection of Christians there. In the recent past I have been deeply concerned by the persecution of Christians in the country, with Open Doors ranking it the seventh worst nation on earth for that crime. There are nearly 2 million Christians in Sudan, an important minority in a nation of 30 million Muslims. However, religious conservatives have been pushing for a sharia state so that they can enforce a strict Islamic regime. Thousands of Christians have been killed and displaced indiscriminately. Many churches have been demolished, Christian leaders have been arrested, and blasphemy laws have been used to criminalise Christian-born citizens and converts alike.

The civilian-led Sudanese Government must take urgent steps to protect Christians, their faith and their culture in accordance with the rights and freedoms promised by the constitutional declaration. As we have already heard, promises have not been matched with actions, and the UK Government must intercede and press the Sudanese Government on that. Nevertheless, I am optimistic about Sudan's prospects under a civilian Government, with marked improvements in governance and security. I would love to see tourists visiting Sudan from all over the world. I very much believe that tourism and opening it up Sudan to the world will reduce many of its problems and increase its wealth as more people come in and see the wonderful sights. It is a place that many know little about, despite the fact that Sudan has so much to offer, which is something that I discovered when I visited a few years ago.

For instance, I am sure the House knows that Sudan has more pyramids than Egypt. The majestic Nubian pyramids at Meroë and Nuri are every bit as impressive as their Egyptian cousins, but are completely forgotten by some. General Gordon's Nile gunboat lies distressed, alone, in the Blue Nile Sailing Club in splendid isolation, and the imposing confluence of the mighty White and Blue Niles sees little fanfare. The ancient city of Naqa is one of the largest ruined sites of Sudan. It once served as a bridge between Africa and the Mediterranean world and boasts gems such as the Temple of Amun. Even, as the House will know, my passion for the Emperor Justinian of Byzantium was sated when I travelled there and discovered that the Nubians were converted by missionaries despatched by the emperor in the 6th century. That shows that Sudan has been at the centre of our world, the Mediterranean world, for a long time, and it

is a shame that we have let it go away and not embraced it as much as we should have. We should return to the days of embracing it.

Sudan truly is a wonderful and exciting country. I urge Ministers to listen to what we have heard today and take it on board to help push everything forward. I look forward to returning soon to witness Sudan's democratic rebirth.

3.23 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr McCabe. I commend the hon. Member for West Worcestershire (Harriett Baldwin) not only for securing this crucial debate, but for the leadership and commitment that she has shown over many years to secure peace and justice in Sudan, not only in her tenure as the Minister for Africa but now as the chair of the all-party group on Sudan and South Sudan. I declare an interest as a long-standing member of that all-party group and as someone who has spoken over many years on Sudan and South Sudan, including in my time before I was elected to Parliament when I worked for World Vision and Oxfam. I also have a significant Sudanese diaspora in my constituency of Cardiff South and Penarth who have regularly raised concerns, particularly during the turbulent times that we have seen recently.

I also worked with our former colleague, Jo Cox, along with the former Prime Minister David Cameron and the right hon. Member for Sutton Coldfield (Mr Mitchell), to highlight many of the atrocities occurring in Darfur many years ago. We took them out to Sudan and Jo showed them at first hand the reality facing the people in Darfur at that time. The contributions to the debate, including from the hon. Members for Rother Valley (Alexander Stafford) and for Strangford (Jim Shannon), show that the House stands united in support for the Sudanese people and the work that they are doing to secure a new future of prosperity and justice under a civilian-led Government. We have had some very informed contributions.

The Khartoum massacre in June last year was a sickening display of arbitrary violence wielded against peaceful protesters by the then security forces and the transitional military council. It was an unprovoked attack on protesters, who were acting peacefully in calling for a transition to civilian-led government. It was a violent and bloody attack on the Sudanese people's rights to freedom of assembly, expression and political activity, and it was rightly condemned by the UK Government and the United Nations. Although there are conflicting reports on the exact number of people who lost their lives or were injured—not least due to the internet blackout and other restrictions—Amnesty International has shown that over 100 people could have been killed and more than 700 injured. There was indiscriminate use of live ammunition, tear gas, whips and sticks, and there are disgusting reports of sexual violence against women and men. Again, can the Minister give us details on what the Government are doing to support the inquiry into the atrocities that have been reported?

Unfortunately, torture, arbitrary arrest, physical and sexual violence and rape are the ghastly tools of oppression that have been used by Sudanese security forces in the

past, both before and after the overthrow of President al-Bashir. Conflict and attacks have been endemic for the past 20 or 30 years, most notably in the Darfur genocide, but also in the other conflicts that we have seen. The rapid support forces, the national intelligence security services and other militia groups, including those referred to as the Janjaweed, have enacted violence and repression in multiple scenarios. They were also believed to be participants in the Yemeni civil war, and they are suspected of war crimes by Human Rights Watch.

Obviously, the decisions on al-Bashir and whether a trial takes place at the International Criminal Court are ongoing. I want to point out that one of the Janjaweed leaders, Ali Muhammed Ali Abd-Al-Rahman, is subject to arrest for atrocities allegedly committed in Darfur. He has surrendered in the Central African Republic and is due to attend hearings in The Hague. It would be useful to hear the Minister's views on that case.

The physical, medical and psychological impact of the attacks on the civilians of Sudan is immeasurable. As the historic Juba peace agreement moves Sudan forward towards an inclusive, open and democratic civilian-led Government, the crimes of the past must not go unpunished, and the victims of the attacks must receive justice. The Sudanese Government should facilitate investigations and justice, including ascertaining the full facts of what occurred in the massacre last year and in other attacks over the recent decades, and providing support to people who have faced physical and sexual violence. I hope the UK Government will give their full support to those effective justice processes for people who have been affected.

Although the massacre and attacks have marred so much of the revolution in Sudan, the Juba peace agreement is a historic achievement and a significant reward for the persistence and commitment of the Sudanese people. By bringing rebel groups into the governing council, into the Ministry and into the transitional council, the agreement has rightly put reconciliation and co-operation at the heart of the transition process. I hope that the Minister can explain what the UK is doing to support the implementation of the agreement and to ensure that there is not impunity for the people who have been involved in crimes against humanity, genocide and other human rights abuses over past decades.

[DR RUPA HUQ *in the Chair*]

The Juba peace agreement also deals with the return of more than 2 million Darfuris to their homes and villages. As the hon. Member for West Worcestershire pointed out, the joint UN and African Union peacekeeping mission in Darfur will finish at the end of this month, leaving the protection of civilians entirely in the hands of the Sudanese armed forces. Given the attacks that have historically taken place against the Sudanese people, there are understandable fears, so I hope the UK will use its position on the UN Security Council to push the United Nations to fulfil its responsibilities to the people of Sudan, and to work with the new Government in Sudan to ensure that there is appropriate protection. Hon. Members have made the point that other groups, particularly Christians, have been targeted in the past. I, too, have worked with Open Doors, and I commend its reports about the situation for Christians and other religious minorities.

[Stephen Doughty]

Political transitions are always precarious, and the violence in recent years makes the situation in Sudan even more so, but added to the mix are significant economic and development challenges. As we have heard, Sudan is dealing with the worst flooding that it has experienced in decades. The number of people at risk of contracting water-related diseases has doubled from 5.6 million in April of this year to more than 10 million now, with water sources facing biological contamination. There have also been agricultural losses. It is estimated that 1 million tonnes of crops have been damaged and hundreds of thousands of heads of livestock belonging to tens of thousands of households have been lost. We have also heard about the locust infestations in many regions across east Africa, but the impact in Sudan and South Sudan in particular is serious.

As in all countries across Africa recently, we have heard in the past few days worrying reports from the World Health Organisation and the African Union on increasing cases of covid-19, and Sudan, too, has been affected—in both the primary effect and the secondary impact of diverting efforts from tackling other diseases. Deaths have fallen in Sudan, but this is an ongoing situation that the UK Government and others will have to keep closely on top of. Will the Minister help by outlining what support and changes to Foreign, Commonwealth and Development Office programmes are going on in relation to Sudan, in particular in response to the flooding and agricultural damage?

The hon. Member for West Worcestershire was right to point out the situation with regard to the US and Sudan's place on the state sponsors of terrorism list. It would be useful to hear from the Minister whether he believes such measures remain appropriate now, despite past activities. What assessment have the Government made of the impact that sanctions are having on the peace and transition process?

Sudan also holds up to \$60 billion in past debts, including debts owed to UK Export Finance of just over \$860 million. Will the Minister tell us what steps are being taken to investigate debt restructuring and relief for Sudan, in particular to support the transition to democracy?

We must look to the UK's ability to respond to ongoing processes, as this transition is showing, given the change in UK Government machinery with the merger of the Department for International Development and the Foreign Office. Obviously, there are multiple issues there, including human rights, justice, rule of law and democracy, and, of course, the development challenges.

Sudan received £84.3 million for 2019-20, but I understand that only £33 million has been approved for 2020-21. The Sudan conflict reduction and stabilisation programme is also planned to end in March 2021. That is my understanding of the figures—if incorrect, will the Minister clarify what the budget for Sudan will be from official development assistance spend? What programmes will be cut or reduced? Will the Sudan conflict reduction and stabilisation programme continue past March next year?

Finally, Sudan is obviously a strategic location. Not only is it right to get behind the transition and peace and stability in Sudan, but there is the wider UK strategy in east Africa, with that focus on development, trade,

security and stability. Will the Minister say a little about how the UK's priorities in the wider region will develop, and how Sudan sits within them? What is happening with regard to South Sudan, which remains in an extremely volatile and serious situation to the south?

We all, like the hon. Member for West Worcestershire, want a situation in which we can visit Sudan and celebrate its incredible history and people. My father visited Sudan in the 1970s on a joint services expedition with the British Army, as part of a Royal Geographical Society exploration. He told me some fantastic stories about people he met and the wonderful sights he saw. He travelled through Darfur, including El Fasher, and other places which, decades later, were subject to some of the worst atrocities we have seen in recent times. We are all behind this transition and we all want to see Sudan and its people succeed into the future.

3.33 pm

**The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (James Duddridge):** What a wonderful debate, and what wonderful passion from people who know and have visited Sudan. I should start by thanking by my hon. Friend the Member for West Worcestershire (Harriett Baldwin), but instead I thank my hon. Friend the Member for Rother Valley (Alexander Stafford), who, in the unlikely event that he wished to take up a second job, could do so for the Ministry of Tourism of Sudan.

When I was explaining my Africa role to a colleague in the Tea Room, they said that they did not know Africa very well, adding, "But I have been to Sudan to tour around." The depth of understanding of the continent among Members of Parliament is much richer than one would at first assume. That is not just on the paths most well trodden, but with respect to some of the beauty spots. I did not know about the pyramids, for example. However, I will not get overexcited about Sudanese history, because the debate included lots of matters of substance, which is what I want to concentrate on.

I congratulate my hon. Friend the Member for West Worcestershire not only on her work as Minister for Africa and on Sudan, but on her continued work for the all-party group on Sudan and South Sudan. Two weeks ago, in particular, the group had a good discussion of an hour, when some concerns were shared and I updated them a little. It is good to formalise those discussions and open them up to the rest of the House.

First, I should say that Sudan matters incredibly to the United Kingdom, and increasingly so, both today and over the next few years. We have long-standing historical ties and a vibrant diaspora. The shadow Minister, the hon. Member for Cardiff South and Penarth (Stephen Doughty), discussed his diaspora, which is not typical, but neither is it uncommon—there are many concentrations of Sudanese diaspora across the UK. We are proud of our support for the change process, sometimes quietly and discreetly behind the scenes, sometimes slightly more up front. We are ready to make Sudan a priority, and I do not use those words lightly, representing as I do 47 different countries—that is not even the whole continent.

Our engagement in Sudan reflects why we have brought together development and diplomatic expertise, as the hon. Gentleman also mentioned. That means that everything is joined-up and different elements of Her

Majesty's Government can better operate together. We have come together for countries such as Sudan, where things are quite complicated, but also for those across the continent for which there is no simple development answer—we have touched on economics, tourism and a number of other issues. We have come together to end conflict and help that bottom billion.

In considering why Sudan is important, I want to reflect on the Foreign Secretary's appointment of Stefan Dercon as his policy adviser, to ensure primarily that we are spending official development assistance well, but also that we are spending it where we have maximum impact—for example, on an international opportunity, or where we have specific expertise. We have specific expertise and history in Sudan. There is a specific opportunity to help the transitional Government to get back on their feet and a specific opportunity, which will not exist forever, to get the economy back on track. That is why I announced in June that we would support Sudan with £150 million overall, an uplift of what we were doing at the time.

As has quite rightly been said, we have had to reduce the budget elsewhere because of the reduction in GDP. I am more than happy to share with the hon. Gentleman a breakdown of those figures so that we can unpack that. I know that he has a different perception, but this is one area in which we are investing more than we expected to. That is documented, but I will ensure that, beneath the bonnet, all the programmes that he and others in the Chamber consider effective are reflected.

As several hon. Members underlined, Sudan has seen massive changes since Bashir went in April 2019, and I acknowledge the bravery of the citizens who pushed that change. They often faced violence and made lots of sacrifices, many of which were quite horrific, so we must stand side by side with their successors to deliver the full change, rather than allowing this to be simply one particular event in which one person has gone.

Despite attempts to silence those voices, I am heartened that, 18 months since the removal of Bashir, Sudan remains on a good path. Progress is never as fast as we would like, but the trajectory is solid. Throughout the period, we have demonstrated our support for a civilian-led Government, and for Prime Minister Hamdok specifically. We have engaged politically, and built international support and an extensive development and humanitarian programme.

The first challenge is perhaps the economy. There is an unsustainable debt, which we cannot fix until some of the fundamentals are there, because inflation is at 160%. We need to internationalise that situation, which is what the Berlin conference was about and why we pledged £150 million overall, £80 million of which will go through the World Bank to support a safety net to protect the most vulnerable during a financial transition. That will allow for the debt to be delivered, so that we can build a sustainable economy, particularly when we move forward to the next stage—I will come back to the economics later.

We should also commend the Juba peace deal of 2 October, but we do not remain lazy: we are still looking for the non-signatories to come on board. Bob Fairweather, the envoy to both Sudan and South Sudan, who is known to us all, will be pushing that forward.

I am also proud of the UK's role in UNITAMS, the United Nations Integrated Transition Assistance Mission in Sudan. That incredibly important mission will be used by the international community to help the marginalised. We have also supported UNAMID, the United Nations-African Union Mission in Darfur, which it was important to retain; we could not just walk away and leave a vacuum in Darfur. While I have not seen some of the more touristy areas, I have visited Darfur in another capacity.

Returning to the economy and how it interplays with the issue of state-sponsored terrorism, I, like my hon. Friend the Member for West Worcestershire, am disappointed that more progress has not been made. We should all recognise that sometimes loud diplomacy is not as good as subtle diplomacy, but senior officials have spoken to the US about this matter, and I would hope to have some indications of positive progress even after the process of getting it close to the President's desk. Due to both covid and the US election, these things tend to get pushed, but for Sudan this is a major building block through which other things can start happening, including trade.

My hon. Friend's idea of a trade envoy is excellent, and I urge her to lobby the Department for International Trade about it. I know we gossiped about potential names, and there are a number of good candidates who know that turf; I think we now have a number of other candidates who we know are interested in Sudan.

The challenges are big, which is why we need to get the humanitarian piece right, the economic piece right and the conflict piece right. Some 10 million people are suffering from food insecurity, which is why we have invested £70 million in development assistance this year. The pandemic has exacerbated that insecurity, and we have shifted our programmes to include an additional £5 million due to covid and to accelerate the search for vaccines and other things that are helping.

Mention was made of flooding, which has been at levels not seen in decades and has doubled down on the crisis: everything is hitting at the same time. The UK is supporting the Sudanese-led response through the UN and non-governmental organisations as part of our £27 million plan to support the humanitarian effort.

Turning to human rights, a number of people have recognised the progress made on female genital mutilation. A number of issues around women's rights that seem small to us are actually massive in that type of arena. I am less sighted on some of the blasphemy issues, but we will make sure I am sighted on those things as I deal with them going forward.

I had discussions with the Sudanese acting Foreign Minister about three weeks ago, and specifically raised issues of human rights as part of the transition. We co-sponsored the resolution at the UN Human Rights Council last week that maintains the level of support on these issues. In relation to Bashir, he remains in country and will be dealt with in country, and individuals at The Hague will be monitoring that carefully and supporting that process. It is important that justice is done, and seen to be done, to support progress going forward, as well as to punish what happened.

Most recently, we were all appalled by the violence on 13 June 2019, particularly given that it took place so long after the overthrow of Bashir and the optimism

[James Duddridge]

that followed, which shows that while the trajectory is good and going forward, there are steps backwards. There is a commitment from both the military and the protest movement to investigate; our officials have received assurances that that inquiry will be independent, and the acting Foreign Minister tells me that extensive submissions have already come in. From what I have seen, it is unclear who specifically co-ordinated and ordered that attack, but equally, it is clear from things that I have seen and been told that it was the security forces of Sudan. The Sudanese security forces—under Bashir and afterwards—are quite a disparate group, so it is difficult to understand the interactions and know who was actually responsible. If we can get answers from the inquiry, it is really important that we do so.

Despite the many challenges, I am pleased that we remain a committed long-term partner for building society and institutions. We have an excellent ambassador. I saw him when I visited, and my hon. Friend the Member for West Worcestershire has seen him a number of times. She has worked more closely with him than I have during this period. Ambassador Irfan Siddiq has worked tirelessly in the interests of Sudan, and has liaised with us back in the UK, explaining the detail. It is not always easy for an ambassador to be an honest but diplomatic friend of Sudan, and a good ambassador sometimes crosses that line and takes a step back or forward. Bad ambassadors are the ones who are liked by everyone and do not say boo to a goose. I fully support Irfan in what he is doing and other ambassadors who are honest and open, and get stuck in.

As part of our bilateral relationship, we will be moving things forward even further. I will visit Sudan, and I am looking forward to visiting the region more broadly soon. The hon. Member for Cardiff South and Penarth urged me to go into detail about the region and the neighbouring countries. I am more than happy to do that at great length; however—reading the situation—perhaps I should progress a little more swiftly.

I want to make sure I pick up everything that has been raised. On institutions, we are providing technical assistance and support. There has been talk of a nascent Parliament and women's representation. The hon. Member for Strangford (Jim Shannon) had some interesting ideas about ethnic and religious quotas. Obviously, that is not something that we have here, but it can be appropriate and can work in other countries, particularly those in transition.

**Jim Shannon:** I know the Minister will do this, but I want to have it on the record. When he visits Sudan and has the opportunity to discuss these issues through the ambassador and directly with the Government, will he

raise the issues of religious persecution and the representation of religious minority groups—not just in the Government, but in how the laws of the land are interpreted? The law of the land has changed—I have referred to article 79—but the judiciary has a different interpretation. I agree that this should be done in a gentle way, but let us do it right.

**James Duddridge:** I am happy to give the hon. Gentleman the absolute assurance that, the next time I or another Minister visits Sudan, those issues will certainly be raised.

This has been an excellent debate among well-informed people, and I hope I have made a small contribution to it. I thank everyone for their efforts, and I thank the civil servants for preparing me for what is my first covid-secure Westminster Hall debate.

**Dr Rupa Huq (in the Chair):** For us both. Harriett Baldwin, if you wish, the Floor is yours to respond.

3.48 pm

**Harriett Baldwin:** Thank you very much, Dr Huq. It is wonderful to see you in the Chair.

This has been a well-informed and wide-ranging debate, and we have covered most of the salient issues. On the Minister's assertion about the increased engagement that he and the Foreign, Commonwealth and Development Office are putting in place, as parliamentarians who are interested in Sudan, we always welcome being kept updated on the detail of those programmes. We also want to understand how much work the International Monetary Fund and the World Bank are able to do without having the "state sponsors of terrorism" designation lifted, and how much depends on that designation being lifted.

We have a window in the next two to three weeks to reiterate these points, which colleagues around the Chamber echoed, to President Trump's Administration and emphasise that the time is now right. From an economic point of view, this could not be more important to the development of the welfare opportunities of the Sudanese people and their ability to grow their economy and help themselves out of the terrible legacy that they have been left with as a result of that designation. I want to put that point on the record. I thank the Minister and colleagues who participated in the debate for highlighting what an important time this is for UK-Sudan relations.

*Question put and agreed to.*

*Resolved,*

That this House has considered the June massacres in Sudan and the UK's support for Sudan's democratic transition.

3.50 pm

*Sitting adjourned.*



# Written Statements

*Thursday 15 October 2020*

## **BUSINESS, ENERGY AND INDUSTRIAL STRATEGY**

### **CCC Report on Reducing UK Emissions: Government Response**

**The Secretary of State for Business, Energy and Industrial Strategy (Alok Sharma):** I wish to inform the House of the laying of the Government response to the Committee on Climate Change (CCC) 2020 report on reducing UK emissions.

While covid-19 has presented immense challenges for businesses and Governments, the need for action on climate change has not diminished. The Government have been clear that we owe it to future generations to build back better and support the creation of a fairer, greener, and more resilient global economy.

The UK has already taken huge strides in bringing forward ambitious net zero policies across all sectors of the economy. We have reduced emissions faster than any other G7 nation since 1990, and in 2019, we became the first major economy to legislate to achieve net zero greenhouse gas emissions.

We welcome the CCC's report and are pleased that the committee has recognised the progress we have made over the last year in establishing an appropriate policy framework to deliver our net zero ambitions.

Our response sets out the progress and the further actions we will take to deliver net zero and meet our carbon budgets. We provide specific responses to each of the CCC's recommendations outlining how each Government Department intends to put clean growth and net zero at the heart of the economic recovery.

We will publish a comprehensive net zero strategy ahead of COP26 setting out the UK's plan to work towards becoming carbon neutral by 2050. This will outline our vision for transitioning to a net zero economy, making the most of new growth and employment opportunities across the UK. This will build on the tens of billions of pounds that this Government have already committed to tackling climate change.

Just since March, we have announced over £3 billion to reduce emissions from the UK's buildings; £250 million for an emergency active travel fund as part of a £2 billion package for cycling and walking within plans to boost greener, active transport; £191 million into a sustainable innovation fund; and £100 million into research, development and demonstration of direct air capture technologies, alongside £350 million into cutting emissions in heavy industry.

On 6 October, the Prime Minister announced that £160 million will be made available to increase our offshore wind capacity in order to meet the Government's updated ambition of generating 40GW through offshore wind by 2030. This is an increase from the previous 30GW target, which means that offshore wind could produce enough electricity to power every home in the country by 2030.

Our response also includes a new commitment to develop and publish a new cross-Government biomass strategy by 2022.

The significant challenges of tackling climate change will require collaboration across Government, business and civil society. We would like to reiterate our thanks to the CCC for their report and we are also grateful to the devolved Administrations for their input in outlining the actions being taken across the United Kingdom to achieve net zero.

2021 marks a hugely significant year for both domestic and global climate action. Through our COP26 and G7 presidencies, the UK will drive international co-operation in the year ahead and we will continue to press countries for more ambition to reduce emissions, build resilience, and support each other.

We will continue to work closely with the CCC, businesses, and others, to unite in delivering our ambitious economic strategy for the UK to build back better and transition to net zero by 2050.

[HCWS517]

## **TREASURY**

### **Infrastructure (Financial Assistance) Act 2012: Annual Report**

**The Exchequer Secretary to the Treasury (Kemi Badenoch):** The annual report to Parliament under the Infrastructure (Financial Assistance) Act 2012 for the period 1 April 2019 to 31 March 2020 has today been laid before Parliament.

The report is prepared in line with the requirements set out in the Infrastructure (Financial Assistance) Act 2012 that the Government report annually to Parliament on the financial assistance given under the act.

Copies are available in the Vote Office and the Printed Paper Office.

[HCWS516]

## **EDUCATION**

### **Initial Teacher Training: Application System**

**The Minister for School Standards (Nick Gibb):** Teacher Recruitment And Retention Strategy, published in January 2019, committed to a range of measures to help great people become teachers. One such measure is the introduction of a new application system for initial teacher training in England. This system will be easier to use and designed to better meet the needs of potential trainees. The new service will also support universities and schools delivering teacher training in making accurate decisions on whether their applicants are right for their courses.

During the October 2019 admissions cycle, this digital service was piloted by a number of school centred initial teacher training providers and schools across England, and has been designed and improved based on feedback from candidates, universities and schools delivering teacher training.

I can confirm that from October 2020 the pilot will be extended to selected universities that deliver initial teacher training courses in England.

The new service will fully replace the existing UCAS teacher training service for postgraduate applications in England from the October 2021 admissions cycle.

[HCWS515]



# ORAL ANSWERS

Thursday 15 October 2020

	<i>Col. No.</i>		<i>Col. No.</i>
<b>CHURCH COMMISSIONERS</b> .....	514	<b>ENVIRONMENT, FOOD AND RURAL AFFAIRS—</b>	
Baptisms, Weddings and Funerals: Attendance		<i>continued</i>	
Restrictions.....	515	Plastic Pollution.....	504
Church Attendance and Participation.....	514	Topical Questions.....	510
Independent Inquiry into Child Sexual Abuse.....	515	Tree Planting: England.....	501
Church of England Estate: Woodland.....	520	Water Companies: Leaks and Wastage.....	506
Renting of Church Premises.....	519	<b>HOUSE OF COMMONS COMMISSION</b> .....	513
<b>ELECTORAL COMMISSION COMMITTEE</b> .....	521	Covid-19: Parliamentary Estate.....	513
Electoral Commission: Political Independence.....	521	<b>PARLIAMENTARY WORKS SPONSOR BODY</b> ....	516
<b>ENVIRONMENT, FOOD AND RURAL AFFAIRS.</b>	501	Parliamentary Estate: Planning Authority.....	516
Agricultural Imports.....	508	<b>SPEAKER'S COMMITTEE ON THE</b>	
Air Pollution.....	502	<b>ELECTORAL COMMISSION</b> .....	519
Air Pollution: Motor Vehicles.....	502	Electoral Commission Impartiality.....	519
Animal Welfare Standards.....	507	<b>SPEAKER'S COMMITTEE ON THE</b>	
Countryside Protection.....	505	<b>ELECTORAL COMMISSION</b> .....	516
Flooding: Grant Schemes.....	509	Chair of the Electoral Commission.....	517
Food Production Standards: Trade Deals.....	509	Digital Campaigning.....	516
Pick for Britain and Seasonal Agricultural		May 2021 Local Elections: Registration and	
Workers Schemes.....	510	Participation.....	518

# WRITTEN STATEMENTS

Thursday 15 October 2020

	<i>Col. No.</i>		<i>Col. No.</i>
<b>BUSINESS, ENERGY AND INDUSTRIAL</b>		<b>TREASURY</b> .....	26WS
<b>STRATEGY</b> .....	25WS	Infrastructure (Financial Assistance) Act 2012:	
CCC Report on Reducing UK Emissions:		Annual Report.....	26WS
Government Response.....	25WS		
<b>EDUCATION</b> .....	26WS		
Initial Teacher Training: Application System.....	26WS		

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Thursday 22 October 2020**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE  
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

---

## CONTENTS

Thursday 15 October 2020

**Oral Answers to Questions [Col. 501] [see index inside back page]**

*Church Commissioners*  
*House of Commons Commission*  
*Parliamentary Works Sponsor Body*  
*Public Accounts Commission*  
*Speaker's Electoral Commission Committee*

**Business of the House [Col. 523]**

*Statement—(Mr Rees-Mogg)*

**Covid-19 Update [Col. 541]**

*Statement—(Matt Hancock)*

**Covert Human Intelligence Sources (Criminal Conduct) Bill [Col. 563]**

*Considered in Committee; not amended, considered; read the Third time and passed*

**Ministry of Defence Tenants: Evictions [Col. 636]**

*Debate on motion for Adjournment*

**Westminster Hall**

**Covid-19: Disability-Inclusive Response [Col. 213WH]**  
**Sudan [Col. 239WH]**  
*General Debates*

**Written Statements [Col. 25WS]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

---