

**Wednesday
20 January 2021**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 20 January 2021

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Virtual participation in proceedings commenced (Orders, 4 June and 30 December 2020).

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

Oral Answers to Questions

NORTHERN IRELAND

*The Secretary of State was asked—
Peace Plus Programme*

James Sunderland (Bracknell) (Con): What assessment his Department has made of the effectiveness of the Peace Plus programme in Northern Ireland. [910924]

The Secretary of State for Northern Ireland (Brandon Lewis): Mr Speaker, before I begin, I hope you will not mind, but I just want to send my very best wishes to my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), the former Secretary of State for Northern Ireland, and to Minister Edwin Poots from the Northern Ireland Executive for a full and speedy recovery for both of them.

I would also like to send best wishes to President-elect Joe Biden on the inauguration later today. He is a man who has a strong personal connection with the island of Ireland. We all know that the US has been a huge supporter of the peace process in Northern Ireland for many decades.

I am pleased that the UK Government are the majority contributor to the Peace Plus programme. We have committed to providing over £500 million between now and 2027, which will fund activities that promote peace and reconciliation. The framework for Peace Plus is in development now, but we remain as a Government committed to that Peace Plus programme and to engaging with key partners to ensure that, once agreed, it will have maximum impact for all the people of Northern Ireland.

James Sunderland: As we enter the centenary year for Northern Ireland, it would of course be easy to reflect upon a history that has been characterised at times by division. Given the possibilities of the new EU trade deal, of dual trade in Northern Ireland and relative peace and prosperity, does my right hon. Friend agree that we should be looking forward with confidence as one Union?

Brandon Lewis: My hon. Friend makes an excellent point. As Northern Ireland enters its centenary year, it is the right time to shine a light on what makes it so special as we look to a bright future. Fostering economic growth and social cohesion is key to building a stable and prosperous future for Northern Ireland. I was pleased to be able to announce the £400 million of new money, in the new deal for Northern Ireland just before Christmas, to help boost economic growth, competitiveness, infrastructure and the social fabric. We are planning an exciting programme to promote Northern Ireland's potential across the United Kingdom, and also internationally.

Payment Scheme for Victims of the Troubles

Andrew Gwynne (Denton and Reddish) (Lab): What recent representations he has received on funding for the payment scheme for victims of the troubles. [910925]

The Secretary of State for Northern Ireland (Brandon Lewis): It is clear that from recent engagement with victims' groups, for their overriding concern is to the scheme be open for applications as quickly as possible. We share that objective, and I will continue to work with the Executive's delivery of this scheme. We must make sure progress is not diverted by any red herrings. This is a devolved matter, and devolved matters are funded from the block grant. The Executive need to step up and fund this scheme. The Department of Finance in the Northern Ireland Executive needs to step forward and get the independent fiscal council organised to provide that independent advice and scrutiny to help them on these budgetary matters.

Andrew Gwynne [V]: I thank the Secretary of State for that answer. Eighteen months ago, I was proud to play my part in finally delivering the payment to victims who had campaigned for decades for redress for the unimaginable suffering they endured during the troubles. The fact that it still has not been delivered, though, should shame us all. So does the Secretary of State agree that failing to deliver on these promises to victims will do immense damage to trust, and when will he act to ensure that those promises are kept in Northern Ireland?

Brandon Lewis: As I am sure the hon. Gentleman will appreciate—being, as he outlined, part of the process—we are all proud to have got this moving forward. He is absolutely right: I think there is a moral as well as a legal and an ethical duty to ensure that the victims are able to access that programme of work. I know the work is ongoing to do that. In the Department of Justice, the Minister there is passionate and determined about that, as is the First Minister. One of the frustrations I had in 2020, I have to say, was the fact that it took a court case to get the Deputy First Minister to even designate a Department. That simply was not good enough. The Department of Finance now needs to ensure that it does not play games with victims and their pensions and payments, and that that money is made available to the Department of Justice to get on and deliver this programme.

Simon Hoare (North Dorset) (Con) [V]: May I first, on behalf of the Northern Ireland Affairs Committee, echo my right hon. Friend's opening comments this morning? I welcome, too, as he has, the movement on

the historical institutional abuse payments, but he will be aware that there are other issues with regard to legacy remaining outstanding and long overdue. I know he is consulting on these at the moment. Can he give a commitment that that consultation will have concluded, any draft legislation will be published and a route plan to delivery will be in the public domain by the time the House rises for the summer recess?

Brandon Lewis: To my hon. Friend the Chairman of the Select Committee, I have to say that this is to the huge credit of the Committee and the work it has done. The recent piece of work it has done looking into legacy has been immensely helpful. There have been some very useful contributions in that. He is quite right: we are engaging widely on this issue at the moment. Obviously, this was delayed, as we were all—across the Irish Government and the UK Government, the Northern Ireland Executive and of course in communities—focused on covid over the course of last year, but that work is now ongoing, and I certainly intend and hope to be able to fulfil the timeline that he has just set me as a target.

Louise Haigh (Sheffield, Heeley) (Lab) [V]: May I join the Secretary of State in sending the best wishes of the whole House to the former Secretary of State and to the Minister, Edwin Poots?

Victims of the troubles have been badly treated in the last year in particular and are fast losing confidence in whether we will all deliver on the promises we made to them in this House. The troubles pension was legislated for in Westminster, it applies to victims across the UK and beyond, and we simply cannot wash our hands of our responsibility, so will the Secretary of State urgently meet with the relevant Ministers in the Executive to discuss meeting the upfront costs of the scheme—he must accept that it is not reasonable to be funded out of the block grant for them—and ensure that the pension too many have waited decades for will finally be delivered?

Brandon Lewis: I am sure the hon. Lady will be aware that I meet with Executive Ministers on a regular basis, whether the First Minister, the Deputy First Minister or indeed the Justice Minister, who is taking this work programme forward, and who I have to say is doing a very good piece of work. She is still, as of the last conversation I had with her, on target to have the administrative structure in place—I think her intention is by the spring, or late March—in order to allow victims to apply for the scheme. She has also been very proactive as the owner of this portfolio in engaging with victims' groups both directly and, as I am sure we have all seen, on social media, so I think they are very much aware of the work she is doing to get this progressed. I have said to her that I will continue to give her my full support. The UK Government have shown our support through not just the approximately £15 billion of block grant but the £918 million uplift that we secured through the spending review. I look forward to seeing the details as the Executive are able to work through exactly what they think this scheme will cost. It is a priority for the Executive—it is clearly a part of “New Decade, New Approach.” It is a devolved matter. I look forward to seeing exactly what the Department of Finance in the Northern Ireland Executive is putting into this priority to deliver it for those victims, as is required.

Louise Haigh: I am sure the Justice Minister and other Ministers who have been pursuing a meeting with the Secretary of State on this issue for some time will be pleased to hear that he has now committed to that.

Another issue of confidence for victims is the delay in the publication of the Shawcross report, which the Secretary of State's Government commissioned, into compensation for victims of Libyan-sponsored IRA terror. Why are the Government refusing to publish this report and fulfil their promises of compensation for victims?

Brandon Lewis: First, I would just correct the hon. Lady: what I actually said was that I have been talking to the Justice Minister—I spoke to her just a few weeks ago—and she raises the victims' payments issue quite widely on a regular basis. Obviously, I talk to the First Minister and Deputy First Minister very regularly—often more than once a week—on a range of issues, including this one.

We recognise the very sensitive issues that are raised in the scoping report Mr Shawcross has produced. Ministers are now carefully considering the internal scoping report in order to ensure that we can do justice to the important and sensitive issues that it covers and to give due respect to the victims it is working for. We as a Government are working hard to ensure that across these issues we are doing everything we can to make sure that the victims get the support that they need.

“New Decade, New Approach” Deal

Scott Benton (Blackpool South) (Con): What assessment his Department has made of the effectiveness of the implementation of the “New Decade, New Approach” deal. [910926]

The Secretary of State for Northern Ireland (Brandon Lewis): Good progress has been made in implementing the “New Decade, New Approach” deal, despite the challenges that have been posed by the ongoing public health crisis. The Government have released over £550 million of the £2 billion of funding agreed in the deal. That has already delivered multiple commitments over the last year, including appointing a veterans commissioner, launching the shared history fund as part of our programme to mark the centenary of Northern Ireland, and establishing the governance structures that underpin NDNA.

Scott Benton: Last January, the Government made a commitment in the “New Decade, New Approach” agreement to introduce legislation within 100 days to address legacy issues. The current delays in bringing forward proposals are understandably causing concern among those veterans who served in Northern Ireland and are rightly anxious to bring an end to the vexatious prosecutions of former British servicemen. Can my right hon. Friend confirm that the Government are indeed still committed to bringing forward legacy proposals, despite the inevitable delays as a consequence of the current pandemic?

Brandon Lewis: Absolutely. We will bring forward legislation to address the legacy of the troubles in a way that focuses on reconciliation, delivers for victims, ends that cycle of investigations that is not working for anybody, and ends unwarranted vexatious claims against

former British soldiers. These proposals will deliver on our commitment to Northern Ireland veterans. We will provide a fair, balanced and proportionate system for all those affected by the events of the past. As my hon. Friend rightly says, progress on this has, as with other priorities, been affected by covid-19, but we are now moving forward, and we intend to move forward as quickly as we can, ensuring we are working across all communities.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP) [V]: I echo the Secretary of State's comments in relation to the former Secretary of State, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), and my constituency colleague, Edwin Poots. Our thoughts and prayers are with them both.

Paragraph 11 of annex A of the "New Decade, New Approach" document commits the UK Government to negotiating flexible arrangements for trade between Great Britain and Northern Ireland under the Northern Ireland protocol, yet that has not happened. We have seen over the first few weeks of January the enormous difficulty that the protocol is causing for consumers and businesses alike in Northern Ireland. What is the Secretary of State going to do to resolve this problem?

Brandon Lewis: The right hon. Gentleman and I share a strong desire to ensure that we keep trade flowing as smoothly as possible, with unfettered access, as we promised, for Northern Ireland businesses, which we have delivered, and that we have a smooth flow from Great Britain into Northern Ireland as well. I will continue to work closely with him and his colleagues in the Northern Ireland Executive to do so.

It is important that we do not overstate some of the issues. That does not mean that there are not issues; I appreciate that there have been challenges. The grace periods, though, are working well. Goods are moving, and we are working closely with traders as they adapt, particularly here in Great Britain. Our focus is on taking this work forward to ensure that we can deal with the issues here permanently, continuing to take a pragmatic and proportionate approach in maintaining Northern Ireland's integral place in the UK internal market. The right hon. Gentleman is quite right; as the Prime Minister rightly said last week, we will not resist using article 16 if it is appropriate and right to do so.

Sir Jeffrey M. Donaldson: I support the comments made by others earlier in this Question Time about the need for the UK Government to work with the Executive to deliver the payment scheme for victims, but there is another aspect of "New Decade, New Approach" that requires Government commitment, and that is the full implementation of the armed forces covenant in Northern Ireland. Will the Secretary of State assure me that when the armed forces Bill comes forward in Parliament soon, Northern Ireland will be treated on exactly the same basis as the rest of the United Kingdom, with full implementation of the armed forces covenant in Northern Ireland?

Brandon Lewis: Yes. Further strengthening of the armed forces covenant in law is both an NDNA commitment and a manifesto commitment for the Government, and we are determined to deliver on that; the right hon. Gentleman is quite right. The Ministry of Defence is working closely with my Department and

the devolved Administrations to draft legislation that will ensure that no former member of the UK armed forces is disadvantaged as a result of their service, and we are determined to deliver for the whole of the UK.

Northern Ireland Protocol

Rachael Maskell (York Central) (Lab/Co-op): What assessment he has made of the adequacy of the implementation of the Northern Ireland protocol. [910927]

Kerry McCarthy (Bristol East) (Lab): What assessment he has made of the adequacy of the implementation of the Northern Ireland protocol. [910930]

The Secretary of State for Northern Ireland (Brandon Lewis): A pragmatic and proportionate approach has been taken to implementing the Northern Ireland protocol, protecting unfettered access to the whole of the UK market for Northern Ireland businesses, supporting businesses to adapt to new requirements, delivering additional flexibilities, and ensuring that the protocol's operation reflects Northern Ireland's unique circumstances.

Goods continue to flow effectively and in normal volumes between Great Britain and Northern Ireland. Initial issues, which I accept there have been, are being addressed in consultation with businesses, and that work will continue. We recognise the importance of a strong economy and strong social as well as economic links for Northern Ireland with the whole of Great Britain as part the United Kingdom, and we need to ensure that they are impacted as little as possible in everyday lives. The protocol itself sets out that very fact.

Rachael Maskell [V]: But it is not working. The Northern Ireland Secretary has denied that there is a border; the Prime Minister has denied that there are border checks, yet the queues and chaos confirm that there are both, with new customs declarations and rules of origin, while businesses have had insufficient preparation time and support. Can the Secretary of State categorically say when—that means on what date—there will be seamless movement of goods across the border? I fear that many in the supply chain will not withstand more chaos.

Brandon Lewis: I am not quite sure what the hon. Lady is referring to, because what she describes is not what is happening in Northern Ireland; queues are not the issue. There have been reports of empty shelves, which is absolutely true. I have also heard Welsh Ministers talk in meetings about empty shelves in Wales, which we all saw, partly as a result of the challenges at Dover and the Dover straits just before Christmas due to covid. There have been issues for parcels and parcel deliveries, because the guidance, I fully accept—I have outlined this—was published on 31 December, but that is not what the hon. Lady outlined. It is important that we work pragmatically and sensibly, looking at where the issues are, to ensure that we find a way through them, working with business, so that we get a permanent resolution and the protocol can work and deliver the smooth, free flow of trade that we all want to see and that is important for Northern Ireland.

Kerry McCarthy [V]: It sounds to me like the Secretary of State has not been listening to the Road Haulage Association, which has warned that supply chains to Northern Ireland are close to collapse because of the problems with the new processes at the borders. As he says, there have been scenes in Belfast of empty shelves in supermarkets, but there have also been reports of hauliers losing huge amounts of money because lorries are having to return to Northern Ireland empty. Will the Government listen to the Northern Ireland logistics sector and take urgent action to address that?

Brandon Lewis: As I said in my previous answer, we are working with the industry on some of the issues it is facing. There is a range of different things. The issue the hon. Lady referred to—vehicles moving from Great Britain back into Northern Ireland—is about ensuring that Great Britain businesses are engaged. I encourage businesses to engage with the Trader Support Service. Companies that have used it have found it a really good, easy way to ensure the free flow of goods. It is why supermarkets are able to get that good flow of products through. Companies such as Marks and Spencer have seen a really good flow through. I encourage companies to sign up to this Government-supported and paid-for scheme.

Kirsten Oswald (East Renfrewshire) (SNP) [V]: The Chancellor of the Duchy of Lancaster told me last week that there is an issue with groupage, but at the same time he said that lorries were able to get into Northern Ireland without hindrance. Obviously, both those statements cannot be right. The experience of Northern Ireland hauliers will feel very familiar to Scottish hauliers and exporters. James Withers, chief executive of Scotland Food and Drink, has referred to “crippling” red tape. It is clear that the UK Government are simply not on top of the Brexit problems at border crossings. How will the Secretary of State resolve groupage issues and the disruption which is causing such difficulty for businesses and consumers?

Brandon Lewis: As I said in answer to previous questions, a range of issues have come together at the same time: companies who made commercial decisions before the deal was secured and before even the protocol was agreed before Christmas, let alone the guidance notes on parcels, and of course the covid challenges we have had. We have had a few issues come together in early January at the same time. We are working through all those issues with businesses, including ensuring that Great Britain businesses are signed up to the Trader Support Service and the Movement Assistance Scheme so they understand their ability to flow products into Northern Ireland. All those businesses and people will continue to and support the fact that the Government secured a good deal with the EU. It is just a shame that the Scottish nationalists decided to vote against it and effectively wanted to see no deal, which would have seen real chaos across both Northern Ireland and Scotland.

Gavin Robinson (Belfast East) (DUP) [V]: I thank the Secretary of State for the considered engagement he has had over the past seven to 10 days on the issue of steel. He knows just how important aerospace is not only to my constituency but to the Northern Ireland economy as a whole, with £1.9 billion-worth of activity each year. ADS is concerned about the additional tariff which is

now being placed on goods considered to be at risk for the aerospace sector, while the raw materials brought into Northern Ireland for processing, can subsequently leave Northern Ireland tariff free because of the airworthiness agreement. There is an issue on these raw materials. They are not at risk for onward transit. I would be very keen for the Secretary of State to agree this morning that he will engage on this issue as constructively as he has with steel.

Brandon Lewis: I thank the hon. Gentleman for raising this issue. He has been a strong and passionate supporter and promoter of the sector for the benefit of Northern Ireland for a very long time, and I think everybody can recognise that. He outlines some specific details. We have been very clear that there should not be any tariffs on internal UK trade. We will make full use of waivers and reimbursements to minimise the impact on business in any scenario. I will be very happy to engage with the sector directly, and with him and any other colleagues, on this issue. We have pledged £1.95 billion for aerospace research and development through to 2026, alongside £125 million in grants to be awarded through the Future Flight Challenge. There is an opportunity for the industry and I would be keen to work with him to ensure we can deliver on that for the people of Northern Ireland.

Claire Hanna (Belfast South) (SDLP) [V]: I thank the Secretary of State for his words about Edwin Poots. Everybody here is rooting for the Minister in his battle. Has the Secretary of State given any thought to structures he can use to engage with the Irish Government on the protocol and other relevant issues now that they are not meeting within EU frameworks? Specifically, does he think the British-Irish Council or the British-Irish Intergovernmental Conference can be used more constructively going forward?

Brandon Lewis: I thank the hon. Lady for her comments on Edwin Poots. I had a communication with him this morning, and he is determined and focused on continuing to do his good work for the people of Northern Ireland and having a good and full recovery, as I know my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire) is.

The hon. Lady is right: there are a range of ways, as she has outlined, in which we can continue to engage, and we are determined to do so. I know that the Taoiseach, like the Prime Minister, is very keen to build a good, strong friendship and partnership with our closest neighbours in Ireland. I talk to Minister Coveney on a regular basis. I also have quad meetings with the Northern Ireland Executive, Simon Coveney and other Ministers where relevant, so we have a good join-up. We are determined to work together to make sure we do that for everybody across Ireland and all the United Kingdom.

Covid-19: UK-wide Response

Rob Roberts (Delyn) (Con): What discussions he has had with Cabinet colleagues on co-ordinating a UK wide response to the covid-19 outbreak. [910928]

The Minister of State, Northern Ireland Office (Mr Robin Walker): The Secretary of State and I continue to hold regular discussions with Cabinet colleagues and the devolved Administrations on this crucial issue. Although each devolved Administration control their own public

health policy, we have been co-ordinating our responses to covid, seeking alignment in policy and approach where appropriate to ensure that measures safeguard the health and wellbeing of the whole United Kingdom. Our commitment is demonstrated through the UK Government's procurement of vaccines and tests on behalf of all parts of the country, working with the devolved Administrations to ensure that they are deployed fairly across the UK.

Rob Roberts: Obviously, the world-leading steps that the Government have taken to acquire and roll out the vaccine have benefited every part of the United Kingdom. Will my hon. Friend confirm that Northern Ireland is benefiting, and will continue to benefit, from this vaccine roll-out, which is only possible if our devolved Administrations continue to work together as one Union?

Mr Walker: My hon. Friend is absolutely right and I am pleased to see that Northern Ireland now has the highest vaccination rate in the UK, and, indeed, across any jurisdiction in Europe, with almost 6% of the population having been vaccinated. This clearly demonstrates the strength of the Union when we, as four nations, all work together. To date, over 114,000 people in Northern Ireland have successfully been vaccinated, including care home residents and health and social care staff. The vaccination programme began on 8 December, and by 6 January the mobile teams had visited 91% of care homes and achieved uptake levels of 90%-plus for residents and around 80% for staff.

Centenary of Northern Ireland

Antony Higginbotham (Burnley) (Con): What steps his Department is taking to mark the centenary of Northern Ireland. [910929]

The Minister of State, Northern Ireland Office (Mr Robin Walker): There are a number of important strands to our centenary programme, including historical understanding and engagement, and supporting trade and investment, which showcase Northern Ireland's rich potential. We also want to focus on the future, especially Northern Ireland's young people, and will ensure that their voices are heard in the centenary programme. We recently announced £3 million to support this work, including a £1 million shared history fund, supporting the engagement of non-profit organisations across the UK with the centenary. We are continuing to develop the centenary plans and will publish them further over the coming months.

Antony Higginbotham [V]: The year 2021 marks 100 years since the creation of Northern Ireland, which paved the way for the formation of the United Kingdom as we know it today. In Burnley and Padiham, we are proud Unionists and want to share in the celebration of this momentous date, so will my hon. Friend set out what steps he is taking to make sure that all parts of the United Kingdom can share in this celebration?

Mr Walker: My hon. Friend raises a really important point. Given the significance of this anniversary, we want to ensure that marking the centenary has a lasting legacy both in Northern Ireland and right across the UK. The shared history fund will support the engagement of a wide range of arts, heritage, voluntary, community and other non-profit organisations across the whole

United Kingdom. We are engaging with Departments across Government, including the other territorial offices, the Cabinet Office and the Department for Digital, Culture, Media and Sport, as we continue to drive forward on this and other elements of our centenary programme.

Abortion Services

Stella Creasy (Walthamstow) (Lab/Co-op): What recent assessment he has made of the adequacy of the provision of abortion services in Northern Ireland under section 9 of the Northern Ireland (Executive Formation etc) Act 2019. [910931]

The Minister of State, Northern Ireland Office (Mr Robin Walker): I recognise the hon. Lady's work on this important issue and appreciate the engagement that we have had on it to date. Regulations have been in place to make provision for safe and lawful access to abortions since 31 March 2020. Some service provision has been available since last April, with over 719 women and girls having been able to access services locally by mid-October last year. We take our moral and legal duties on this matter very seriously and remain disappointed that full abortion services remain to be commissioned by the Department of Health, which would be the most appropriate way to progress the matter. We continue to monitor the situation closely.

Stella Creasy [V]: It is a very familiar situation. The Northern Ireland Human Rights Commission and a vulnerable woman have been left with no option but to take the UK Government to court to ensure access to abortion at home—except we are in a different situation, because this House voted to require the Secretary of State to uphold these women's rights and ensure that they could access abortion at home. With clear evidence that over 100 women have been refused abortions and that they are buying pills online again, will the Secretary of State and Ministers confirm that they will act to uphold UK legislation, save the UK taxpayer court costs and intervene now?

Mr Walker: I can confirm to the hon. Lady that we continue to engage with the Minister of Health and his Department on commissioning full services, and have been doing so since the regulations came into effect. We remain of the view that this is the most appropriate way to progress the matter. I am pleased that the Northern Health and Social Care Trust was able to resume services early this year, and I am hopeful that the South Eastern Health and Social Care Trust will soon be able to do so as well. The Government continue to fund access to services in England, particularly where local access may not be available; even in the current circumstances, some women and girls have availed themselves of those services. We continue to monitor the situation closely and will consider further legislative action at Westminster at the appropriate time, should it be required.

Karin Smyth (Bristol South) (Lab) [V]: Members across this House, and indeed the country, will be shocked that women are still not able to fully access these services, and that the services are still not being commissioned. It is unconscionable that women are travelling, against Government advice, during a pandemic because of a lack of service. I hear what the Minister says. I welcome his work on this issue, but as my hon. Friend the Member for Walthamstow (Stella Creasy)

said, we seem to be back here again. Every day is a tragedy for women in Northern Ireland who have to travel. Will the Minister expand on his comments? What will he consider doing and, crucially, how soon will he act?

Mr Walker: I recognise the strength of feeling behind what the hon. Lady says. It is the right of women and girls in Northern Ireland to access healthcare, including high-quality abortion care, in the full range of circumstances set out in regulations. I believe, as I think she does, that those rights should be the same across the United Kingdom. We continue to engage with the Minister of Health and the Executive on this, and we believe that this is best progressed by the Executive. However, I reiterate that we will closely monitor the situation, and we will absolutely consider whether further legislation is required by this House.

Stephen Farry (North Down) (Alliance) [V]: I am grateful to the Minister for his recent correspondence on this issue. There is considerable support in Northern Ireland for the change in the law, but unfortunately political games are being played. While local action is better, will the Minister confirm that he will not let this issue slip indefinitely, and that he will act within a matter of months if no action is taken by the Northern Ireland Executive?

Mr Walker: I am grateful for the hon. Gentleman's comments. He is one of those who has pressed hard on this issue. We recognise the urgency of this matter, but we also recognise the huge challenges facing the Executive, and indeed every part of Government, relating to the covid situation. We want progress on this issue. We would prefer that to be delivered by the devolved institutions, but as I said, we stand ready to act if that progress is not made.

Carla Lockhart (Upper Bann) (DUP) [V]: It is still a matter of deep regret that the overwhelming view of the people of Northern Ireland, in wanting to protect life, was and is still disregarded by those in this place. I take a contrary view to the hon. Member for North Down (Stephen Farry). On implementing what the Government term adequate abortion provision in Northern Ireland, is the Minister concerned that under Northern Ireland's abortion regulations, sex-selective abortion is permitted? The regulations permit abortion for any reason up to 12 weeks, within which time it is possible to determine the sex of the foetus. What measures will he take to address this matter of deep concern?

Mr Walker: I recognise that the hon. Lady has taken a consistent and firm position on this issue. The Government take this issue seriously. It is about protecting the rights of women and girls. The regulations in Northern Ireland, as she will recognise, do not make any reference to sex-selective abortion. They follow the same approach as those in the rest of the UK on this issue. The Government publish an annual analysis of the male-female birth ratio for England and Wales to see whether any evidence of this issue arises. The latest reports show no evidence that this is an issue in England and Wales. We will continue to report on the sex birth ratio, and will work with the Northern Ireland Statistics and Research Agency to consider including Northern Ireland in this

analysis in future years. In the meantime, we will continue to monitor the implementation of the regulations, and urge the Executive to move forward with commissioning.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Mr Speaker: Before I call the Prime Minister, may I express, on behalf of the House, our best wishes to President Biden and Vice-President Harris on this, their inauguration day?

[911064] **Alec Shelbrooke** (Elmet and Rothwell) (Con): If he will list his official engagements for Wednesday 20 January.

The Prime Minister (Boris Johnson): Mr Speaker, I know Members from across the House will want to join me in echoing you in congratulating President-elect Biden on his inauguration later today. I said when I spoke with him on his election as President that I looked forward to working with him and his new Administration, strengthening the partnership between our countries, and working on our shared priorities for tackling climate change, building back better from the pandemic, and strengthening our transatlantic security.

Our sympathies also go out to those affected by the latest floods, and I want to thank the Environment Agency and our emergency services for the work they are doing to support those communities. I will be chairing a Cobra meeting later on, to co-ordinate the national response. This morning I had meetings with ministerial colleagues and others, and in addition to my duties in this House, I will have further such meetings later today.

Alec Shelbrooke [V]: May I start by fully associating myself with all the Prime Minister's opening comments? Will he join me in welcoming the fact that free school meal pupils in Elmet and Rothwell will continue to receive free lunches over the forthcoming school holidays, thanks to the winter grant fund provided to Leeds City Council by this Government?

The Prime Minister: Yes, indeed. I can confirm that eligible pupils in Leeds will continue to receive free school meal support over the February half-term. This Conservative Government have given over £2 million to Leeds City Council through the covid winter grant scheme to support vulnerable families in the coldest months, and it is the intention of this Government, on this side of the House, that no child should go hungry this winter as a result of the covid pandemic.

Keir Starmer (Holborn and St Pancras) (Lab): May I also welcome the inauguration of President Biden and Vice-President Harris? This is a victory for hope over hate, and a real moment for optimism in the US and around the world. I also thank all those on the frontline helping to deliver the vaccine, including the NHS, who are doing so much to keep us safe under the most extraordinary pressure.

It is 10 days since the Home Office mistakenly deleted hundreds of thousands of vital criminal records, including fingerprints, crime scene data and DNA records, so can the Prime Minister tell the House how many criminal investigations could have been damaged by this mistake?

The Prime Minister: The Home Office is actively working to assess the damage. As the right hon. and learned Gentleman will know from the urgent question that was held in the House only a few days ago, it believes that it will be able to rectify the results of this complex incident, and it hopes very much that it will be able to restore the data in question.

Keir Starmer: That is not an answer to my question, and it was the most basic of questions. It was the first question that any Prime Minister would have asked of those briefing him: how many criminal investigations have been damaged? So let me ask the second basic question that any Prime Minister would have asked of those briefing him. How many convicted criminals have had their records wrongly deleted?

The Prime Minister: I answered the first question entirely accurately. We do not know how many cases might be frustrated as a result of what has happened, but I can tell the right hon. and learned Gentleman that 213,000 offence records, 175,000 arrest records and 15,000 person records are currently being investigated because they are the subject of this problem.

Keir Starmer: I have a letter here from the National Police Chiefs' Council. It makes it clear that 403,000 records on the police national computer may have been deleted. In addition to that—[*Interruption.*] Prime Minister, this is from the National Police Chiefs' Council. I am sure the Prime Minister has been briefed on this. In addition to that, we are talking about 26,000 DNA records from the DNA database and 30,000 fingerprint records from the fingerprint database, so this is not just a technical issue. It is about criminals not being caught, and victims not getting justice. This letter makes it clear that data from criminals convicted of serious offences is included. This has impacted live police investigations already, and it includes records, including DNA, marked for indefinite retention following conviction for serious offences—the most serious offences; that is why it is marked for indefinite retention. It has been deleted.

Is the Prime Minister seriously telling us that 10 days after the incident came to light, he still has not got to the bottom of the basic questions, and cannot tell us how many cases have been lost, how many serious offenders this concerns, and how many police investigations have been investigated?

The Prime Minister: It is becoming a feature of the right hon. and learned Gentleman's questions that he fails to listen to the answer I have just given. Let me repeat this, because I think he gave a figure of 413,000. I have just done some maths briefly in my head, and if you add 213,000 to 175,000, plus 15,000, you get to 403,000. If only he had bothered to do that swift computation in his head he would have had the answer before he stood up and claimed not to have received it. It was there in the previous answer.

Of course it is outrageous that any data should have been lost, but as I said in my first answer, which I hope the right hon. and learned Gentleman heard, we are trying to retrieve that data.

Keir Starmer: The Prime Minister complains about not listening to answers, but the figure I quoted was 403,000—that will be in *Hansard*. [*Interruption.*] I said 403,000, plus 26,000, plus 30,000.

Prime Minister, let me try the next most simple question that you would have asked of anyone briefing you. How long will it take for all the wrongly deleted records to be reinstated to the police database?

The Prime Minister: That will depend on how long it takes to recover them. I can tell the right hon. and learned Gentleman that people are working around the clock, having been briefed on this both by my staff and by the Minister for Crime and Policing. We are working around the clock on this issue. Any loss of data is, of course, unacceptable, but thanks to the robust, strong economy that we have had for the past few years, this Government have been able to invest massively in policing to drive crime down, and that is the most important thing of all. I have no doubt that we will be able to continue to do that by relying on excellent data.

Keir Starmer: This morning, the Home Secretary said that the Home Office is still washing through the data. She said it does not know where the records are and, if you can believe it, they may have to be “manually re-entered”, which will obviously take a long, long time. The letter from the National Police Chiefs' Council also makes it clear that the obvious places to reinstate from—the DNA and fingerprint databases—have themselves been compromised, so the Prime Minister's answers need to be seen in that light.

Let me turn to another of the Home Secretary's responsibilities. Last night she told a Conservative party event, and these are her words:

“On ‘should we have closed our borders earlier?’, the answer is yes, I was an advocate of closing them last March.”

Why did the Prime Minister overrule the Home Secretary?

The Prime Minister: I think, last March, the right hon. and learned Gentleman, along with many others, was actually saying that we did not need to close the borders, but as usual, Captain Hindsight has changed his tune to suit events.

It is interesting that his first few questions were about a computer glitch in the Home Office, which we are trying to rectify as we are in the middle of a national pandemic. This country is facing a very grave death toll, and we are doing everything we can to protect the British public, as I think he would expect. That is why we have instituted one of the toughest border regimes in the world. That is why we insist that people get a test 72 hours before they fly. They have to provide a passenger locator form, and they have to quarantine for 10 days, or five days if they take a second test.

I am delighted that the right hon. and learned Gentleman now praises the Home Secretary, which is a change of tune, and I am delighted that he is now in favour of tough border controls, because last year he was not. Indeed, he campaigned for the leadership of the Labour party on a manifesto promise to get back to free movement.

Keir Starmer: The Prime Minister talks of hindsight. What the Home Secretary said last night is not disputed. It is not disputed—this is not hindsight—that she said last March that you need to shut the borders. She was saying it, so I repeat the question that the Prime Minister avoided. Why did he overrule the Home Secretary, who claims that she said last March that we should shut our borders?

The Prime Minister: We have instituted one of the toughest border regimes in the world, and it was only last March that the right hon. and learned Gentleman, along with many others in his party, was continuing to support an open border approach. I must say that the whole experience of listening to him over the past few months has been like watching a weather vane spin round and round, depending on where the breezes are blowing. We are getting on with tackling this pandemic through the most practical means available to us, rolling out a vaccine programme that has now inoculated 4.2 million people in our country, whereas he would have joined the EU scheme, I seem to remember. He attacked the vaccine taskforce, which secured the supplies on which we are now relying. And he stood on a manifesto at the last election to unbundle the very pharmaceutical companies on whose breakthroughs this country is now relying. The Opposition continue to look backwards, play politics and snipe from the sidelines. We look forwards and get on with the job.

Mr Speaker: Let the weather vane take me up to Aylesbury and Rob Butler.

[911065] **Rob Butler** (Aylesbury) (Con) [V]: The national roll-out of covid-19 vaccinations is a tremendous success story, but it is only in the past few days that over-80-year-olds in Aylesbury have been able to get their first jabs. Many of my constituents have contacted me to say that they are frustrated and worried that they have been either forgotten or pushed to the back of the queue. Can my right hon. Friend assure them that everybody in the Aylesbury area in the most vulnerable groups will be vaccinated by the middle of February?

The Prime Minister: I thank my hon. Friend for everything he does to fight for the interests of the people of Aylesbury. I can confirm that we are on track to deliver our pledge, although I must stress to the House that it is very hard because of constraints on supply. We are on track to deliver a first vaccine to everyone in the top four cohorts by mid-February, including the people of Aylesbury.

Ian Blackford (Ross, Skye and Lochaber) (SNP) [V]: This afternoon, millions around the world will breathe a massive sigh of relief when President Joe Biden and Vice-President Kamala Harris are sworn into office. The democratic removal of Donald Trump gives us all hope that better days are ahead of us—that days will be a little bit brighter. Turning the page on the dark chapter of Trump's presidency is not solely the responsibility of President Joe Biden; it is also the responsibility of those in the Tory party, including the Prime Minister, who cosied up to Donald Trump and his callous world view. This morning, the former Prime Minister, the right hon. Member for Maidenhead (Mrs May) accused the current Prime Minister of abandoning moral responsibility on the world stage by slashing international aid. So if today is to be a new chapter—if today is to be a new start—will the Prime Minister begin by reversing his cruel policy of cutting international aid for the world's poorest?

The Prime Minister: I think it is very important that the Prime Minister of the UK has the best possible relationship with the President of the United States—that is part of the job description, as I think all sensible

Opposition Members would acknowledge. When it comes to global leadership on the world stage, this country is embarking on a quite phenomenal year. We have the G7 and COP26, and we have already led the world with the Gavi summit for global vaccination, raising \$8.8 billion. The UK is the first major country in the world to set a target of net zero carbon emissions by 2050—all other countries are following, and we hope that President Biden will join us. We are working to promote global free trade, and of course we will work with President Biden to secure the transatlantic alliance and NATO, which of course the Scottish nationalist party would unbundle—I think they would; I do not know what their policy is on our armed services, but I think they would break them up. Perhaps they would like to explain.

Mr Speaker: It is the Scottish National party, Prime Minister. I know you keep having a memory lapse on it.

I call Ian Blackford. [*Interruption.*] I think we have somehow lost Ian Blackford; we will come back to him.

I call Nicola Richards.

Nicola Richards (West Bromwich East) (Con) [V]: [*Inaudible.*]

Mr Speaker: Nicola, you are muted. Press the mic.

Nicola Richards: I am not muted. Can you hear me? Can you hear me?

Mr Speaker: Yes. Get the question in—the Prime Minister is desperate to hear it.

Nicola Richards: Can you hear me? It's not working.

Mr Speaker: We will come back to Nicola. Let us move on to Ed Davey.

Ed Davey (Kingston and Surbiton) (LD) [V]: Good afternoon Mr Speaker. May I add my warmest of welcomes to President Biden and Vice-President Harris on their inauguration in Washington today?

In answer to my question in July, the Prime Minister promised an independent inquiry into the UK's response to covid. In the six months since, covid cases have soared, our NHS is on its knees, and 50,000 more people have died. The UK now has one of the highest death rates in the world—higher, even, than Trump's America. To learn the lessons from what has gone so devastatingly wrong under his leadership, will the Prime Minister commit to launching this year the inquiry that he promised last year?

The Prime Minister: The right hon. Gentleman answered his own question with the preamble that he set out. The NHS is under unprecedented pressure. The entire British state—including virtually every single arm of officialdom—is trying to fight covid and to roll out the biggest vaccination programme in the history of our country. The idea that we should consecrate vast state resources to an inquiry now, in the middle of the pandemic, does not seem sensible to me, and I do not believe that it would seem sensible to other Members. Of course we will learn lessons in due course and of course there will be a time to reflect and to prepare for the next pandemic.

Mr Speaker: Let us reconnect with Ian Blackford for his second question.

Ian Blackford [V]: I think people would find the Prime Minister's claims about the UK's global leadership a bit more believable if last night he had not ordered his MPs to vote down an amendment to the Trade Bill that would have prevented trade deals with countries that commit genocide. Genocide is not a matter of history; it is happening in our world right now. The international community has stood idly by as Uyghur Muslim men, women and children are forced into concentration camps in China's Xinjiang province. Yesterday, the outgoing US Secretary of State officially said that genocide was taking place, and the incoming Secretary of State, Antony Blinken, agrees with his view. Is the Prime Minister prepared to follow that lead? Is he prepared to stand up today and clearly state that genocide is being committed against the Uyghur population in China? If he is, will he work urgently with the new Biden Administration to bring the matter to the UN Security Council—

Mr Speaker: I call the Prime Minister.

Ian Blackford: So that international pressure can be brought to bear on China?

The Prime Minister: The right hon. Gentleman knows very well that the attribution of genocide is a judicial matter, but I can say for myself that I regard what is happening in Xinjiang to the Uyghurs as utterly abhorrent, and I know that Members from all parties in the House share that view. I commend to the right hon. Gentleman the excellent statement made recently by my right hon. Friend the Secretary of State for Foreign, Commonwealth and Development Affairs on what is happening there, the steps we are taking to prevent British commercial engagement with goods that are made by forced labour in Xinjiang and the steps we are taking against what is happening.

I ask the right hon. Gentleman, in all sincerity, what he would propose by way of a Scottish national—not nationalist but national—foreign policy: would he break up the FCDO, which, after all, has a big branch in East Kilbride?

Mr Speaker: Let us head to West Bromwich again with Nicola Richards.

[911067] **Nicola Richards [V]:** Next week, we mark Holocaust Memorial Day, remember the 6 million Jewish men, women and children murdered by the Nazis, and pay tribute to the extraordinary survivors. Will the Prime Minister join me in thanking the Holocaust Educational Trust for organising a live webcast so that students throughout the country can tune in on 26 January to hear the testimony of survivor Eve Kugler? Will he join me in asking all Members to encourage their local schools to join Q3 Academy Great Barr, from West Bromwich East, in taking part?

The Prime Minister: My hon. Friend is absolutely right to warn us of the need to continue to inoculate our populations and ourselves against the wretched virus of antisemitism, which has a tendency to recur and re-infect societies, including, tragically, our own. I am very happy to join her in encouraging all Members to ask all schools to do what the excellent Q3 Academy in Great Barr is doing and to tune in to the event that she mentions.

[911069] **Alexander Stafford (Rother Valley) (Con) [V]:** Like many residents across Rother Valley, I am very concerned about crime, drug abuse, including from nitrous oxide capsules, and antisocial behaviour. Will the Prime Minister back my campaign and call on the Labour police and crime commissioner of South Yorkshire to restore a police presence and even reopen a police station on Dinnington High Street?

The Prime Minister: There could be no more fervent and effective advocate for the people of Rother Valley than my hon. Friend, and I am sure that he has much support for his campaign for a police station. I hope that a solution can be found. In the meantime, I can reassure him that we are making sure that there will be the police officers—the policemen and women—to put in that police station, because, as he will know, we are delivering on our commitment to have 20,000 more police over the lifetime of this Parliament.

[911066] **Claire Hanna (Belfast South) (SDLP) [V]:** Contrary to the view of every political party here and all of those involved in logistics and retail, the Secretary of State for Northern Ireland said last week that there is no border in the Irish sea and that disruption to supplies was a covid issue and nothing to do with Brexit or the protocol. The papers are reporting the Prime Minister's plans to woo the Biden Administration through the topic of Northern Ireland, as they and we try to move on from Trump and Trumpism. Would being straight with the people of Northern Ireland not be a good start?

The Prime Minister: As the hon. Lady may know from what I said to the Liaison Committee several times, the proof of the pudding is in the eating. Actually, there is more transit now taking place between Larne and Stranraer-Cairnryan, than there is between Holyhead and Dublin, because it is going so smoothly.

[911070] **Neil O'Brien (Harborough) (Con) [V]:** It is excellent that we are leading Europe in vaccinations and it is excellent that we now have strong health borders, but, as the virus bounces around the world, there is a real risk that it will mutate and be able to dodge the vaccines or reduce their efficacy; there is concerning data from South Africa in that respect. Will the Government develop a new rapid pathway to allow the approval of new variations of the vaccines so that we can shut down any new strains quickly?

The Prime Minister: Yes indeed. My hon. Friend makes an incredibly important point, and we have been talking intensively about that with the scientists over the past days and weeks and also in the past few hours. We are confident that the Medicines and Healthcare products Regulatory Agency will be in a position to turn around new applications for new variants of vaccines, as may be required to deal with new variants of the virus.

[911068] **Rosie Cooper (West Lancashire) (Lab) [V]:** Lorries containing food produce sitting idle for days are a stark reminder that, if post-Brexit Britain is to be self-sufficient, protecting our food production through infrastructure investment is crucial. Will the Prime Minister provide the infrastructure investment essential to tackling flooding in West Lancashire by giving the Environment Agency enough funding both to keep the

Alt Crossens pumps operational and to maintain the watercourses? That will be vital to ensure that the rich food-producing lands of West Lancashire, which are essential to the security of food supplies and our local and national economy, are better defended—

Mr Speaker: I call the Prime Minister; we have to get through the questions.

The Prime Minister: I could have heard almost any amount about the rich food-producing parts of West Lancashire: the hon. Lady is entirely right, and we will protect those areas. She is entirely right to call for flood defences. That is why we put £5.2 billion over six years into flood defences, including the Crossens pumping station refurbishment scheme that she mentions, in which we have invested £5.7 million to protect nearly 4,000 homes.

[911072] **Sir Gary Streeter** (South West Devon) (Con) [V]: The south-west has an ambitious programme to build back better in both the green and blue sectors, investing in both clean growth and marine high-tech clusters, but to do so, we will need continued investment in our infrastructure. Will my right hon. Friend assure us that levelling up does not just involve the north but every region of the United Kingdom, including the south-west?

The Prime Minister: The potential of the greater south-west is enormous, particularly in the areas of blue and green technology. My hon. Friend can be assured that we will be giving massive investment in infrastructure to support the green industrial revolution in the south-west as well as in all parts of the UK.

[911071] **Mr Ben Bradshaw** (Exeter) (Lab) [V]: When the Prime Minister told fishermen in the south-west that they would not face new export barriers or unnecessary form-filling, and when he told Britain's musicians and artists that they would still be free to tour and work in the rest of the European Union after Brexit, neither of those statements was correct, was it?

The Prime Minister: It is absolutely true that some British fishermen have faced barriers at the present time owing to complications over form-filling. Indeed, one of the biggest problems is that, alas, there is a decline in appetite for fish in continental markets just because most of the restaurants, as the right hon. Gentleman knows, are shut. But the reality is that Brexit will deliver, and is already delivering, a huge uplift in quota in the next five years. By 2026, the fishing people of this country will have access to all the fish in all the territorial waters of this country. To get them ready for that El Dorado, we are investing £100 million in improving our boats and our fish processing industry, and getting fishing ready for the opportunities ahead.

[911073] **Laura Trott** (Sevenoaks) (Con) [V]: I thank the Prime Minister and the Health Secretary for the recent strengthened guidance to allow parents access to neonatal intensive care units whenever they need to in this pandemic. Can the Prime Minister confirm that compliance with this guidance will be monitored, and can he reassure parents, once and for all, that we know that they are integral to their child's care in hospital, and not just visitors?

The Prime Minister: Absolutely. I know that my hon. Friend knows of what she speaks. She is completely right to say that they are partners in care and should not be considered as visitors. That is why the current guidance has been put in place—and yes, we will be monitoring it to ensure that it is observed.

[911074] **Tulip Siddiq** (Hampstead and Kilburn) (Lab): On 7 March this year, my constituent Nazanin Zaghari-Ratcliffe's unjustified five-year prison sentence will finally come to an end. What assurances has the Prime Minister had from the Iranian authorities that Nazanin will have her ankle tags removed, that she will get her British passport back, and that she will be allowed to board a flight back to the UK in 45 days' time?

The Prime Minister: I can tell the hon. Lady, who I know has campaigned hard and well on behalf of her constituent, and quite rightly, that we are working virtually round the clock to secure the release of all the dual nationals that concern us in Tehran. Without going into the details of the cases, which are, as she knows, complex, I can say that we are doing everything we can to secure what we regard as the completely unjustified detention in Tehran of Nazanin Zaghari-Ratcliffe, although, as the hon. Lady knows, she is now out on furlough, admittedly in the conditions that she describes.

[911075] **Jason McCartney** (Colne Valley) (Con) [V]: With Yorkshire leading the way in the vaccine roll-out, does the Prime Minister agree that once we have vaccinated the most vulnerable, the elderly and our wonderful health and social care workers, we should then look at prioritising the vaccination of police officers, emergency service workers, carers, teachers, nursery staff and all those whose essential daily work brings them into contact with other people?

The Prime Minister: My hon. Friend is a great advocate for his constituents in Colne Valley, and I much enjoy my exchanges with him. I thank him for what he says about those groups. We must rely on what the Joint Committee on Vaccination and Immunisation has to say and the priorities that the experts have decided, but of course we want to see those groups that he mentions vaccinated as soon as possible. I am very pleased that in spite of all the difficulties in supply, last week we gave 1.5 million people their first dose, up half a million on the week before.

[911078] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) [V]: When we praise our social care workers for their immense response to the pandemic, that includes more than 100,000 care workers from the EU. New research from the Joint Council for the Welfare of Immigrants shows that many of them do not know anything about the Prime Minister's EU settlement scheme, and many more do not know that they must apply by the end of June. We could see thousands of essential care workers and possibly hundreds of thousands of valued EU nationals losing their rights to live and work here overnight on 1 July. Will the Prime Minister please cancel or postpone the application deadline or, better still, extend the rights of EU nationals in the UK automatically, just as he previously promised to do?

The Prime Minister: I thank the hon. Member for what he has done just now to draw attention to the scheme, but I must say that I respectfully disagree with him about the ignorance in which our wonderful EU nationals have been, because 4 million of them have successfully applied and been given residence, thanks to the scheme we have instituted. It is a great success, and we pay tribute to the wonderful EU nationals in our country who do a fantastic job for this country.

[911076] **Andrew Lewer** (Northampton South) (Con) [V]: For many years my right hon. Friend wrote humorous articles that nevertheless made serious points about individual freedom and the dangers of over-regulation. The Department of Health and Social Care is currently consulting on how to increase regulations on food advertising significantly. Can my right hon. Friend reassure me that any implementation of this consultation will be in line with his and my long-held principles?

The Prime Minister: Indeed. I remain a champion of liberty in all its aspects, but I am also the living embodiment of the risks of obesity. There is no question but that it is a comorbidity factor in the pandemic. I think that is something that the people of this country understand. They understand that it is all of our individual responsibility to do what we can to get healthy and to stay healthy, because that is one of the ways we can all help protect our NHS.

Apsana Begum (Poplar and Limehouse) (Lab) [V]: Doctors, researchers, experts, campaigners and my constituents, of whom just under two-thirds are from BAME backgrounds, including a large Bangladeshi population, have all observed the covid-19 pandemic disproportionately affecting BAME communities. The Royal College of General Practitioners has even requested that these communities be prioritised for vaccine roll-out. Will the Prime Minister finally recognise that this disparity is as a result of structural racism, and can he outline what his Government are doing to address the issue?

The Prime Minister: I do not agree with the hon. Member's last point, but she makes a very important point about the need to reach hard-to-reach groups in society. That is why it is so important that the vaccine roll-out is not just conducted by the NHS, the Army, pharmacies and volunteers, but in co-ordination with local government at all levels, because it is local government that will know where we need to go, as I am sure she would understand, to ensure that we reach those groups we must vaccinate and who may be a little bit vaccine hesitant, as the jargon has it.

[911077] **Theo Clarke** (Stafford) (Con) [V]: Over the last week, there has been yet again very significant flooding in Stafford. Unfortunately, my constituents in Penkridge, central Stafford and Bishops Wood are regularly experiencing the disruption and distress that flooding causes. Will my right hon. Friend commit to my campaign to establish a flood control centre in Stafford that residents can call directly, which would provide 24/7 assistance for my constituents affected by flooding?

The Prime Minister: I have every sympathy for the residents of Stafford who have been affected by flooding and for everybody who has been affected by flooding in the latest bout. What I can say to my hon. Friend is that the Environment Agency is working hand in glove with her local authority and other partners to find a particular solution to the flooding in Sandon Road and Sandyford Brook.

Abena Oppong-Asare (Erith and Thamesmead) (Lab) [V]: My constituency is served by two local councils. Recently, Bexley has taken emergency action to shed hundreds of jobs, while Greenwich needs to make £20 million of cuts in its upcoming budget. Last year, the Secretary of State for Housing, Communities and Local Government promised councils "whatever it takes" to get through the pandemic, so why is the Prime Minister dropping a council tax bombshell and asking my constituents to pay for his promises?

The Prime Minister: The last time I looked, Bexley was a Conservative council and Greenwich was Labour, which may explain part of the problem. The reality is that we are supporting every council, with £4.6 billion of support for local government so far during the pandemic. The hon. Lady raises council tax. Perhaps she could have a word with her friend the Mayor of London, who is threatening to put up his council tax by 10%.

Derek Thomas (St Ives) (Con) [V]: The announcement by my right hon. Friend that the G7 summit is to take place in Carbis Bay in June presents a tremendous opportunity for my constituency and, of course, the Duchy of Cornwall. I thank the Prime Minister for this. Does he share my belief that the G7 summit offers the perfect opportunity to secure a global commitment to embrace and accelerate our ambitious low-carbon industrial revolution?

The Prime Minister: I do indeed. I believe that the G7 summit in Carbis Bay will be an opportunity to not only bring the world together to tackle covid, to build back better, to champion global free trade and to combat climate change but also to showcase that wonderful part of the United Kingdom and all the incredible technological developments happening there, such as Newquay space port, Goonhilly earth station and lithium mining. Cornwall led the way—I think the Romans mined tin in Cornwall, did they not? I have a feeling they did, and, indeed, the copper mines there were at the heart of the UK industrial revolution. What is going on in Cornwall today shows that Cornwall is once again at the heart of the 21st-century UK green industrial revolution.

Mr Speaker: I am suspending the House for three minutes to enable the necessary arrangements for the next business to be made.

12.42 pm

Sitting suspended.

Serious Criminal Cases Backlog

12.47 pm

Mr Speaker: Before I call the right hon. Member for Tottenham (Mr Lammy) to ask his urgent question, I remind all hon. Members participating in these exchanges that it is important that no reference should be made to individual cases in a way that prejudices current and prospective criminal proceedings.

Mr David Lammy (Tottenham) (Lab) (*Urgent Question*): To ask the Secretary of State for Justice if he will make a statement on the backlog of serious criminal cases in the justice system.

The Parliamentary Under-Secretary of State for the Home Department (Chris Philp): The covid pandemic is truly unprecedented. It has affected every corner of our lives; from hospital operations delayed, to schools closed, to businesses struggling and even to how Parliament itself operates, we have seen covid's effects. The court system is no different: bringing people safely into buildings for trials—especially jury trials—and hearings is a difficult thing to do. That is why so much has been done to keep delivering justice in these difficult times.

We have invested £142 million in upgrading court buildings and technology, alongside £110 million to increase capacity, making an investment of over a quarter of a billion pounds in court recovery this year. We are hiring 1,600 extra staff. We have opened 19 new Nightingale courts, with 35 new courtrooms. As of today, we have over 290 covid-safe jury trial courtrooms—substantially more than before the pandemic. We have installed plexiglass screens in 450 courts to protect users. We have installed cloud video platform technology in 150 magistrates courts and 70 Crown courts, allowing 20,000 remote hearings per week.

In the first lockdown, and as these measures have been put into place, backlogs have, understandably, developed. That has been the case across the world. But the fruits of our labours are now being seen. We have been faster than almost every other jurisdiction to recover and we believe that we were the first country in the world to restart jury trials, back in May. Since August, the magistrates court backlog has been relentlessly reducing, month on month. Crown court jury trials are obviously much harder, for reasons of social distancing, but even there, in the last four weeks before Christmas, Crown court disposals exceeded receipts for the first time since covid began. At this very moment, as we stand here, about 230 jury trials are taking place. The joint inspectors' report said earlier this week:

"It is a real testament to the criminal justice system that in spite of the pandemic...service was maintained."

I pay tribute to the judges, magistrates, jurors, witnesses, victims, lawyers, court staff, Crown Prosecution Service staff and Ministry of Justice officials who have made that monumental effort to deliver justice in spite of covid.

We will not rest. We are adding more courtrooms, further increasing remote hearings, and examining options for longer operating hours. We are also taking action to mitigate the impact on victims and witnesses, this year providing an extra £32 million of funding and next year an extra £25 million of funding, including for rape and domestic violence victims.

This year has been incredibly difficult in the courts, as in so many places, but through a monumental, collective effort the system is recovering. The recovery will gather strength and pace with every day that passes, and I know that everyone in the House will support that work.

Mr Speaker: I call David Lammy, who has two minutes.

Mr Lammy: We all know the numbers. The backlog of criminal cases in the Crown court has grown to more than 54,000. Including the magistrates courts, it has reached more than 457,000 cases. Serious criminal cases are being delayed by up to four years. Convictions are at by far their lowest this decade. Estimates show that the current scale of increase in the backlog would take 10 years to clear at pre-pandemic rates.

Numbers do not tell the whole story. Behind criminal cases, there are victims: victims of rape, robbery, domestic abuse, and violent assault. Each of those victims is being denied the speedy justice that our society owes them. It has been repeated many times, but it is true: justice delayed is justice denied. This is not just the case because of the pain that delays cause victims and the wrongly accused—it is because delays to justice can affect the verdict.

On Tuesday, four criminal justice watchdogs for England and Wales warned of "grave concerns" about the impact of court backlogs. Victims and witnesses may avoid the justice system entirely because of the delays. Witnesses may be unable to recall events properly many years after the event. As a responsible Opposition, we accept that the pandemic has caused unprecedented challenges for the justice system. However, we do not accept the Government's presentation of the backlog as a crisis that has resulted only from coronavirus. Before the pandemic, the Crown court backlog stood at 39,000 cases. That figure was the result of sustained attacks on the justice system by successive Conservative Governments: an entire decade of court closures, cuts and reduced sitting days. Blackfriars Crown court was sold off by the Government in December 2019. It is now sitting empty, but it is being rented out as a film set by the developer for a new series of "Top Boy". The Minister said "recovery", but meanwhile the Government are paying through the nose for Nightingale courts a stone's throw away.

Six hundred court staff, judges, lawyers and jurors have tested positive for covid-19 in the past seven weeks. A pilot scheme of lateral flow tests has now been authorised at only two courts in London and Manchester. A pilot scheme is not good enough, and neither is the plexiglass. Why have lateral flow tests not been implemented across the court system? The Minister knows that that is a serious problem and that we are a long way from recovery. Can he tell the House why the pitiful 19 Nightingale courts that he has managed to deliver fall so short of the 200 that Her Majesty's Courts and Tribunals Service said were needed? Can he tell the House why lateral flow tests are not being trialled across the whole country? After 11 years of incompetence and cuts, will he admit that his Government failed to fix the roof while the sun was shining?

Chris Philp: The shadow Justice Secretary referred to the number of cases outstanding in the magistrates courts: 460,000. What he neglected to mention to the

House was that, after the first lockdown, that peaked at 525,000 and has come down since then by 65,000 as the case load reduces relentlessly, month on month, and as our system recovers.

The right hon. Member mentioned waiting times. Of course we do not want to see very long waiting times, but I can tell him that the clear majority of remand cases that had their first hearing in November will have their trial by July of this year, and the clear majority of bail cases will have their trial heard by December of this year. He mentioned the report, which I have read carefully. Its authors, who do not inspect Her Majesty's Courts and Tribunals Service, did not engage with HMCTS prior to finalising it, which was regrettable.

The right hon. Member mentioned witnesses and victims, who are at the heart of everything that we do. Vulnerable witnesses, where it is appropriate, can give evidence under section 28 recorded well in advance of the trial, in order to avoid issues with forgetting particular evidence. I strongly encourage the CPS, defence, judges and other court users to use that section 28 facility.

The right hon. Member mentioned the number of cases outstanding in the Crown court. He claimed that before the pandemic the system was in bad shape. He mentioned the 39,000 Crown court cases outstanding in March of last year before the pandemic. What he forgot to mention was that when Labour left office in 2010 it was not 39,000; it was 47,000—considerably higher.

The right hon. Member talked about cuts. I anticipated that he might, so I looked up the HMCTS budget, which in 2011 was £1.65 billion. It has gone up by £200 million to £1.85 billion. He asked about the number of courtrooms and court centres. As I said, we now have 290 operational covid-safe Crown court jury trial rooms—significantly more than we had before covid. As I said in my first answer, in the magistrates court the outstanding case load has been declining relentlessly month on month, every month since August, and in the Crown court disposals exceeded receipts, so the lines crossed, for the first time in the full week before Christmas.

The right hon. Member asked about covid safety. Of course, Public Health England and Public Health Wales have signed off our courts as covid-safe. The number of HMCTS staff testing positive is in line with what we would expect in the general population; it is no higher, and no lower. Lateral flow testing is available at local authority lateral flow testing sites. We are exploring whether we can roll it out more fully.

Finally, the right hon. Member asked about the record of this Government on criminal justice. The most authoritative source of data is, of course, the crime survey. It is the only Office for National Statistics approved set of crime statistics. Crime in the last 10 years under this Government has fallen from 9.5 million offences down to about 5.6 million—a 41% reduction—according to the crime survey. Those numbers speak louder than words. Our record is a good one.

Sir Robert Neill (Bromley and Chislehurst) (Con) [V]: The Minister is right to pay tribute to the work that is being done by all those in the system under very difficult circumstances. It is right, too, to recognise the investment that has been made to deal with this, but I am sure that he will also accept that for the backlog to be reduced to acceptable levels, disposals in the Crown court in particular will have to exceed receipts for a sustained period of time.

The Minister will also know that there are a number of serious organised crime cases with multiple defendants coming into the system, which will put in additional strains. Does he therefore agree that to make the system sustainable going forward we will need sustained and continued investment at higher levels than we have seen before for a number of years to come? Will he recognise that that is the case that all of us who care about the system, regardless of party, need to make to the Treasury and elsewhere?

Chris Philp: I thank my hon. Friend, the Chair of the Justice Committee, for his question. He is of course right: we need to have sustained levels of disposals exceeding receipts. We got there just before Christmas for the first time during the pandemic following a heroic effort, but he is right that it needs to be sustained. We are making it clear that the resources needed to achieve that will be made available. In the current year, Crown court sitting days will not be any constraint on getting cases listed. Subject, obviously, to the usual discussions with the judiciary, we anticipate a very significant increase in Crown court sitting days in the next financial year to achieve the objective that he rightly and properly calls for.

Mr Speaker: I call Joanna Cherry, who has one minute.

Joanna Cherry (Edinburgh South West) (SNP) [V]: Criminal justice is devolved in Scotland, and here the focus has been on ensuring that jury trials continue in the most serious cases where accused persons are in custody and where the nature of the alleged offence demands that priority be given, which includes sexual offences. The report we are talking about today deals with England and Wales only. It has found numerous examples of serious cases being cancelled at short notice, and it has warned that delays could result in crime victims being unable to support prosecutions.

What new steps is the Minister taking to ensure that, as already happens in Scotland, the United Kingdom Government are complying with their duty under article 3 of the European convention on human rights to ensure that there are effective remedies for the victims of sexual offences and, in particular, that we avoid—or that he avoids—undue delay in getting cases of sexual offences to trial? I know what has been done in Scotland. I am keen to know what the Minister is going to do in England and Wales, given the finding of this report.

Chris Philp: We are as keen as the hon. and learned Member is and everyone is to make sure that these very sensitive cases involving rape or similar offences get heard quickly, but of course it is a matter for the judiciary to decide when they are listed and sometimes there are reasons to do with case management why a case may get adjourned while things are dealt with. But we have, for example, now rolled out the section 28 evidence provisions that I mentioned, so sensitive evidence can be given by recorded video, which can be taken well in advance of a trial—designed to help exactly what she is describing—and we have made large amounts of money available, with the extra £25 million next year and £32 million this year, to support and help witnesses and victims.

I was slightly concerned to read a remark by the Lord President of the Government in Scotland of Session that during lockdown criminal cases in Scotland would

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be down by 75%. I am sure the hon. and learned Member shares my concern about that, and anything we can do to exchange ideas in our mutual interests I am sure we will be very happy to do.

Miss Sarah Dines (Derbyshire Dales) (Con) [V]: Around the world, the United Kingdom rightly has a reputation of having a first-class criminal justice system. The present large backlog in criminal trials due to the pandemic is of immense concern to me in terms of the rights of victims, witnesses and defendants and the need for a timely trial. Can my hon. Friend assure me that sufficient resources are going to be forthcoming to resolve the present backlog within a proper timeframe?

Chris Philp: My hon. Friend is right to raise this question. As I said in my opening remarks, the pandemic—the global pandemic—has had a huge impact on public services not just in this country but across the world, and the court system is not immune from that. That is why we have seen the additional cases that we have discussed this afternoon.

My hon. Friend asked about resources. The Government are categorically committed to putting in the resources necessary to facilitate the recovery of the courts. I mentioned earlier that this year alone we have invested an extra £143 million in court buildings and technology to make our courts covid-safe and an extra £110 million in increasing our courts capacity. That is an investment of an extra quarter of a billion pounds this year alone to make sure that the court recovery not just gets started, but continues in the current vein. So I can give my hon. Friend the assurance that she is quite rightly asking for.

Wera Hobhouse (Bath) (LD) [V]: There is more and more evidence that domestic abuse has increased dramatically during lockdown. The Bar Council has led calls for non-means-tested legal aid to be made available for all cases of domestic abuse. Will the Minister please commit to providing this as a matter of urgency?

Chris Philp: Domestic violence most certainly is a very serious and very important matter. That is why, when the pandemic started, the senior judiciary sent directions to magistrates courts laying out which cases should be dealt with as a matter of priority. One of the items in the top priority—the priority 1 list of cases—was domestic violence protection orders, because the judiciary and the system recognise their importance. In relation to legal aid, it is kept under review of course, but we are always making sure that domestic violence victims receive not just protection, but quick protection. That is vitally important.

Rob Butler (Aylesbury) (Con) [V]: All criminal cases begin in the magistrates courts and all magistrates are volunteers, so will my hon. Friend join me in thanking and congratulating magistrates on everything they are doing to clear the backlog in their courts? Will he assure me and all users of our magistrates courts that he will do whatever it takes to keep them safe and ensure that justice continues to be done in our local communities?

Chris Philp: I know my hon. Friend has a long and distinguished history serving on the bench as a magistrate, so I would like to publicly recognise that and I join him in extending my warm and enthusiastic thanks to magistrates up and down the country, who have been keeping justice going in incredibly difficult circumstances—and not just keeping justice going, but clearing down the backlog, which has been reducing since August, as I said earlier. One of my parliamentary team sits as a magistrate in Croydon Crown court—one of the many thousands of magistrates—and I thank all of them for what they have done to deliver justice in these most trying of times.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab) [V]: Rape and sexual violence prosecutions are at their lowest ever level in England and Wales, and domestic abuse prosecutions are down 19%, and that is at a time, during lockdown, when domestic abuse is widely reported to have increased, so what steps are the Government taking to speed up justice for vulnerable people who are victims of these abhorrent crimes?

Chris Philp: I agree with the hon. Gentleman. There is an issue with, for example, the charging and prosecution of rape cases in particular, which predates the pandemic. There is a problem and it needs to be addressed. Some steps have been taken already—for example, changes to the rules around disclosure, which had been a problem in rape cases, and the provision of significant extra money even before the pandemic to support independent sexual violence advisers and rape crisis centres and to support the victims of these awful crimes, but more needs to be done. The Ministry of Justice and the Home Office are conducting a rape review, which is being led by the Minister for Crime and Policing. That is due to report very shortly and will contain further actions in this very important area.

Gareth Johnson (Dartford) (Con) [V]: I worked in the Courts Service for 20 years, and there have been case delays under all colours of Government, so the right hon. Member for Tottenham (Mr Lammy) has a very selective memory on this issue. It is not surprising that this pandemic has caused delays in court cases right around the world, but will my hon. Friend the Minister ensure that delays to domestic violence cases are prioritised? As he knows, often pressure grows on victims as a case progresses and too often their resolve diminishes and they feel unable to continue supporting the case.

Chris Philp: My hon. Friend makes an extremely good point. We are very concerned about these cases and that is why we are spending a great deal of extra money—as I say, next year, an additional £32 million—to help protect victims and witnesses of awful cases such as those of domestic violence and rape. As I have mentioned, the judiciary have already prioritised domestic violence protection orders in the magistrates courts and, although listing is a judicial function, I know that judges are prioritising very serious cases of rape and domestic violence to make sure those cases get heard quickly, for the reason that he has mentioned. In addition, we rolled out section 28, the video evidence provisions, in, I think, November last year—just a couple of months ago—to make sure vulnerable witnesses can give evidence by video quickly, well in advance of the substantive

hearing, so that some of the issues to do with victim attrition that he mentioned are addressed quickly and as far as they possibly can be.

Helen Hayes (Dulwich and West Norwood) (Lab) [V]: In 2016 the Government announced the closure of 127 courts and tribunals centres. Responding to a debate I secured at the time the Justice Minister's predecessor, the hon. Member for North West Cambridgeshire (Mr Vara), acknowledged the importance of prompt investment in digital courts, saying:

"Otherwise, there will be an extraordinarily chaotic justice system, which is the last thing any of us want."—[*Official Report*, 1 March 2016; Vol. 606, c. 258WH.]

Does the Minister accept that, notwithstanding coronavirus, the Government's court closures, combined with a digital investment programme which only started after the closures, was scaled back and is running significantly behind schedule, represents a catastrophic failure to sustain access to justice?

Chris Philp: I do not accept the hon. Lady's criticism. Travel times to courts before and after the programme that she mentions were very little different. As I said, due to the actions that we have taken during this pandemic, there are significantly more covid-safe Crown court jury trial rooms today than there were before the pandemic.

In relation to online justice, the cloud video platform was developed prior to coronavirus. Its roll-out has been expedited. In the weeks running up to Christmas we saw 20,000 remote hearings per week across all jurisdictions, and in fact last week was a record week. There are 150 magistrates courts and 70 Crown courts now connected. The use of remote video and audio hearing technology has been extremely widespread. It is very impressive, and it is doing its job extremely well in these difficult circumstances.

Imran Ahmad Khan (Wakefield) (Con) [V]: I congratulate my hon. Friend on all the hard work that his Department has done during this incredibly difficult time, particularly with regard to the implementation of video hearings. Twenty thousand hearings have now been undertaken through the cloud video platform every month. Will he outline whether the use of remote technology will be expanded to help reduce court backlogs?

Chris Philp: I thank my hon. Friend, who of course has a distinguished background in this field himself, for his question. We do intend to continue rolling out the use of video and remote technology in the way that he describes. We see huge opportunities there. The Lord Chief Justice, in response to the most recent lockdown, urged trial judges and other judges to use remote hearing technology as widely as they possibly can, so this work is continuing. As I said in response to the last question, last week was a record week for remote hearings, and we expect the roll-out and the adoption of this technology to continue apace.

Andy Slaughter (Hammersmith) (Lab) [V]: The Minister points, as if it were an excuse, to previous backlogs of jury trials. The difference is that in 2010 and 2015, the previous peak, there were 600 to 700 trials happening a week and numbers were falling. Now he is boasting about 230 happening, despite his target back in November being 333. Does he accept that his proposals for clearing the Crown court backlog at the moment are not working and are inadequate?

Chris Philp: I would point out that 230 is the number happening as we speak; in the weeks leading up to Christmas, the average was more like 275. In relation to the number of trials over the last few years, as I said in answer to the shadow Justice Secretary, the right hon. Member for Tottenham (Mr Lammy), crime, as measured by the British crime survey, has fallen by 41% since Labour left office, so it is not entirely surprising that the number of trials has reduced commensurately.

However, we are now increasing the number of sitting days and the number of jury trials. As I said, the last full week before Christmas saw the number of Crown court disposals exceed the number of receipts for the first time in the pandemic. As the Justice Committee Chairman rightly said in his question, we now need to sustain that over a period of time to ensure that the outstanding case load gets back down to where it was before, which I remind the hon. Member for Hammersmith (Andy Slaughter) was a great deal lower than when Labour left office.

Ben Everitt (Milton Keynes North) (Con): I am grateful for the answers that my hon. Friend gave to the hon. Member for Slough (Mr Dhesi) and my hon. Friend the Member for Dartford (Gareth Johnson) in relation to support for victims of domestic violence and other vulnerable witnesses. It is a tremendously tough time for everyone involved in the judicial system and on its periphery. I am thinking particularly of MK Act, the domestic violence charity in my constituency, and all the wonderful homelessness charities that we have to support vulnerable people. Sadly, however, those people do end up in the courts system, so what support do we have during the pandemic specifically for vulnerable people going through the courts system?

Chris Philp: My hon. Friend raises an important point. Witnesses and victims, particularly in connection with offences such as domestic violence, sexual assault and rape, are very vulnerable and the experience is very traumatising. Often, going through a court process re-traumatises victims, who have often suffered terrible crimes. It is our duty as a justice system to support, protect and look after those victims as they go through the process.

We recognise that that needs investment, which is why we are spending an extra £25 million this year over and above previous plans, and an additional £32 million next year, specifically to support, protect and look after witnesses and victims. We are investing in things such as additional ISVAs, who can help support victims as they go through reliving awful crimes. I entirely concur with my hon. Friend's sentiment, and we are doing everything possible, including putting in lots of extra money, to achieve the objectives that he points to.

Kevin Brennan (Cardiff West) (Lab) [V]: I listened very carefully to the response the Minister gave and this really is not a time for bragging. My very elderly constituent, whose case the Minister knows about through correspondence between us, has been waiting for four years to have a case of alleged fraud come to court. She and her family want justice to be done during her lifetime. That is what they are telling me. The system is clearly not working. It will not be fixed by bragging, but by investment, real reform and perhaps a little bit of ministerial humility.

Chris Philp: In relation to investment, I have already said two or three times that in this current financial year, because of the massive challenge posed by coronavirus, we have invested an extra £143 million and the extra £110 million—an extra quarter of a billion pounds—in delivering court recovery. A quarter of a billion pounds is an enormous investment. It is designed to help with cases like those of the hon. Gentleman's constituent, which we want to be heard quickly. Of course, every individual case has its own circumstances and sometimes there are procedural, evidential or other reasons why individual cases get listed some way into the future, but we do want all those cases to be heard as quickly as they can be. As I said, for remand cases where the defendant is in custody that had their first hearing—their first mention—in November 2020, the clear majority will have their trials heard by July this year. However, we do want to move faster. That is why, as the Chairman of the Select Committee said, we need to make sure that the happy circumstance of disposals exceeding receipts, which we achieved just before Christmas, is continued and sustained into the new year to help people like the hon. Gentleman's constituents, who quite rightly and reasonably, want their cases heard.

Danny Kruger (Devizes) (Con) [V]: I pay tribute to the work done by the Ministry of Justice in getting the courts open again quickly last year and actually increasing throughput so that we now have more sitting hours and more Crown court trials than we had before covid. Does my hon. Friend agree that we have the opportunity for a real transformation in criminal justice, making more use of technology in trials and in disposals? Can he update the House on plans for more smart tagging, as proposed in a recent Centre for Social Justice report by my hon. Friend the Member for Aylesbury (Rob Butler)?

Chris Philp: My hon. Friend raises a very good point. As we face the future, the use of technology will be critical in making our justice system faster, more efficient and more accessible. I have already laid out how we have expedited the roll-out of a cloud video platform which facilitates remote hearings. We have been doing quite a lot of work with the police on video remand hearings, where a prisoner who has been arrested and is in a police custody suite has their remand hearing with the magistrates done by video link, rather than being taken to the magistrates court. Quite a lot of that has been going on. We are also just beginning to roll out the common platform, which is an IT system that integrates many parts of the criminal justice system, the Crown Prosecution Service, defence, prosecution and the courts themselves. That work is being trialled pending a full roll-out. My hon. Friend also mentioned a smart tagging, a point, as he said, raised by my hon. Friend the Member for Aylesbury. We have this year procured a large number of additional GPS tags, which we are now using. We are moving in that direction. The measures he referred to in the sentencing White Paper, which we published, I think, back in September, will, I can tell him, form part of legislation arising in the relatively near future.

Maria Eagle (Garston and Halewood) (Lab) [V]: Many court users and their representatives are asking for courts to be closed again because of increasing covid outbreaks. Her Majesty's chief inspector of the Crown Prosecution Service told the Justice Committee

yesterday of concerns that some courts are not safe. He said, "I particularly would not wish to be in a court at this time." Is the Minister planning for courts to close again? What impact will any such change in policy have on the Crown court backlogs that we are concerned about today?

Chris Philp: We are not planning to close down the court system, and the Lord Chief Justice made that very clear when the current lockdown was announced. As I have said, we have invested a quarter of a billion pounds in making our courts system covid-safe so that it can keep operating. The hon. Lady cited some remarks by the CPS inspector at the Committee yesterday and I have to tell her, in all candour, that those comments are inaccurate and inappropriate. The proper authorities for determining the safety of our courts system are Public Health England and Public Health Wales, not the inspector of the CPS, and they, having looked at the measures we are taking, have found them to be appropriate and found that our courts are covid-safe. The proof of that pudding is in the eating. As I said earlier, the number of Her Majesty's Courts and Tribunals Service staff who have tested positive for covid is in line with the number in the wider population; courts are not especially unsafe, because of the measures we have been taking and will continue to take. I hope that reassures witnesses, defendants, jurors, lawyers—anyone using the courts—that our courts are safe. Justice should, will and must continue to be delivered.

Mr Philip Hollobone (Kettering) (Con): Northamptonshire police have made really good progress during the pandemic in targeting serious and hardened criminals and, in particular, in busting up local drugs gangs. Having arrested these people, the police need them prosecuted, so will the Minister tell me what the courts situation is in Northamptonshire and what progress is being made on reducing the backlog?

Chris Philp: I thank my hon. Friend for his question. As I have said, we are opening up as many covid-safe jury courtrooms as we can, to hear the cases such as the ones he is describing. I would be happy to speak to him about opportunities to find additional court space in his fine county, perhaps by looking for some new Nightingale courts that we can use. There are particular challenges associated with so-called "multi-handers", where there are a large number of defendants, because getting them into a single dock in a covid-safe way is challenging, particularly when there are more than seven. We are looking at that carefully to see what more can be done. We recognise it is an area of particular challenge, but where there are fewer than seven defendants we are able relatively easily to hear those cases and we are doing so.

Rachel Hopkins (Luton South) (Lab) [V]: I have listened carefully to the Minister talk about covid-safe courts, but covid is spreading at an alarming rate and a growing number of legal professionals and organisations, including the Criminal Bar Association and the London Criminal Courts Solicitors' Association, are stating that courts are not safe. HMCTS's desire to address the case backlog should not compromise the health, safety and welfare of workers and court users. So can the Minister confirm reports by the Public and Commercial Services

Union that on a single day last week 19 crisis management team meetings were needed to assist areas with multiple covid incidents?

Chris Philp: The measures taken to make sure our courts are covid-safe have been assessed and signed off by Public Health England and Public Health Wales, which are the appropriate authorities. We are very concerned to make sure that courts remain covid-safe, which is why as many hearings as possible are being done remotely, following a direction from the Lord Chief Justice a short while ago. It is also why we have social distancing in courts, why they are cleaned very frequently, and why we have plexiglass screens installed in courtrooms and in jury retiring and deliberation rooms. If any court user, be they barrister, solicitor, witness or anyone else, is concerned about any particular circumstances that they observe, there is a reporting process—an escalation process. I strongly urge anyone who sees anything amiss to use that reporting service. On the situation generally, I point to the figures I mentioned before, which show that the number of HMCTS staff testing covid positive is in line with what we would expect in the general community. But we are not complacent about this and we are going to work hard to continue to make sure that courts are safe.

Angela Richardson (Guildford) (Con) [V]: Will my hon. Friend join me in thanking all the court staff, legal professionals and the judiciary, who have kept our justice system running throughout lockdown? Does he agree that the recruitment of an extra 1,600 court staff will help speed up our justice system's recovery?

Chris Philp: Yes, I certainly will join my hon. Friend in thanking the judiciary, magistrates and everybody involved in delivering justice for their heroic, herculean efforts during this pandemic. In many countries around the world, justice has slowed or even stopped. Although we have many challenges, as we have discussed, we are doing a great deal better in this jurisdiction than many other countries around the world, thanks to the work of judges, magistrates, court staff, lawyers and everybody who makes the system operate. I extend my warm thanks to them. My hon. Friend is quite right that the 1,600 extra staff—getting on for a 10% increase—will make a big difference in delivering the court recovery we need and, importantly, in sustaining that into the months ahead.

Stephanie Peacock (Barnsley East) (Lab) [V]: Last September, I raised in the House the fact that the majority of Barnsley court cases have been moved to Sheffield courts. The measures the Minister claimed had been put in place have clearly not worked in reducing the backlog. I ask him again: what is his plan to make sure that everyone can access justice?

Chris Philp: We are putting more resources into the system, with more court rooms for jury trials, more magistrates courts sitting on Saturdays and no limitation this year on the number of Crown court sitting days. All those things are designed to make sure that we get through the work available and deliver swift justice. If there are any particular local issues affecting the hon. Lady and her constituents, I would be happy to correspond or meet to discuss them. The Government have an unshakeable commitment to making sure that justice is delivered right across the country.

Jacob Young (Redcar) (Con): I thank the Minister for his statement. However, this problem will outlive the pandemic. We need criminals to face the sentences they deserve as soon as possible. I have constituents in Redcar and Cleveland who have been waiting more than two and a half years for their day in court, and we all have victims who are waiting for justice to be done. It is great that we have established a Nightingale court in Middlesbrough to help with this, but what is the long-term strategy to cope with these delays, and how long can we expect the Nightingale courts to continue?

Chris Philp: I think the Nightingale courts will continue for as long as we need them. My hon. Friend makes a good point: at some point in the relatively near future, we hope that the current restrictions will be eased or even lifted, but that will not be the end of the story as far as the courts are concerned, because we will need to continue working, probably significantly beyond the end of the current coronavirus circumstances, to make sure that the court system is in the shape that we want. This journey will continue; it will not end suddenly in the coming months. We will make sure that the courts and sitting days needed are available so that justice is delivered. He mentioned making sure that criminals get the right sentences. He will have read the sentencing White Paper last September. We will shortly legislate in this area, and that legislation will include longer sentences—more time spent in prison—for the most serious criminals, which I am sure he and his constituents will strongly welcome.

Mrs Emma Lewell-Buck (South Shields) (Lab) [V]: Can the Minister advise how many of the 400,000 lost police records are linked to these backlogged court cases? Will he take this opportunity to apologise to all victims who are being denied justice because of the Justice and Home Secretaries' incompetence?

Chris Philp: My colleague the police Minister gave a full statement on the police records situation a day or two ago, and the Prime Minister answered questions on that topic from this very Dispatch Box just an hour or so ago, which I am sure the hon. Member listened to carefully. The Justice Secretary and Home Secretary and the Government will take no lessons from the Labour party on criminal justice when, according to the British crime survey, crime in the last 10 years under this Government has fallen by 41% in comparison to the position under our predecessor.

John Howell (Henley) (Con) [V]: The Minister is probably aware that the Lord Chief Justice recently set out in a very honest statement his view of the continuation of the rule of law by the sort of changes that he introduced. He also pointed to some of the difficulties. Will the Minister join me in congratulating and praising the Lord Chief Justice for all that he, specifically, has done in leading the judiciary forward in this difficult area?

Chris Philp: Yes. The Lord Chief Justice, Lord Burnett of Maldon, has provided exemplary leadership through these difficult days, keeping our justice system running in a way that many other countries have not. I join my hon. Friend in extending my thanks and congratulations to the Lord Chief Justice, the senior judiciary and, indeed, the country's entire judiciary for the work that

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they have done in delivering justice in these last nine or 10 months, and for the work that we are going to do together in the months ahead.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab) [V]: Behind every alleged offence lies a victim, often many. I cannot imagine how hard it must be for them waiting month after month for justice. What is the Minister doing to reassure all those victims, who could be waiting up to four years for a trial, that justice will be done? After this statement finishes, what concrete action will he take to do something differently to address this?

Chris Philp: The lead times that the hon. Member is describing are, thankfully, very rare exceptions. As I said, for the most serious cases, where the defendant is remanded in custody, a clear majority of those that had a first hearing in November will have their substantive trial by July this year. We are taking action, we have been taking action, and we will continue to take action to look after victims of the most serious offences—the most distressing ones, such as rape and domestic violence—by making sure that they are supported. I have mentioned the £32 million of additional money that will be spent next year on the victim service, ISVAs and all those things that support victims and witnesses. I have also mentioned the use of section 28 evidence, which means they can give their evidence by video at a very early stage, rather than having to wait a long time. All those things are concrete, tangible actions that will help in the area that she raises today.

David Johnston (Wantage) (Con) [V]: I thank my hon. Friend for his statement on recent progress in clearing the covid backlog. There will be victims out there who will look at these headlines and wonder whether they should pursue their cases, or perhaps recent victims of crime wondering whether they should come forward at all, given the delays that the papers have suggested. What is my hon. Friend's message to victims of crime at this time?

Chris Philp: I say to victims: we are there to support you, to hear you and to seek justice for you. As my hon. Friend knows, we are hiring 20,000 extra police officers to keep victims safe. We are keeping the court system running in these difficult circumstances. We are getting back to a period in which magistrates courts are clearing the backlog and, I believe, the Crown court shortly will do so. So I say to victims: justice will be done. Your voice will be heard. Come forward. We are here for you. Do not hesitate—we want to hear your story. We will listen to it, we will act and we will make sure justice is done.

Sarah Champion (Rotherham) (Lab) [V]: Shockingly, only 1.4% of those reporting rape secure a conviction, and that figure was published before the news of deleted police records and the covid court backlog. For the last 10 years, this Government have run down the police, the Crown Prosecution Service, courts, prisons and probation, so what confidence can the Minister give to victims and survivors of sexual violence that they will be able to secure justice?

Chris Philp: The Crown Prosecution Service, even before coronavirus, had an extra £85 million a year put into it to enable it to hire 400 more prosecutors. We are hiring an extra 20,000 police officers—we are about a third of the way through that programme already—and the Ministry of Justice had a significant funding increase for the current financial year, announced before coronavirus, running into several hundred million pounds. Those extra resources are being brought to bear, but the hon. Member is right to say, I am afraid, that there is a problem with the charging and prosecution of rape cases, which predates coronavirus. It is a very serious problem. We are taking action through the recruitment of more ISVAs and changes to disclosure rules, but that is not enough on its own. More needs to be done, and the rape review being led by my colleague the Minister for Crime and Policing, which is due to report very shortly, will propose further actions to address the problem that the hon. Member raises. It is a problem. It is not yet fixed. We need to take more action, and we will.

James Daly (Bury North) (Con) [V]: As a former criminal defence solicitor, may I ask my hon. Friend to join me in praising all the practitioners who have contributed so much to access to justice during the pandemic? Many have asked me to ask the Minister what steps the Government have taken and are taking to enhance capacity in the criminal courts. Finally, does he not think it odd that the Scottish National party is asking questions about the English judicial system, despite its call for English questions on English laws?

Madam Deputy Speaker (Dame Rosie Winterton): Order. It should really be just one question to the Minister.

Chris Philp: I have such a choice to choose from! Yes, I join my hon. Friend in paying tribute to the legal profession and the judiciary for the work they have done in these difficult circumstances. To answer the question that his colleagues have put via him, we are opening up Nightingale courts. A total of 19 are open, with 36 additional courtrooms. We have already rolled out the cloud video platform to ensure that hearings can be done remotely, and we are ensuring that Crown court sitting days are not a limitation in this financial year, so we are doing everything we can to open up capacity in the criminal justice system. We are also considering whether we can extend operating hours, and I would be interested to hear my hon. Friend's views on that, perhaps after today's question. We are leaving no stone unturned to ensure that our capacity is increased.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC) [V]: North-west Wales's only justice centre, in Caernarfon, is equipped with small cells, consultation rooms without protective screens, and insufficient space for jurors in one of its two Crown courts. There has recently been a sharp rise in covid cases in the area, and those conditions pose a significant risk to everyone attending court. The chronic underfunding of courts and the covid-induced backlog of cases are combining to create a crisis of justice. Will the Minister therefore commit to developing a recovery strategy for courts in Wales, once the vaccine has significantly reduced the risk to staff and users?

Chris Philp: Our recovery plans apply across the whole jurisdiction, but I would like to pay particular tribute to the court system in Wales. When we look at the figures for magistrates courts and Crown courts, we see that Wales is one of the parts of the jurisdiction that are doing either the best or very nearly the best. The courts in Wales are performing extremely well, and I would like to thank and pay tribute to the Welsh judiciary, HMCTS staff and the legal fraternity for the work they have done to make that possible. And yes, the recovery will continue beyond the immediate coronavirus pandemic. There will be work to do that goes on into the future, as the right hon. Lady says, and as the Justice Committee Chairman said. The work will continue across the entire jurisdiction.

Andy Carter (Warrington South) (Con) [V]: I join the Minister in paying tribute to magistrates in Cheshire and Merseyside for the work they are undertaking, and invite him to welcome the new volunteer members of the bench who were sworn in just before Christmas and are now serving in courts in the north-west. Having sat as a magistrate last week myself in Liverpool, I can confirm that the magistrates court and the Nightingale court at St George's Hall are covid-safe and working very efficiently. Can my hon. Friend outline what steps are being taken to ensure that the most serious cases are heard quickly, both in magistrates courts and in Crown courts, so that justice is not delayed?

Madam Deputy Speaker (Dame Rosie Winterton): Order. Before the Minister responds, let me say that I want to try to get everybody in, so we need fairly short questions and, obviously, fairly brisk answers.

Chris Philp: I will do my best, Madam Deputy Speaker. I am delighted to hear that the courts in Liverpool are functioning so well. The listing of cases is a matter for the judiciary, but I know that judges are mindful of the points that my hon. Friend raises, and where there are serious and sensitive cases, judges do prioritise those in listing.

Wendy Chamberlain (North East Fife) (LD) [V]: I thank all those working in the justice system across the UK. As a former police officer with family who serve, I know the enormous efforts being made to keep the systems functioning. We clearly need more Nightingale courts and proper long-term investment to increase capacity. Can the Minister assure me, however, that the Government will not respond to this backlog by doing anything to either weaken or undermine the fundamental right to trial by jury?

Chris Philp: I thank the hon. Lady's family for their service in the police force. We are, as a nation, grateful for everything they do on the frontline. It is not our intention to undermine those fundamental principles of justice, and even though we are in difficult circumstances, we have not cut corners with those fundamental rights to justice, nor do we plan to.

Mike Wood (Dudley South) (Con) [V]: What measures is my hon. Friend putting in place to secure access to justice, in particular in those cases where liberty is at stake, such as in the mental health tribunal?

Chris Philp: We are putting as many resources as we can into cases in the mental health tribunal, and we are using remote hearing technology as much as we can in

tribunals generally, including the mental health one. My hon. Friend will have seen the recently published mental health White Paper, which aims to go even further in supporting the rights of people with mental health problems.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) [V]: Is the Minister aware that many lawyers and people using the courts are absolutely terrified of going to work? These are not covid-safe environments. As co-chair of the all-party parliamentary group on miscarriages of justice, I have talked to a lot of people working in our courts. He is being very complacent. Many people think that courts are the place to catch the covid infection. What is he going to do to show the leadership and management to sort that out?

Chris Philp: The Government have spent a quarter of a billion pounds this year on making our court estate covid-safe. Public Health England and Public Health Wales find it to be safe. I hope that it reassures the hon. Gentleman's constituents to know that the number of positive cases in the court system detected among court staff is no different from what we find in the general population. The measures that have been taken are working, and people who need to use the justice system do not need to be afraid in the way he describes.

We are not complacent. We aim to do more, particularly in the area of testing. I urge people using the court system to take a lateral flow test, administered by a local authority testing centre, before going into court where they can, and if they see anything that concerns them, they should report it quickly, because there are reporting processes available. We are committed to making sure that courts are safe, and that work will continue.

Dr Julian Lewis (New Forest East) (Con): Given that the Minister has previously expressed sympathy for the idea of raising the mandatory retirement age for magistrates in particular, may I appeal to him to ensure that when he does so, there is provision to reinstate those magistrates who have retired in the meantime, so that the valuable services of people like my constituent Peter Power JP are not lost to the bench?

Chris Philp: As my right hon. Friend knows, we ran a consultation in the autumn on this topic, and I hope we will be able to respond formally to that and move forward in the near future. His suggestion that recently retired magistrates who are under the new retirement age can return is a very good point well made, and I can assure him that it will definitely feature in our thinking when we respond to the consultation.

Lilian Greenwood (Nottingham South) (Lab) [V]: Nottinghamshire police offered the empty Hucknall police training school to the Courts and Tribunals Service for use as a Nightingale court at zero cost months ago, but it has been rejected, and HMCTS is refusing to discuss alternatives with our chief constable and police and crime commissioner. Why has HMCTS not opened a Nightingale court in Nottinghamshire? Why was that free offer refused, and why is the Minister not working with Notts police to ensure that victims and witnesses are not denied justice?

Chris Philp: We have opened 36 Nightingale courts across the country. I am sorry that there is not one so far in the hon. Lady's county, but I would be willing—delighted, in fact—to speak with her about her proposals

[Chris Philp]

for her county. If she would like to make contact, I will happily either exchange correspondence or have a meeting to discuss those ideas. There are sometimes reasons why a particular building is not suitable that are not immediately apparent—it might be to do with custody cells or something else—but I am happy to have a proper, detailed conversation with her about her ideas, to see what can be done. If she follows up with my office or my Department, I will be delighted to do that.

Laura Farris (Newbury) (Con) [V]: Last year, the Ministry of Justice received calls to temporarily dispense with juries as a way of clearing the backlog in the criminal justice courts. I pay tribute to the Secretary of State for his determination not to do this. However, will my hon. Friend reassure the House that as he works to accelerate the disposal of criminal matters, he remains committed to preserving juries as a fundamental cornerstone of the criminal justice system?

Chris Philp: Yes, we do remain committed to the foundation stones of our justice system. Just as we have not cut any corners in delivering justice in these difficult past few months, we do not plan to cut any corners in the future.

Tony Lloyd (Rochdale) (Lab) [V]: The fact that we have had to open the Nightingale courts to increase capacity, welcome though that is, indicates how mistaken it was to close local courts in places like my constituency of Rochdale or in Bury and to concentrate all the magistrates courts in Manchester. Local justice is still a sensible idea. Will the Minister use this opportunity to think about a review of localism and the possibility of reopening local courts?

Chris Philp: Some local courts have been brought back into use in response to the pandemic. We have had to use Nightingale courts not because the current court estate is, in itself, inadequate, but because we need to space out a lot more to hold hearings and trials, especially jury trials, in a covid-safe way. Even where particular courts—the Old Bailey is a good example—have quite a large number of courtrooms, we can only use a subset of those in a covid-safe way. We have enough jury courtrooms, but they are sometimes difficult to use in a distanced, covid-safe way, and that is why we have had to open up the Nightingale courts. However, we will see what lessons we can learn, as the hon. Gentleman says. We will keep this under careful review and reflect on it very carefully.

Dr Kieran Mullan (Crewe and Nantwich) (Con) [V]: The Minister will understand the attention that has been paid to this issue, but I welcome the highlighting of the historical trends with regard to the hyperbole coming from the Opposition Benches. Does he agree that with many private events venues unable to operate and claiming taxpayer-funded grants and support, it makes sense for the taxpayer to be paying into those as Nightingale courts instead? May I encourage him to hasten the roll-out of such venues?

Chris Philp: I thank my hon. Friend for his encouragement. We will certainly do that everywhere that we possibly can. If any Members have ideas for Nightingale courts, then we are happy to talk about them.

Jeff Smith (Manchester, Withington) (Lab): The Government like to talk tough on crime, but since 2010 the MOJ has been cut more than any other Department: police funding was cut, recorder sitting days were cut, the CPS was cut, and more than half the courts across England and Wales were closed. The new resources that the Minister has talked about will not make up for those 10 years of cuts. That is not being tough on crime, is it?

Chris Philp: I will tell the House what is being tough on crime. According to the crime survey for England and Wales—the only source of crime statistics that the Office for National Statistics says is reliable—the number of crimes in the jurisdiction of England and Wales has gone down by 41% since 2010, and that is the number that matters the most.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con) [V]: I commend the Minister for the work he has done to get jury trials back up and running. I have a constituent who has been called for jury service and is quite worried about their own safety and the safety of those they live with. What information can my hon. Friend give about the steps he is taking to make jury service covid-safe so that my constituents can be reassured when they are undertaking this important public duty?

Chris Philp: My hon. Friend can reassure her constituents who have been summoned for jury service that we have plexiglass screens in place to prevent the spread of any infection, distancing in the jury retiring rooms, regular cleaning, of course, and a whole range of further measures. If any of her constituents, or indeed anyone's constituents, who are summoned for jury service are in some way vulnerable—perhaps over the age of 70 or feeling that their health might be compromised—they should contact the Jury Central Summoning Bureau to discuss that. Although there is no blanket rule in place, where somebody has legitimate concerns, they will be sympathetically listened to.

Janet Daby (Lewisham East) (Lab) [V]: The backlog of cases in the Crown courts is not only causing concern for victims of crime; the mishandling of the crisis has also piled pressure on to hard-working lawyers and barristers, who already work in high-intensity environments. The enforcement of the enhanced working hours by the Ministry of Justice means that legal professionals have had to work harder and longer hours. The Criminal Bar Association is now considering legal action to urge safer and fairer working conditions. If the Government recognise the value of those leading these trials, what is their response to the Criminal Bar Association?

Chris Philp: On the safe working environment, I have already mentioned that Public Health England and Public Health Wales, which are the relevant bodies, find our courts to be safe environments. But as I have said, if any legal practitioner or other court user comes across a particular circumstance that concerns them in a court, there are reporting mechanisms that I strongly encourage them to utilise if required.

In relation to hours, we are carefully considering the options; no decisions have been taken. But I would have thought that many people working in the legal profession would be glad to have additional working hours. Some practitioners say that they have not been earning as much as they ordinarily would because of the coronavirus

restrictions, particularly over the summer. Clearly, additional hours provide an opportunity in that regard. But as I say, no decisions have been taken and we continue to think carefully and listen carefully to everybody with an interest in the system.

Joy Morrissey (Beaconsfield) (Con) [V]: In Beaconsfield, constituents are keen to see that the wheels of justice keep turning. What investment have the Government made in reducing criminal court backlogs?

Chris Philp: I would point to the quarter of a billion pounds that we have invested this year alone—extra money for making sure that our courts are covid safe and have the capacity needed to deliver justice. That is a striking investment and a striking commitment—one that has not only started the court recovery, but one that I hope and expect will sustain it in the months ahead.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for responding to the urgent question. I am now suspending the House for three minutes to enable the necessary arrangements for the next business to be made.

1.52 pm

Sitting suspended.

Internet Access

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

1.55 pm

Darren Jones (Bristol North West) (Lab): I beg to move,

That leave be given to bring in a Bill to extend the universal service obligation for internet providers to include mobile internet access; to make requirements regarding internet access for children eligible for free school meals; to require the Secretary of State to report to Parliament on progress in reducing digital inequalities; and for connected purposes.

Yesterday—although I had lost track of which day it was—I was talking to a broadcast journalist about this motion, and just as I was getting into the details of the wireless telegraphy regulations he said, “Darren, we cannot cover it tomorrow: we are doing back-to-back coverage of the presidential inauguration.” I understand that I am competing a little with the news cycle today, but I am grateful for the opportunity to plant this important flag in the sand and get this on the record.

This pandemic has highlighted many of the inequalities that have existed in our country for a long time. For children, many of whom have lost so much time at school, the long-term impact of the pandemic on their life chances could be severe. For families on low incomes, getting access to online schooling has been difficult; for many, buying new laptops and paying for high-speed broadband is just not a possibility. It is estimated that up to 2 million children in our country do not have the internet access that they need to learn from home. Although temporary solutions are welcome and important during the immediacy of the lockdown, mobile data uplifts and free access to certain educational websites will not provide the long-term solution that we need to tackle digital poverty in our country.

The Bill is not just about mobile data, wi-fi dongles or broadband policy; it is much more important than that. For many young people, education is the ticket to improving their lives. When I was at school, the internet was not as important as it is today, but getting the grades that I needed to get myself into university and to secure a career was the most important thing. I grew up knowing how difficult it could be for working parents who struggle to make ends meet. In the days before Labour introduced the national minimum wage, it was particularly hard, but the issues continue today.

I want the House and the Government to think about this motion in the context of families throughout the country—parents who desperately want to do the best for their kids, who simply cannot afford to buy a laptop or pay for broadband at home. Ofcom estimates that one in five families struggle to pay their monthly telecoms bill. Think of the young people who want to learn, work hard and do well at school because they know it is their only shot at a better life. Just think of them at home, unable to get online to learn, unsure about how they will be examined and anxious about how much they will have to catch up on. My ask of Ministers today is not just about broadband policy; it is about the hope that our children have for the possibilities of their tomorrow. We all have a duty to help them.

Dare I say it is easy for Opposition Members to stand up and point out the mistakes that Ministers have made and to suggest that the Government are not good

[Darren Jones]

enough—I often agree with that and no doubt will continue to do so myself—but today I am offering a solution that can work. The obvious long-term solution is to require a low-cost social tariff for broadband for families who need it. Ministers already have the power to do so in law: I draw colleagues' attention to new section 72D in the Electronic Communications and Wireless Telegraphy (Amendment) (European Electronic Communications Code and EU Exit) Regulations 2020, which sets out the process through which the Secretary of State for Digital, Culture, Media and Sport can direct the broadband regulator, Ofcom, to mandate internet providers to provide broadband at “a social tariff”—or, more meaningfully, at a price that the majority of families can afford and for which the lowest-income households are eligible.

Unusually, with this motion I am not asking for a new spending commitment from the Treasury. Ministers could, today, ask Ofcom to set up a social tariff for broadband without additional spending commitments on behalf of the state. Under my proposal, every household with children eligible for free school meals—1.4 million children throughout the country—could benefit. A social tariff that costs around £10 to £15 a month for broadband would make a huge difference.

As schools reopen for all our children, online learning will no doubt become a permanent feature, as schools provide additional online content for children to catch up on the schooling that they have missed during the pandemic. This is especially important for children from less advantaged backgrounds. The Sutton Trust's polling from just this month found that only one in 20 schoolteachers from state schools believe that every member of their class had adequate internet access. Teachers are desperate to do all that they can to help their pupils, but on internet access at home they need us to help fix it.

I am sure that all of us have heard similar stories from our constituencies. At Blaise High School in my constituency, for example, 115 students have been identified as not accessing online learning and 89 students have been known to work from a mobile phone or a device shared with other family members. That is just one school. These are students who entered this crisis at an educational disadvantage, began the academic year even further behind, and now face the prospect of yet more months stuck at home, in which they will have to both keep pace with current work and begin the long process of catching up.

I am grateful to the Under-Secretary of State for Digital, Culture, Media and Sport, the hon. Member for Boston and Skegness (Matt Warman), for having taken the time to discuss my proposals with me. I have seen the Department's official response today, which reads:

“We agree digital connectivity is vital. Large providers already offer social tariffs, and we have worked with them during the pandemic to make sure people have the connectivity they need. We welcome Ofcom encouraging other providers to introduce social tariffs and will monitor the situation closely.”

Those broadly welcome comments, albeit the Opposition do not think that the Government have done enough on internet access during the pandemic, when translated from Whitehall speak, if I might be so bold, give the internet service companies and Ofcom the opportunity to fix this now, without the need for Ministers to intervene.

Ministers rightly refer to some low-cost tariffs that already exist from the likes of BT—I should declare my interest as a former lawyer at BT—but, having spoken with BT about my proposals, I think we can all agree that the existing products are not entirely fit for purpose, and eligibility for low-cost broadband is not broad enough to cover all the families that need it. In my view, we need a standardised social tariff option from all the internet service providers, with a sign-up process that is quick and easy for families with children on free school meals to sign up to. I will call internet service providers to a roundtable in the next few weeks to get that work started, and I look forward to working with them, but if the companies fail to step up to the challenge I will be back here pushing Ministers to use their statutory powers quickly to require a social tariff by law.

In addition to providing a low-cost social tariff for broadband, my Bill also asks for two additional things from Government. First, providers who want to offer free or zero-rated access educational platforms have raised the legitimate concern that lots of affected websites, such as YouTube or the BBC, are obviously not exclusively used for schoolwork. Ministers could make it easier to zero-rate access to educational content by asking the Government Digital Service to, for example, build a single gov.uk URL that brings together educational material on to a single website, which could then be easily accessed at no cost.

Secondly, the experience of the existing universal service obligation for broadband has demonstrated that cost is not the only barrier to productivity. For some families in hard-to-reach and rural communities, the basic infrastructure challenge remains significant, and has imposed a limit on the ambitions of the universal broadband obligation. In spite of real progress, last month's “Connected Nations” report from Ofcom identified around 43,000 properties that still cannot feasibly access fixed broadband and currently lack good indoor 4G mobile connectivity.

Part of the solution is therefore likely to involve expanding mobile coverage. As we look to a post-crisis future in which we all remain more reliant on remote working and learning, it is reasonable to ask what a universal right to have a mobile 4G signal might look like. I know that Ministers have given some thought to that question because they made statutory provision to do so last year. This is merely a gentle nudge to push that important work forward.

Lastly, I thank the co-sponsors of the Bill, in whose number are three former Secretaries of State for Digital, Culture, Media and Sport—the right hon. Member for Staffordshire Moorlands (Karen Bradley), the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright) and my right hon. Friend the Member for Exeter (Mr Bradshaw)—as well as the Liberal Democrat, Scottish National party and Plaid Cymru spokespeople for education and DCMS policy, the hon. Members for St Albans (Daisy Cooper), for Caithness, Sutherland and Easter Ross (Jamie Stone), for Glasgow North West (Carol Monaghan) and for Ceredigion (Ben Lake); my hon. Friend the Member for Sunderland Central (Julie Elliott), who is the chair of the all-party parliamentary group on digital skills; and my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), who continues to campaign tirelessly on digital poverty.

Many colleagues in this House have raised the issue of digital poverty. The Bill commands cross-party support, including from the most senior levels, both inside this House and outside of it. Many are working hard to find solutions, but the proposals in my Bill provide an easy, long-term, cost-free solution to Ministers. Lastly, I ask them again not to see this as a proposal from an Opposition MP, or a niche request about broadband policy, but to recognise our collective responsibility in this House to help our children have hope about their future. We can and must get on with this now.

Question put and agreed to.

Ordered,

That Darren Jones, Karen Bradley, Jeremy Wright, Mr Ben Bradshaw, Daisy Cooper, Jamie Stone, Carol Monaghan, Ben Lake, Julie Elliott and Siobhain McDonagh present the Bill.

Darren Jones accordingly presented the Bill.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 241).

National Security and Investment Bill

[Relevant document: Oral evidence taken before the Defence Sub-Committee on 14 December 2020 on Foreign Involvement in the Defence Supply Chain, HC 699.]

Consideration of Bill, not amended in the Public Bill Committee

New Clause 1

IMPACT ON ACADEMIC RESEARCH SPIN-OFF ENTERPRISES

‘(1) Within one year of this Act being passed, the Secretary of State must lay before Parliament an assessment of the Act’s impact on academic research spin-off enterprises.

(2) The assessment under subsection (1) must be reviewed at least once every five years.’—(*Stewart Hosie.*)

This new clause would require the Secretary of State to assess the impact of this Bill on academic research spin-off enterprises.

Brought up, and read the First time.

2.5 pm

Stewart Hosie (Dundee East) (SNP) [V]: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

New clause 2—Report on impact on Small to Medium Enterprises—

‘Not later than 18 months after the day on which this Act receives Royal Assent, the Secretary of State must lay before Parliament—

- (a) a report setting out the impacts the Act has had on Small to Medium Enterprises and early-stage ventures, and
- (b) guidance for Small to Medium Enterprises and early-stage ventures on complying with the provisions of this Act.’

This new clause would require the Government to produce a report setting out the impacts of this legislation on Small to Medium Enterprises and early-stage ventures, and to produce relevant guidance.

New clause 3—Grace period for Small and Medium Enterprises—

‘For the purposes of section 32, a person has a reasonable excuse if—

- (a) the entity concerned is a Small to Medium Enterprise;
- (b) this Act has been in force for less than six months.’

This new clause creates a grace period whereby – for alleged offences committed under Section 32 – Small to Medium Enterprises would have a ‘reasonable excuse’ if the alleged offence was committed within the first six months after the Bill’s passage.

New clause 4—Framework for understanding national security—

‘When assessing a risk to national security for the purposes of this Act, the Secretary of State must have regard to factors including, but not restricted to—

- (a) the potential impact of the trigger event on the UK’s defence capabilities and interests;
- (b) whether the trigger event risks enabling a hostile actor to—
 - (i) gain control or significant influence of a part of a critical supply chain, critical national infrastructure, or natural resource;
 - (ii) conduct espionage via or exert undue leverage over the target entity;
 - (iii) obtain access to sensitive sites or to corrupt processes or systems;

- (c) the characteristics of the acquirer, including whether it is effectively directly or indirectly under the control, or subject to the direction, of a foreign government;
- (d) whether the trigger event adversely impacts the UK's capability and capacity to maintain security of supply or strategic capability in sectors critical to the UK's economy or creates a situation of significant economic dependency;
- (e) the potential impact of the trigger event on the transfer of sensitive data, technology or potentially sensitive intellectual property in strategically important sectors, outside of the UK;
- (f) the potential impact of the trigger event on the UK's international interests and obligations, including compliance with UK legislation on modern slavery and compliance with the UN Genocide Convention;
- (g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and
- (h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK.'

The new clause provides a non-exclusive framework of factors which the Secretary of State is obliged to have regard to when assessing a risk to national security.

New clause 5—National Security Definition—

'When assessing a risk to national security for the purposes of this Act, the Secretary of State must have regard to factors including, but not restricted to—

- (a) the potential impact of the trigger event on the UK's defence capabilities and interests;
- (b) whether the trigger event risks enabling a hostile actor to—
 - (i) gain control or significant influence of a critical supply chain, critical national infrastructure, or natural resource;
 - (ii) conduct espionage or exert undue leverage over the target entity;
 - (iii) obtain access to sensitive sites; or
 - (iv) to corrupt processes or systems.
- (c) the characteristics of the acquirer, including whether it is effectively directly or indirectly under the control, or subject to the direction, of a foreign government;
- (d) whether the trigger event adversely impacts the UK's capability and capacity to maintain security of supply or strategic capability in sectors critical to the UK's economy or creates a situation of significant economic dependency;
- (e) the potential impact of the trigger event on the transfer of sensitive data, technology or potentially sensitive intellectual property in strategically important sectors, outside of the UK;
- (f) the potential impact of the trigger event on the UK's international interests and obligations, including compliance with UK legislation on modern slavery and compliance with the UN Genocide Convention;
- (g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and
- (h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK.'

This new clause establishes factors which the Secretary of State must have regard to when assessing a risk to national security.

New clause 6—Dedicated Small to Medium Enterprise support—

'(1) Within 3 months of this Act receiving Royal Assent the Secretary of State must set up, a specific division focused on engagement with Small to Medium enterprises (SMEs) engaged in any provisions of this Act.

- (2) The division must focus on four functions—

- (a) providing updated, efficient and accessible guidance specific to SMEs on compliance with the terms of this Act;
- (b) engaging with SMEs in advance of formal notification that can allow efficient notice and assessment periods, including through use of regulatory sandboxes where beneficial for innovation and national security;
- (c) providing regular engagement with and assistance to SMEs throughout the assessment periods for SMEs;
- (d) seeking to deliver prompt, proportionate resolution of complaints by SMEs relating to the provisions of this Bill;
- (e) monitor the impact on access to investment for SMEs and report to the Secretary of State.'

This new clause would require the Secretary of State to set up a Small to Medium Enterprise (SME) engagement unit to assist and support SMEs through the national security screening process.

New clause 7—Reports to the Intelligence and Security Committee of Parliament—

'(1) The Secretary of State must, in relation to each relevant period—

- (a) prepare a report in accordance with this section, and
- (b) provide a copy of it to the Intelligence and Security Committee of Parliament as soon as is practicable after the end of that period.

(2) Each report must provide, in respect of mandatory and voluntary notifications, call-in notices, and final orders made under this Act, details of—

- (a) the jurisdiction of the acquirer and its incorporation;
- (b) the number of state-owned entities and details of states of such entities;
- (c) the nature of national security risks posed in transactions for which there were final orders;
- (d) details of particular technological or sectoral expertise that were being targeted; and
- (e) any other information the Secretary of State may deem instructive on the nature of national security threats uncovered through review undertaken under this Act.'

This new clause would require the Government to publish an 'Annual Security Report' to the Intelligence and Security Committee of Parliament.

Amendment 3, in clause 3, page 3, line 10, leave out subsection (4) and insert—

'(4) The Secretary of State must review a statement published under this section within one year after the publication of the first such statement, and thereafter at least once every 5 years.'

This amendment would require the Secretary of State to review the statement about exercise of call-in power to be reviewed one year after they are made, and once every five years thereafter.

Amendment 1, in clause 6, page 5, line 3, at end insert—

'(10) Notifiable acquisition regulations must be reviewed one year after they are made, and once every five years thereafter.'

This amendment would require notifiable acquisition regulations (including which sectors are covered) to be reviewed one year after they are made, and once every five years thereafter.

Amendment 6, page 5, line 3, at end insert—

'(10) Notifiable acquisition regulations must bring broadcast, print and social media companies within the scope of the mandatory notification regime.'

Amendment 2, in clause 8, page 6, line 38, at end insert—

'(8A) The fifth case is where a person becomes a major debt holder and therefore gains influence over the entity's operation and policy decisions.

(8B) For the purposes of subsection (8A), a major debt holder is a person who holds at least 25% of the entity's total debt.

(8C) The sixth case is where a person becomes a supplier to the entity of goods, services, infrastructure or resources to such an extent that the withholding of the supply would seriously undermine the entity's ability to continue its operations.'

This amendment would mean that a person becoming a major debt holder or a major supplier would count as a person gaining control of a qualifying entity.

Amendment 4, in clause 30, page 20, line 3, after 'period' insert 'or any calendar year'

This amendment would make it mandatory for the Government to inform Parliament if financial assistance given in any financial year, or in any calendar year, exceeds £100 million.

Amendment 5, in clause 54, page 33, line 42, at end insert—

'(aa) whether the law of the country or territory to whose authority the disclosure would be made contains provisions and prohibit any use or disclosure of the information contrary to subsection (4),

(ab) whether the Secretary of State considers that disclosing the information to that authority would in itself pose a threat to national security, and'

This amendment would add to the list of factors the Secretary of State takes into consideration a sub-clause to ensure that a country or territory making a disclosure request has sufficient safeguarding in place to prevent any action that would be considered unlawful in the UK.

Amendment 7, in clause 61, page 36, line 20, at end insert—

'(m) the average number of days taken to assess a trigger event called in under the Act;

(n) the average number of days taken for acceptance decisions in respect of mandatory and voluntary notices;

(o) the average staff resource allocated to the operation of reviews of notices made under sections 14 and 18 over the relevant period;

(p) the number and proportion of notices and call-in notices concerning the acquisition of a Small to Medium Enterprise; and

(q) in respect of the transactions stated subsection (p), the sectors of the economy in relation to which call-in notices were given.'

This amendment would require the Secretary of State to report on the time taken to process notices, the resource allocated to the new Unit and the extent to which Small to Medium Enterprises are being called-in under the new regime.

Stewart Hosie: The new clause is in my name and the names of my hon. Friends, as are new clauses 2 and 3 and amendments 1 to 6.

On Second Reading of this Bill, I described how it was designed to bring additional scrutiny of foreign investment that may have an impact on national security. I agreed that not only was there nothing wrong with having a national security eye on investments in critical areas, but it was in fact absolutely vital. During that debate, the House appeared to acknowledge the concern about the national security implication from investments that are shared globally and that a number of other countries had been tightening up their investment security regimes in response to changing national security-related threats to enabling technology, to intellectual property and so on. The debate also saw descriptions of the tightening of these regulations in Japan, Canada, Sweden, Germany and elsewhere. There was little disagreement on the Government's proposals where, if the trigger and threshold were both met, an individual investment could be called in by the Secretary of State for approval, the powers could be retrospective, and an investment could

be called in after it had occurred. There was some concern about the time to conduct the national security assessments—30 days with potentially an extra 45, which might actually be deemed a little short and it still prompts the question of whether 75 days was actually sufficient. There was, however, broad agreement about the mandatory notification process where investment interests in certain sectors and asset types must be pre-emptively or retrospectively declared. There were real concerns that this may lead to a very large number of notifications from businesses erring on the side of caution.

The Bill also introduced new powers to increase screening in respect of health and preventing hostile acquisition through strategic buying of health supplies, and I welcome that, with the warning that the scope of activities that may be caught is very wide. That is because while the statement of policy intent, which describes the core areas as including such things as advanced technology, is perfectly reasonable, it also contains a much wider definition of national infrastructure.

The Second Reading debate focused on the impact assessment for the Bill, which estimated that the new regime would result in somewhere between 1,000 and 1,800 transactions being notified each year—a very high number given that only 12 transactions were reviewed on national security grounds since the current regime was introduced 17 years ago. It does also remain the case that we still need to carefully assess the impact of the Bill—the impact that it will have on sectors and on infrastructure not just in the UK as a whole, but in the devolved nations and in the English regions. On Second Reading, I asked the Minister to take a little time to convince himself that there were no unintended consequences either for the UK or, indeed, for the Scottish Government's inward investment plans when Government agencies of all sorts are actively seeking investment in some areas, which may be deemed to be critical national infrastructure. That is an issue that I do hope he will still address today. How do we ensure collectively that this Bill does not impede growth or investment in such areas?

The key concern I had was about implementation. The Bill is set to radically overhaul the UK's approach to foreign investment at a time of significant economic uncertainty. On leaving the EU, the UK Government cannot afford to get their global Britain approach wrong and suffer what has been described as the potentially chilling effect on investment if the measures in the Bill appear to be heavy-handed. That is a concern across the board, given that even microbusinesses are in scope.

I take this brief opportunity to thank my hon. Friends the Members for Glenrothes (Peter Grant) and for Aberdeen South (Stephen Flynn), who served on the Bill Committee. They raised a large number of concerns, including the impact on academic research spin-offs, SMEs and early-stage ventures. They called for a grace period for SMEs falling foul of this new legislation, a review of exercisable call-ins and a review of the notifiable acquisition regulations. They suggested that broadcast, print and social media companies should be in scope. They suggested that major debt holders should be defined as a person gaining control of a qualifying asset and they suggested a requirement to report if financial compensation from Government exceeded £100 million in either a calendar or financial year.

[Stewart Hosie]

All those amendments and contributions were made for very good reasons. The Scottish National party has long argued that it is right to have this legislation. In some ways it is long overdue, but that does not mean there are no concerns, which is why we have tabled new clauses 1 to 3 and amendments 1 to 6.

New clause 1 would require the Secretary of State to assess the impact of the Bill on academic research spin-off enterprises. New clause 2 would require the Government to produce a report setting out the impacts of the legislation on small and medium enterprises and on early-stage ventures and to produce relevant guidance. New clause 3 would create a grace period whereby for alleged offences committed under clause 32, SMEs would have a reasonable excuse if the alleged offence was committed within the first six months of the Bill being in operation.

I will turn briefly to the amendments. Amendment 1 would require notifiable acquisition regulations, including the sectors to be covered, to be reviewed one year after they are made and five years thereafter. Amendment 2 would mean that a person becoming a major debt holder or a major supplier would count as a person gaining control of a qualifying asset. Amendment 3 would require the Secretary of State to review statements about the exercise of call-in power one year after they are made, and once every five years thereafter. Amendment 4 would make it mandatory for the Government to inform Parliament if financial assistance given in any financial or calendar year exceeded £100 million. Amendment 5 would add to the list of factors the Secretary of State has to take into account. They would have to ensure that a country or territory making a disclosure request had sufficient safeguarding in place to prevent any action that would be considered unlawful in the UK. Amendment 6 would ensure that notifiable acquisition regulations bring broadcast, print and social media companies into the scope of the mandatory notification regime.

All those new clauses and amendments in essence are designed to ensure that the scope of the legislation is appropriate, but that the impact, particularly on investment, is proportionate. I have not determined yet whether to press any of them to a vote. What I would prefer is for the Minister to give a commitment, not simply to have infrequent if regular reviews of parts of this Bill, but to keep the Bill under permanent review to ensure that the scope remains valid—not too wide and not too narrow—and that the impact on investment and risk, particularly in small and medium-sized enterprises, academia and research, is proportionate. Through that, we can ensure that we quite rightly protect national security, but do not suffer from the investment chill that some fear could be the consequence if we get this wrong. With those brief remarks, I commend the new clauses and amendments to the House.

2.15 pm

Dr Julian Lewis (New Forest East) (Con): On Second Reading both of this Bill and of the Telecommunications (Security) Bill, it was mentioned that in 2013, the Intelligence and Security Committee first recommended measures to prevent high-risk vendors such as Huawei from penetrating our critical national infrastructure in future.

It is always the way: you wait seven years for a Bill to protect against infiltration and takeover, then two come along together.

Given that background, the ISC naturally welcomed the introduction of this legislation, and we greatly appreciated the contact that we have had with the Minister, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi). Not only did he keep his promise to write to us about the points made by Committee members on Second Reading, during my period of self-isolation, but he dealt with ISC concerns at the Committee stage and reached out before today's debates as well. That is precisely the type of constructive engagement that we should like to have with the Government. If I do not secure the concessions that I want after all of that, I shall be very disappointed!

The issue on which I shall focus is parliamentary oversight. Normally, that would be straightforward. As the future arrangements laid down by the Bill will depend on the input of the new investment security unit, and as that unit will be housed in the Department for Business, Energy and Industrial Strategy, one would normally expect that general scrutiny could be conducted by Parliament as a whole and specialised scrutiny by the Select Committee on Business, Energy and Industrial Strategy. Unfortunately, that does not work in this case: much of the work of the investment security unit will depend on input from intelligence and security agencies and similar sensitive sources that cannot and must not be made public.

Furthermore, on Second Reading, the then Business Secretary, my right hon. Friend the Member for Reading West (Alok Sharma), made crystal clear how central secret material would be to the practical application of the provisions of this legislation. He stated that

“the whole point of the Bill is for it to be narrow on national security grounds”.

He also said:

“These powers are narrowly defined and will be exclusively used on national security grounds. The Government will not be able to use these powers to intervene in business transactions for broader economic or public interest reasons”.—[*Official Report*, 1 November 2020; Vol. 684, c. 206-210.]

It follows that the very areas in which the BEIS Committee would be perfectly qualified to scrutinise policy are specifically excluded from the application of the powers conferred by the National Security and Investment Bill.

That scrutiny gap was addressed, also on Second Reading, by the shadow Business Secretary, the right hon. Member for Doncaster North (Edward Miliband), who said:

“Given the sensitive nature of the issues involved in this Bill, I do think there needs to be a way...for this House to monitor how this is working in practice.

I do not speak for it, but we have a special Committee of the House—the Intelligence and Security Committee—that can look at these issues. I would like to raise the question with the Secretary of State whether it could play a role in scrutinising the working of the regime and some of the decisions being made, because there are real restrictions on the kind of transparency there can be on these issues...The ISC is in a sense purpose-built for some of these issues.”—[*Official Report*, 17 November 2020; Vol. 684, c. 214.]

It is hard to disagree with that, although I hasten to add that the Committee has not the slightest wish gratuitously to add to its workload, overburdened as we are due to

our delayed reconstitution and the fact that we cannot operate virtually, where sensitive material is concerned, during periods of lockdown. Nevertheless, Parliament should be enabled to scrutinise the implementation of the powers given to Government by this legislation, which explicitly puts national security material at the heart of future decision making. It is obvious that there will be potential conflicts between encouraging business on the one hand and safeguarding national security on the other. In 1994, the ISC was established specifically for circumstances such as these—namely, to examine matters that Parliament could not because they were too sensitive for public disclosure and debate.

It has been suggested that the ISC cannot undertake this role this time because the organisation concerned, the new investment and security unit, is based in the Department for Business, Energy and Industrial Strategy, rather than Departments like the Home Office or the Cabinet Office, which traditionally handle national security matters. Yet this is fundamentally to misunderstand the legal basis under which the ISC functions.

There are two interlinked documents: the Justice and Security Act 2013 and the memorandum of understanding between the Prime Minister and the ISC for which that Act provides. The long title of the JSA makes it quite clear that it provides not only for scrutiny of MI5, MI6 and GCHQ, but for

“oversight of...other activities relating to intelligence or security matters...and for connected purposes.”

Section 2(1) of the Act refers to those three intelligence agencies specifically, but section 2(2) spells out our Committee’s wider remit:

“The ISC may examine or otherwise oversee such other activities of Her Majesty’s Government in relation to intelligence or security matters as are set out in a memorandum of understanding.”

Section 2(5) explains that that MOU can be altered by agreement between the ISC and the Prime Minister. All that is required, therefore, for a Government activity in relation to intelligence or security matters to be added to the existing list in the memorandum of understanding is a simple exchange of letters between the ISC and the Prime Minister agreeing to do so.

In other words, the 2013 Act and associated memorandum were designed exactly for circumstances such as these, where evolving intelligence and security arrangements create sensitive new functions and/or new units which need Parliamentary scrutiny to be within the same circle of secrecy as the long-established agencies. To put the matter beyond all doubt, consider finally this extract from paragraph 8 of the MOU about our remit:

“The ISC is the only committee of Parliament that has regular access to protectively marked information that is sensitive for national security reasons: this means that only the ISC is in a position to scrutinise effectively the work of the Agencies and of those parts of departments whose work is directly concerned with intelligence and security matters.”

Inserted at the end of this sentence is a notation for the following footnote which explains:

“This will not affect the wider scrutiny of departments such as the Home Office, FCO and MOD by other parliamentary committees. The ISC will aim to avoid any unnecessary duplication with the work of those Committees.”

Indeed, having chaired the Commons Defence Committee in the previous two Parliaments, I can confirm there was never the slightest friction, overlap or intrusion from the then ISC into the work of the Defence Committee.

The ISC looked at defence intelligence and offensive cyber, as set out in its MOU, and the Defence Committee continued to scrutinise everything else.

It really should not be necessary, every time a new unit is set up inside a Department not normally associated with national security or intelligence issues, to spell out in black and white, as I have done today, how and why the framers of the 2013 Act deliberately created the flexible memorandum of understanding arrangement that incorporated its role on the face of that legislation. It was, of course, to deal with exactly the sort of situation facing us today, where the intelligence and security battle in what is increasingly known as the grey zone of conflict mutates and moves into areas of responsibility far beyond traditional boundaries, as Deborah Haynes’ admirable new podcast illustrates so convincingly. That is why Business Ministers, rather than Defence or security Ministers, are having to grapple with today’s legislation.

Following a constructive discussion with my hon. Friend the Minister yesterday, I was cautiously optimistic that the Government would recognise that the 2013 arrangements provide the correct basis for scrutiny on which to proceed. Of the 14 amendments tabled for today, there is one—new clause 7—that recognises the scrutiny gap in this legislation and proposes that a special report containing the relevant classified national security material should be prepared for, and provided to, the Intelligence and Security Committee. This Opposition amendment has much to commend it, and, as ISC Chairman, I would be minded to support it if it were the only available option. However, an undertaking by the Minister today that the Government will bring forward their own amendment in the upper House to close the scrutiny gap satisfactorily in a more streamlined way would be even better.

In his appearance before the Public Bill Committee, former chief of MI6 Sir Richard Dearlove had the following exchange with the Minister, who referred to the annual report to be prepared for Parliament as a requirement of this legislation. The Minister asked:

“What is your view on balancing transparency and ensuring Government can take national security decisions sensitively? Where does that balance lie in terms of our ability to be as transparent as we can without harming sensitivities around these decisions?”

Sir Richard replied:

“My view would be that the annual report has as much transparency as possible, but you are probably going to require a secret annexe from time to time.”—[*Official Report, National Security and Investment Public Bill Committee*, 24 November 2020; c. 21.]

Whether we go down that route of a classified unpublished annexe to send to our Committee or follow the model used in the ISC’s own reports, which are prepared in full with subsequent redactions made and marked in the main body of the text, such an approach would be the least burdensome for the Department to prepare and for the ISC to scrutinise. Either method would effectively close the scrutiny gap and get this valuable and necessary legislation off to the best possible start.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): It is a great pleasure, as always, to follow the Chair of the Intelligence and Security Committee, the right hon. Member for New Forest East (Dr Lewis), and I support many of his remarks.

[*Chi Onwurah*]

Let me start by saying that the Opposition's approach to this Bill is one of constructive support. That should not surprise the Minister: by the Committee stage we had already tabled nearly 30 targeted amendments and half a dozen new clauses to strengthen protections of our national security, although, regrettably, the Minister did not choose to accept any of them. As the Minister is also responsible for vaccine roll-out, he may have been distracted. I want to thank everybody—all the members of the Committee and the House staff involved in the Committee stage of the Bill—and confirm that we intend to continue that constructive support.

We support the Bill, because it is a Bill demanded by Labour. The problems it tackles are ones that have been highlighted by Labour, and the Government's action, only after years of delay, seems to be a result of being constantly reminded by Labour. Reminded this Government have been, not least by their failures again and again. They were reminded in 2012, when they let the Centre for Integrated Photonics, a prize British research and development centre, be taken over by Huawei, an event that our recent head of the National Cyber Security Centre said we would not want to happen with hindsight: national security outsourced and British interests relinquished to the market.

The Government were reminded again in 2014 when they let our foremost artificial intelligence firm, DeepMind, be acquired prematurely by Google: national security interests outsourced again on account of blind market faith. They were reminded twice this time when they let our world-leading semiconductor firm Arm be taken over first by SoftBank and now by Nvidia. Again, an intelligence expert told our Committee that the UK had limited freedom of choice in this key strategic technology and that the deal undermined our own ability: our national interest outsourced yet again by Ministers prioritising market zeal over British security.

2.30 pm

Following the Committee stage of the Bill, the Competition and Markets Authority has chosen to investigate that takeover. That is, shall we say, interesting to put it mildly. Photonics-Huawei, DeepMind-Google, Arm-Nvidia, the failed Pfizer-AstraZeneca attempt, Cobham, GKN, Huawei-5G—failure after failure after failure, despite reminder after reminder. Twelve national security screens in 18 years and not one instance of the Government acting decisively to block a takeover and guard our national security.

Of course, it is not only the Labour party that has led the debate. It has been led by every ally of ours abroad, too. The US updated its rules in 2018. Germany did so in 2018. The European Union proposed new rules in 2017 and Labour has called for them persistently. It is not just in politics, I am afraid to say, that the Government have lagged. They have lagged in expert advice, too. We heard in Committee from our recent chief of MI6, who described the Government's approach till now as "incredibly naïve" and noted that, "It was completely ridiculous" that we were considering handing our 5G network over to Huawei. So, while the Government are years behind our allies, years behind Labour's calls to protect national security and years behind security expert advice, our approach today on the Bill is one of support—indeed,

urgent support. Britain has needed a robust national security and investment regime for many years now, as the world's post-financial crisis has brought with it rapid geopolitical, technical and economic shifts.

The Bill has come too late for some threats. It is our resolve to not let it be too little in acting against future threats. We will take the Government to task for ongoing omissions, incompetence and neglect of our national security; foremost is the protection of British citizens and British interests. The Government's impact assessment for the Bill notes the need for change. It regrets that national security is an area of market failure requiring that the Government do something about it. That is an astonishing claim. National security is not a private concern first and a Government afterthought second. National security is the first reason for Government. It is not undersupplied by the market; it is outside the market altogether. Labour's first principle of constructive support is to stop the outsourcing of our security. We do not want ministerial free market ideology to threaten our national security. Our approach is to bring together legal powers, multi-agency expertise and proper decision making to put British security first.

In implementing the Bill, we want to champion support for the engine of our national growth and our national prosperity, our small and medium-sized enterprises and innovative start-ups. The impact assessment noted that 80% of transactions in the scope of mandatory notification under the Bill will involve SMEs, but it fails to consider the costs faced by the acquired companies, or the overall impact of funding for our start-ups. The Opposition will not turn a blind eye to these costs for our small and medium-sized enterprises, so our new clause 6 and amendment 7 would plug gaps left by the Government's incoherent policy making to champion British creativity and innovation. It is the least our small and medium-sized enterprises deserve.

The Telecommunications (Security) Bill is also making its way through this House, as the Chair of the Intelligence and Security Committee mentioned. That Bill seeks to encourage new entrants and homegrown telecoms capacity, as a diversified supply chain is essential to the security of our networks, and we will not achieve that if we cut off investment funding for SMEs.

In guarding our national interest and championing our small and medium-sized enterprises, we stand for effective scrutiny of the Government. The last decade tells us that our security is too vital to be left to Ministers alone. Never again. We must have proportionate, robust and democratically legitimate means of seeking accountable action to protect our national security.

We have heard expert evidence on the risk of this new regime opening up to lobbying, short-termism and inconsistent decisions, so our new clause 7 would stand up for scrutiny by the ISC, and the ISC would stand up for competent, coherent decision making.

These principles—national security, SME-driven prosperity and effective scrutiny—drive our amendments and new clauses, which I will now go into in a little more detail. This is the National Security and Investment Bill, and national security goes to the heart of what we are considering. It also remains an unanswered question for Parliament, for businesses looking for clarity, for our citizens seeking assurance, and for potential hostile actors who seek to take advantage of any loopholes in how the Secretary of State construes national security.

I have some sympathy with those who argue that we should not prescribe what national security is, for to do so would be to limit the Secretary of State's flexibility to act. That is right. We should not put down a rigid definition of national security that rules things out, and that is the spirit in which new clause 5 has been tabled. It does not rule out the Secretary of State's flexibility and it does not present a rigid definition; it simply does what other countries have done well and experts have sought. It guides to some factors that Government might consider, while allowing many more to be included in national security assessments.

Doing so is critical for businesses puzzled by the Government's very high-level definitions of espionage, disruption and inappropriate leverage. It gives greater clarity for citizens who are worried about whether the Government will act to protect critical data transfers or our critical national infrastructure, even where those are not covered by the Government's proposed 17 sectors. It provides assurance and, for hostile actors, it sends a clear message that we will act to protect British security with broad powers applied with accountability.

The factors highlighted in new clause 5 are comparable to guidance provided in other effective national security legislation, most notably by the US Foreign Investment Risk Review Modernization Act 2018. I will not go through each factor, but I will highlight two features of the new clause.

First, new clause 5 takes the Government's existing analysis and puts it into action. It echoes, for example, what we read in the Government's statement of policy intent, which says that national security risks are most likely to arise when the acquirers are hostile to the UK's national security or when they owe allegiance to hostile states.

The origin and source of threats do matter. We had the previous chief of MI6 tell us in Committee about Chinese intelligence organising the strategic focus of both Chinese commerce and Chinese academic study in ways that are challenging to identify unless we have regard to the country of origin of those parties. The new clause takes our security context seriously and would signal to hostile actors, especially through subsection (c), that we will act with seriousness, not superficiality.

Like the Government's focus on critical national infrastructure—CNI—more broadly, subsection (b) bridges the gap between the Government's defined sectors and focus and the critical national infrastructure that we already define and focus on in our wider intelligence and security work. It would also bring us into line with allies. For example, Canadian guidelines list the security of Canada's national infrastructure as an explicit factor in national security assessments. In the US Committee on Foreign Investment in the United States case, Congress listed critical infrastructure among one of six factors that the President and CFIUS may assess.

The new clause is identical to new clause 4, tabled by members of the Foreign Affairs Committee, which has done a great deal to bring scrutiny and rigour to our national security concerns. Its report yesterday was extremely helpful. I pay tribute to the Committee and its members, led ably by the Chair, the hon. Member for Tonbridge and Malling (Tom Tugendhat). With that principled and cross-party support, the new clause would show the world that the UK is serious about national

security. We must protect our national security against threats at home and abroad. We must build our sovereign capability in the industries most strategically significant for our security. We must view security in the light of modern technological and geopolitical threats. None of these constrains the Government's ability to act; they simply sharpen the clarity of that action and its signal to the world.

Our substantive new clause 6 builds especially on our desire to boost small and medium-sized enterprises. As Members across party lines recognise, the Government announced a radical change in the UK's national security screening regime, applying it retrospectively, with little to no guidance to accompany that change. SMEs are scrambling around to understand how they can engage with the Government on changes that already apply, so we propose a dedicated SME unit. Some 80% of the weight—the mandatory notifications—of the new regime will be borne by SMEs. The screening will also be most challenging for them. SME funding rounds, especially for tech start-ups, are often the quickest, lasting just a few weeks, so a 15-week screening process would be a huge challenge in that timeline.

The Minister may say, as I think he did at Committee stage, that the burden is actually on the acquirer and not the acquired company, but he must recognise that a small start-up seeking funding will be expected to understand whether that will have implications for the funder when it comes to national security. SMEs do not have the deep pockets to fund a deep bench of advisers to help them navigate the Government's unclear process. In that context, we must respect the weight we are placing on our most innovative start-ups, and we must react by easing that burden. A dedicated SME unit would do just that. Unlike the Government's slow and unclear action, it would ensure prompt, accessible guidance, as industry experts have demanded, and would engage with SMEs prior to formal processes, easing the burden of processes.

Where possible, the unit would work closely to ensure assessment periods align with funding rounds—a critical point—rather than thwarting them. Subsection (b) would further encourage regulatory sandboxes and clear guidelines for early engagement, so that innovative SMEs can benefit from efficient regulatory engagement, just as the Financial Conduct Authority has done for the UK's world-leading FinTech sector. Where there is cause for complaint, as would be expected with a new, radical shift, the SME unit would play the supportive mediator. The Opposition stand for robust powers to guard our national security and for change that backs our best small businesses and our capacity for innovation. Both of these goals are possible; indeed, they are mutually reinforcing.

Let me now highlight Opposition new clause 7, which is essential both for our national security and for effective scrutiny. The new clause continues our approach to the security threats we face, which is to push for broad, robust powers of intervention, but powers that are held to account by Parliament and through transparency. Under the new clause, the Government would provide Parliament's trusted Intelligence and Security Committee with an annual security report capturing a major thematic summary of the types of threats uncovered by the new investment screening.

2.45 pm

The Chair of the ISC has himself ably set out the reasons for that improved scrutiny; all I would add is that our international allies do exactly that. In the US, for example, CFIUS—the Committee on Foreign Investment in the United States—has to produce annually a non-classified report for the public, but alongside that it publishes a classified report for certain members of Congress to provide them with security details, allowing congressional scrutiny while retaining sensitivity of information. New clause 7 would require the Government to publish alongside the public report an annual security report to the ISC. I understand, I hope, that the Government may bring forward a clause with the same effect as this new clause, and I look forward to a commitment from the Minister on that.

I turn to our final amendment, amendment 7, which would put into practice our principle of effective scrutiny. During our debates on the Bill, including in Committee, Members from across the House have questioned and raised concerns about the capacity and capability of the new investment security unit to deliver on the Bill's ambition. Experts have added to that concern, describing a “seismic” and “totally transformational” set of changes that will require a thoroughly resourced unit that is especially prepared to work closely and efficiently with innovative start-ups.

Amendment 7 turns those concerns into accountability. It holds the Government to account on three important fronts: first, on the efficiency of the unit, by reporting the aggregate time taken for decisions—both assessment decisions and initial acceptance or rejection of notices—we will have a mechanism to ensure that the new regime is working efficiently for SMEs; secondly, on capacity, by taking stock of the resources behind the unit's work, Parliament and the public will have a mechanism for holding the Government to account for what will be a major new centre for merger and investment screening in the UK; and thirdly, by tracking the SME focus of the unit's work, we will be able to highlight specific concerns and experiences of our most innovative start-ups in interacting with the new regime. Each of those measures maintains the Government's power to act but simply holds that power to account through transparency.

I will conclude with some brief remarks on the other amendments and new clauses that have been tabled, in addition to new clause 4. On the further amendments tabled by the hon. Members for Aberdeen South (Stephen Flynn) and for Glenrothes (Peter Grant), new clause 2 aligns with what we propose as one part of our wider SME support in new clause 6, so I hope both Members will support our proposals. Amendment 2, which focuses on debt holders and supply chains, is also partially covered by new clauses 4 and 5, but we will be interested in the Government's response to the call for debt holders to be included in the scope of the Bill—this was discussed in Committee—where such holdings can result in some access to influence or information not included under the material influence criterion of the Bill. Finally, we remain interested in scrutiny of the impact of the Bill on academic research spin-offs, and we might even suggest including that in the reporting proposals in new clause 7. For those insightful contributions, I thank the relevant Members.

As I said, the Opposition have come to the Bill in a spirit of constructive support grounded in three priorities: protecting British citizens and British interests, supporting

SMEs, and bringing effective scrutiny. National security is too important to play party politics with. For that reason, having called for such action for years, we support the Bill. I hope very much that the Government will look at the amendments in the constructive light in which they have been proposed, as measures to accelerate, improve and execute more effectively the House's intention to protect our national security and our national interest.

Tom Tugendhat (Tonbridge and Malling) (Con): First, I pay tribute to the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), who has spoken very kindly about the work of the Committee that I am privileged to chair. I also pay huge tribute to the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi). He has been tireless—that word has been overused in this place, but he has been tireless—in reaching out to all Members to speak to them about the Bill and ensure that the amendments tabled are helpful and conducive to not only the public good but the national good. He has been doing that at the same time as he has been running a vaccination programme. I have to say that the Minister's wife's loss is the nation's gain: she has been selfless in allowing him to slave away for our country on two very important subjects.

The reality is that this is a hugely important Bill, and because it is so important and such a big change for the United Kingdom, it raises huge questions that are very difficult to answer. The way that the Minister has approached this is exactly right. He started off by speaking to businesses, to our intelligence services and to our regulators to understand what exactly the threat is, how it is affecting our businesses and how it can be addressed. He has had, I hope, as much help as he possibly can from them, and I hope that the help being offered from the Select Committee that I am privileged to chair and the Committee that my right hon. Friend the Member for New Forest East (Dr Lewis) is privileged to chair is helpful.

We are trying to improve what is already a good Bill and make it into an excellent one. We have had various conversations with not only the Minister but his Whips, who have been extremely helpful—I know that this is a very odd thing to say in the House—in ensuring that he is informed about the way in which we have conducted this discussion. It would not be right for me not to also thank Alice Lynch of our Committee and Nicole Kar of Linklaters, our specialist witness who has helped us through the process of writing this report.

I rise to speak to new clause 4, which is in my name and the names of fellow members of the Foreign Affairs Committee. We looked carefully at the Bill because, over the last two to three years that I have been chairing the Foreign Affairs Committee, much of our work has been on the threat of foreign interference in the UK. One of our earlier reports in May 2018 was entitled “Moscow's Gold: Russian Corruption in the UK”; I believe the Minister was still on the Committee when we started that report, though he had already been promoted to greater things by the time we published it. The report touched on the way that dirty money plays into our systems and the way in which we must protect those systems.

Since then, we have looked at various aspects of how our foreign policy is fundamentally about keeping the British people safe. We have always focused on the

interests of the UK and the interests of the people we are lucky enough to represent. We sit here representing our communities—not other communities, not business and not anybody else, but our communities and what is fundamentally in their interests. We built up, from that early report, into looking at the various ways in which money has moved around, influencing academic freedoms and changing the way in which businesses have acted. As the Minister knows, we have called out those who we feel needed to be called out. That is why I am so pleased that he is in his place and has produced this Bill, because it finally sets a process by which this Government—any Government—can look at decisions that are being taken and assess them properly.

Mr Kevan Jones (North Durham) (Lab): I congratulate the hon. Gentleman and his Committee on the excellent report they have produced, but this is about the scrutiny of decisions of mainly private companies and others. Does he share my concerns about some decisions taken by Departments, particularly in the light of the Ministry of Defence's decision to buy E-7 Wedgetail aircraft from Boeing, which results in two of them coming from China?

Tom Tugendhat: The right hon. Gentleman tempts me, but I am not going to get drawn on the Wedgetail discussion, as that is a slightly separate conversation. He is right to say that this Bill affects not just private business, but the way in which the Government will also conduct their procurement, so it is absolutely right that in future decisions may be looked at in different ways. This Bill, however, is slightly different, because it looks at the purchase of British business and not at the UK purchasing others.

Let me come back to where I was before the right hon. Gentleman cunningly got in his complaint about an MOD decision. This Bill goes a long way to making sure that we are in the right place, but it raises a few concerns, which I will touch on. That is why we have introduced new clause 4, which is not supposed to be a definition of national security, because that would, as the Minister knows, constrain the ability of a Government to adapt this law as national security changes. It would in effect tie concepts from 2021 into the law as it progressed. Given the change we have seen in the past 10 or 15 years, that would frankly be unwise. After all, who could have known that some of the decisions we have taken, perfectly innocently and rationally, over the past decade are some of the worst that a Government have made?

I am referring to two decisions. First, the sale of DeepMind to Google was one of the worst strategic moves a UK Government have taken. I am not blaming anybody for it; it was a decision taken rationally at the time, without understanding the future power of artificial intelligence and the extraordinary strength of DeepMind. That is a huge credit to the team at DeepMind and to much of the investment Google has put in, but it is also a recognition that a change of ownership and geographic basing—even though the people do not change, the ownership changes—has undermined the UK. The second decision is the sale of Arm to SoftBank. Again, this is one friendly company being sold to a company of another friendly nation. These are not geographically specific points; they are entirely geographically neutral. My guess is that one of Arm's products is in everybody's

pocket, because they are in 95% of computer products and so will be in almost everybody's phone. This is one of those moments where we risked losing control of an absolutely fundamental technology that could in future promote Britain's interests greatly. That moves us into a question about Nvidia that I will not get drawn into now; I am just putting into historical context decisions we made that we will live to regret.

This Bill allows us to look at those things and update with the times, which is why I agree that we should not have a fixed definition of national security—we should have a framework for it. Here I pay tribute to my hon. Friend the Member for Isle of Wight (Bob Seely) and others on the Committee, who came up with this proposal and were extremely rigorous in doing so. I pay particular tribute to Nicole Kar of Linklaters, who helped us with the drafting of it and to the Committee Clerks who got us through it. There is a real opportunity here to enable this framework to defend us.

Governments throughout the European Union and, indeed, around the world have already started to look at how their laws that are similar to ours will apply. If we do not give enough strength to our Government, there is a danger that we will be the only ones found to be naked when the day comes and the choices have to be made. That would be a huge mistake, because the world is changing; there is a lot more cash from state-owned enterprises going around than there has been for many years. Sadly, there is likely to be a prolonged period of economic difficulty as we come out of covid; those companies and countries that are willing to underwrite companies will have an advantage when they start to snap up businesses around the world. That is why we need this legislation now.

3 pm

We also need a framework that allows the legislation to work; that is why my colleagues and I have respectfully tabled our new clause. There is a slight danger in the Bill of going from nought to 100 in a split second. We are setting up a new structure within which to assess businesses, and there is a danger that it will be overwhelmed. I know the Minister is aware of this, and has heard comments about it. BT said there is a risk that it will have to make 1,000 filings a year, and we heard similar numbers from others. Legal firms in the City warned us that many companies will make filings that might technically not be necessary, just to cover their backs. That will put sand into the engine of the process that the Minister suggests.

If we provide a framework for understanding national security, and create a pre-filter, so that we set out the clear, transparent and predictable process that BT Group specifically asked for, the Minister, the Government, lawyers and businesses throughout the United Kingdom, and indeed the world, will have a little more certainty about what is, and what is not, likely to require scrutiny.

Providing that framework would, I hope, get rid of many applications that are simply unnecessary. It would free up the impressive cross-departmental team that the Minister is already pulling together, so that we use the intelligence services and call on the Foreign Office when needed to do what is really necessary, which is look at the tough cases—the hard calls that really require a fine judgment and are not clear. Those are the ones that will require ministerial involvement, civil service time and

possibly even judicial oversight. Rather than waste time with nugatory filings, let us focus on the core of what matters.

The Bill is so close to doing all that that I will support it whatever the Minister does, but I do hope he will think about adopting new clause 4. As he has seen, it has cross-party support, and has been tabled with great respect for his work and the work of the civil servants he has pulled together to draft the Bill. He has done a fantastic job of it. I very much hope that he will look at the new clause, consider its merits and pull it together. We know the dangers; we have only to look at the silencing of people like Jack Ma of Ant Group, and the intervention in various other businesses around the world by some of the state-owned enterprises that are now sniffing around British businesses, to see that the risk is sadly real. I hope the Minister will look at the new clause, and will use all the extraordinary experience and skill that he has at his fingertips—many of us wish that we had it—to consider where we go and how to do this best.

Stephen Kinnock (Aberavon) (Lab) [V]: It is always a pleasure to follow the Chair of the Foreign Affairs Committee, who is doing sterling work in an area of increasing concern to this House and our country; the impact of hostile state actors plays an increasingly important part in how we think about our country's place in the world. He is doing outstanding work in thought leadership and political leadership in that context.

It was a privilege to serve on the Bill Committee, and it has been a real privilege to work with my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah), who has led the team in an exemplary manner. She has been assiduous in the scrutiny of the Bill and in bringing us together around the amendments—more than 30 of them, I think—that we tabled in Committee.

Unfortunately, while I have huge respect for the Minister in charge of the Bill, he chose not to integrate any of our amendments into the Bill, which is a pity because, as my hon. Friend just pointed out from the Dispatch Box, we have approached the Bill in a spirit of constructive engagement with the Government. We wish to see its substance put in place as rapidly as possible; it is long overdue. It is a pity that that spirit was not reciprocated by the Government when it came to some of our amendments, which we genuinely tabled not for any partisan reasons, but to try to improve the Bill as much as we could.

However, we are where we are. We are through Committee, and we are looking at the Bill as it is. As has been mentioned, we heard from experts in Committee, including the former head of MI6, Richard Dearlove, and Charlie Parton, one of the leading experts on China, and their contributions were enlightening. It is worth touching on what they talked to us about, because it sets out the backdrop against which the Bill is being put on to the statute book.

I will mention two of the key takeaways from that evidence. First, the impact of covid on the ability of the British economy and businesses to withstand a hostile foreign takeover is deeply troubling; it increases their vulnerability. It feels very much like we are out on choppy waters in a relatively difficult economic climate, and are relatively isolated, of course, having left the

European Union. We need to ensure that we do all we can to hold on to our strategic national assets. We should not allow them to be snapped up by investment vehicles and businesses that are sniffing around, to use the term of the hon. Member for Tonbridge and Malling (Tom Tugendhat), our business sector, potentially taking over businesses in a way that would be deeply damaging to our economy and national security.

The second key trend that was highlighted was, of course, the rise of China. It was made very clear by Mr Dearlove, Mr Parton and others that successive Governments since 2010 have been profoundly naive and complacent about how we respond to the rise of China. We had the so-called golden era, which was supposed to be about economic integration, and supposed to lead to China beginning to align with the rules and norms of the international rules-based order. Clearly, the opposite has happened, and as a result of that naivety and complacency, we find ourselves very exposed, and in a position that could lead to the undermining of our sovereign capabilities. The Bill is being introduced against that backdrop.

I will speak in favour of new clause 5, which is really important, and on which I worked with colleagues, including my hon. Friend the Member for Newcastle upon Tyne Central, but first I will talk about the Bill's intentions, and whether it will achieve its goals. The Bill seeks to protect Britain's national security from the threats posed by hostile business takeovers, and by investment vehicles that are not aligned with the UK's values and interests, and are potentially even actively hostile and seeking to cause harm to our country. However, there is potentially a flaw at the heart of the Bill. A key part of our national security is our economic security; indeed, I would argue that it is a foundation stone of our national security. It underpins our long-term national security, in the sense that if we lose control of key parts of our economy, it leads to an undermining of our sovereignty, our sovereign capability, and our prosperity. That has a knock-on effect on our resilience and our national security.

We need to put our sovereign capabilities at the heart of the Bill, and ensure that when the Government do national security assessments, they look at long-term, strategic, structural threats in addition to the more immediate threats to our national security of espionage, intellectual property theft, and a range of others.

That is why in Committee I homed in on two issues that I felt were most critical: our critical national infrastructure, and enterprises and investment vehicles that have clear links and allegiance to other states. On the first point, the Bill unfortunately neglects to define critical national infrastructure. The Government consultation lists 17 sectors that might come under the national security regime's mandatory notification process, but it does not list and define critical national infrastructure as an asset class in itself.

There is a difference between the list of 17 sectors in the Bill and the 13 sectors that the Centre for the Protection of National Infrastructure, which is of course a Government body, defines as critical national infrastructure. The missing five sectors are chemicals, defence, finance, health and water, which I would argue are crucial to our national interest. Potentially hostile foreign takeovers in those crucial sectors should give all of us, and certainly the Government, pause for thought.

Those sectors form the basis of the safety and security of every citizen of our country, so I strongly recommend that critical national infrastructure be defined as an asset class in the Bill, and that the gap be closed between those 13 sectors and the 17 listed in the Bill.

Our critical national infrastructure of course needs protecting. Sir Richard Dearlove, in response to my question in Committee about including a definition of critical national infrastructure, said:

“I would certainly see that as advantageous, because it defines a clear area where you start and from which you can make judgments”.—[*Official Report, National Security and Investment Public Bill Committee*, Tuesday 24 November 2020; c. 24, Q31.]

The truth is that we have failed to protect these critical national assets for a decade. Just look at the involvement of Chinese-based investment vehicles in our water, energy and nuclear sectors. This is a serious problem that needs to be fixed urgently. It is also part of the laissez-faire approach that successive Governments have taken since 2010. It leads to a short-term business culture that opens the door to acquisitions, and to our having by far the highest number of successful hostile takeover bids of any advanced economy in the world—certainly as defined by the OECD.

Our strategic assets have too often been flogged off to the highest bidder. The case of Arm—a jewel in the crown of British tech—has been mentioned by several hon. Members; it is, of course, in the process of being sold off to Nvidia. Huawei acquired the Centre for Integrated Photonics and of course DeepMind was sold to Google; I absolutely agree with the Chair of the Foreign Affairs Committee, who said that that was one of the most egregious decisions taken by a Government in recent political history.

3.15 pm

All that undermines our sovereign capability, and as a result so much of our critical national infrastructure is not in our own hands. In fact, 57 of our critical infrastructure supply chains depend on China—from energy suppliers, to airports, to personal protective equipment. That is a dangerously exposed position to be in. The repercussions, of course, were felt through the pandemic. Our lack of capacity to produce personal protective equipment has cost the UK taxpayer eye-watering amounts of money, and there have been shocking stories of so-called middlemen pocketing millions of pounds for simply acting as a broker between the British Government and overseas suppliers.

I now turn to the issue of foreign state involvement, state-owned enterprises and investment vehicles backed by states. Many of the so-called private takeovers and infrastructure investments are in fact being carried out by companies and investment vehicles that are a front for authoritarian state actors who have wider political and national security agendas and whose values are at odds with our own concepts of democracy, liberty and the rule of law. The most obvious and pressing case is the role of the Chinese state, which is committed to expanding its influence economically, politically and militarily in order to become the world’s leading global power. We need only recall the recent case of Imagination Technologies, which was the target of a hostile takeover attempt by an investment vehicle with direct links to the Chinese state—and, of course, there is a substantial Chinese stake in Hinkley Point.

We need to tighten our view and definition of hostile foreign takeovers when they have a particular role and when they owe allegiance to hostile foreign states. That is set out in the statement of policy intent, but it is not in the Bill. As I pointed out in Committee, it really needs to be in there as a clear definition of an additional threshold—a higher threshold and a more assiduous look at the backers of investment vehicles and companies seeking to take over British companies and interests.

In addition to the comments on these broader issues of critical national infrastructure and the state-owned and backed enterprises, it is important that we should flag up concerns about the fact that so much of it sits within the Department for Business, Energy and Industrial Strategy. That is really an issue, because decisions are going to have huge cross-departmental implications. It would be better for there to be a cross-departmental unit bringing together the Treasury, the Home Office, the Foreign, Commonwealth and Development Office, the security services and the Ministry of Defence. It would follow a model similar to that of the Committee on Foreign Investment in the United States.

There were signs that BEIS was something of a cheerleader for the Huawei deal; that does not fill us with great confidence or optimism that a sufficiently astringent look will be taken at these issues if they are left exclusively in the hands of BEIS. There is also an issue around the change of incumbent at Cabinet level, with the Secretary of State being potentially influenced. We would of course never cast such aspersions on the current incumbent, and we congratulate him on his promotion, but we really do need to make sure that we have a belt-and-braces approach and that undue influence is not exerted.

We have seen reports about so-called elite capture by foreign powers, we have seen the Russia report, and we would like far more assiduous action to be taken. It is naive to think that we are not vulnerable to these influences—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Could I interrupt the hon. Gentleman to say that we have quite a few more speakers? We do have a fair amount of time, but I am hoping that speakers will take about 10 minutes, and he has now taken 15, so I hope that he might be bringing his remarks to a close before too long.

Stephen Kinlock: With apologies, Madam Deputy Speaker, I am indeed finishing now.

Protecting our national security is just one element of protecting, nurturing and developing the sectors that are vital for the future. Technology sovereignty will be the defining issue of the coming decade. The economic dislocation we have seen from covid means that the case for action is stronger and more urgent than ever.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD) [V]: I shall heed your remarks, Madam Deputy Speaker, and try to keep my contribution short. In truth, I have not been involved thus far in this Bill, but I am my party’s defence spokesman and I therefore take a view on it.

Given the constituency I represent at the very top of the British mainland—north coast, east coast and west coast—I intuit from what I see that the Russian navy is no stranger to those waters. Therefore, the defence of

[*Jamie Stone*]

the realm is in my mind personally as well as when I am speaking in the Commons. As I have said many times before, we do, alas and alack, live in a world where there are states that are not about the best interests of the United Kingdom. As other speakers have said, we see the Chinese threat and we see the Russian threat. It is within that context that I say what I say.

I want to make three or four very general points; as I say, I will try to be fairly speedy. The first is about the amendment that seeks to place an annual security report before the Intelligence and Security Committee. Yes, we have heard that the Government are proposing to bring in something similar to this amendment in the upper House, but it would be no bad thing for us to agree on it at this stage, and then let us see what the Government come back with if they decide not to accept it. In recent days, we have seen on the other side of the Atlantic the whole notion of parliamentary democracy come under some challenge. Here in the mother of Parliaments, the idea of Parliament as supreme and of reports brought back to Parliament is very much a part of our democracy. It is a vital mechanism in securing the way we do things nationally and our freedoms.

On the Chinese point, the sale of DeepMind to Google, and Arm, which will go to Nvidia in due course, is regrettable, to say the least. Let us make no mistake: this is a quite deliberate act by China and other Governments who are hostile to us. At the end of the day, there are front organisations that are trying to get a grip on cherry-picking those parts of the British economy that are fundamental to our workings. That is extremely dangerous, to say the least.

The scope of the public interest test is important to the Liberal Democrats, as we have been saying for a long time. First and foremost, this Bill, which I support entirely, is important to the safety of the realm—to protecting British interests—but at some stage I would like the public interest test to be broadened out. Mention has been made of China. We know how incredibly badly the Chinese are treating their Muslim minority in the west of the country. It amounts to something approaching genocide: let us not muck about with this. When companies buy up a British company or business, I would like the public interest test to be applied, for instance, on child labour and on modern slavery. The trade deals should be examined in that context as well. At the end of the day—we have said it many times in the House of Commons and the House of Lords—we disapprove entirely of the way in which the Chinese have treated the Uyghurs. We have to try to take action to try to influence that. If we can stymie a trade deal on that front, that might be a very good move for the future.

I have discovered—it is a curious factor during my three years in the Commons—that on defence matters there is often broad agreement across the House, which is very encouraging. The idea of constructive opposition is important, and what comes back from the upper House will be of extraordinary interest. I hope that the lesson has been learned, and that when the Bill is enacted there will be a sensible approach to stopping the repetition of DeepMind and the sale of Arm. I give huge credit to the Chairmen of the Foreign Affairs Committee and of the Intelligence and Security Committee,

who have worked assiduously, as have their Committees, on a cross-party basis, to protect the best interests of our nation. There I shall conclude my remarks.

Katherine Fletcher (South Ribble) (Con): I join the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) in paying tribute to all the members of the Bill Committee. The room may have been cold but, to be fair, the debate was not. I extend my thanks not only to the Front-Bench spokespeople but to all the Clerks and everyone who made that happen.

What occurred to me as I shivered, with the Thames windows open in the Committee room, was that, as my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) pointed out, this is flipping important, but there is a risk of it becoming dry and remote. I hope that the House will bear with me if I try to bring it to life for people who spend the day on their phone and are not aware of some of the business takeovers that have occurred or of the actions of foreign states that are hostile to us.

I want specifically to speak to new clause 5 and the attempt to seek clarification on the definition of national security. In the spirit of clarity, let me take a step back to take a step forward. What does the Bill do? It enables us to catch up with nations such as America, Australia and Canada, in protecting us from threats from people overseas who try to use business and ideas, candidly, to do us harm. It gives us a legislative framework to address that, and I echo the comments of many Members to put stickers on how important that is.

The Bill gives the Government powers to investigate properly business deals that look a bit fishy or are much worse than that. National security can sometimes end up sounding like that bit in “Men in Black” where, all of a sudden, the sunglasses go on and the pen comes out. What does it mean? To me, it is not a static thing or concept—it is a fast-changing world. In seeking to define it, as new clause 5 does, we risk flagging to our enemies what the “it” of national security is, thus making a big pointy arrow saying, “Go and over there and do this, because we are not thinking about that as a Government at the moment.” The Government need flexibility to be nimble as threats evolve.

To explain that, let me give a hypothetical example. A small firm is curating a TikTok feed and videos on its channel, gaining ad revenue. It is not a huge business—a couple of people—but it is doing quite well. Those videos are funny and political, and are often further left of centre than me. They imply that I, as a Conservative, have only awful motivations for the decisions that I make in this House. Well, such is life. This is the lot that I picked, though, as an aside to the youth of today, I would like to point out that if they are getting their messages from people who are only giving them one side of the story, they should think about it quite hard, because there are always two sides to the story.

3.30 pm

However, going back to this hypothetical company on social media. What happens if an enemy abroad who hates us, hates the British, hates what we stand for decides to try to buy this business and then uses this business’s reputation, subscribers and previous clever work to push really damaging ideas and—to use the phrase du jour—fake news? All of this to the people who just want to watch funny videos that laugh at silly

Tories. Is that a question for national security? Should we intervene and stop the purchase of this business because we risk what is going forward? To be candid with the House, I do not have the answer to that question, and I think that that speaks to my point. Is it national security when a community of people are only seeing something wrong and dangerous? Is that national security and should we step in? I can speak to the answer yes. I can also speak to the answer no. No doubt this House could debate it for many, many hours in an articulate fashion, such as we have just heard.

Now, if we had defined national security, would it be certain that we had the right definition to allow for this decision to be made? It is my submission to this House that we would struggle. Also, this hypothetical example of a modern company is one from our current technology. It is only catching us up with the rapid changes that we have seen in the past five to 10 years. With the detailed definition of security, what would happen when technology in businesses moves as far away from now, as I am from the rubber-keyed ZX Spectrum computer that I played with as a child? That is a huge leap. How do we define national security that will protect for the future and how do we encode a definition for something that has not even been invented yet? I am not sure that we can without unintended consequences in terms of signalling to our enemies, leaving loopholes, or not giving the flexibility that we need.

For me, protecting the realm and all of our people—all of them—requires flexibility as well as strong oversight and that is in no doubt, so I will not be supporting new clause 5 today.

Mr Kevan Jones (North Durham) (Lab): I supported the Bill on Second Reading and continue to do so, because, of course, in terms of putting on the statute book the protection that we need, it is a vital piece of legislation, but, as the right hon. Member for New Forest East (Dr Lewis) said, it is possibly some seven years late. That highlights the conflict that takes place within not just this Government, but all Governments, between wanting national prosperity and national security. We had this during the coalition Government—the hon. Member for Tonbridge and Malling (Tom Tugendhat), I think, referred to it as the “golden age”, or, as the Australians would call it “a Government full of panda huggers”—but that has clearly changed. What has also changed since even 2013 is that we have a better understanding of how states are using their economic power not only for defence purposes, but to project their power to change the international world order.

It has come as a great shock to many people that, in the past few years, the international rules-based order, which we have all accepted since the second world war, has come under threat not only from hostile states, but from individuals who basically want to throw everything up in the air and see what lands.

Clearly, when it comes to China, to mention one nation, its investment strategy, including belt and road and other initiatives, is clearly being used not just in terms of projecting its economic power, but for geopolitical reasons. If we look at the long list of Chinese individuals on various standard-raising bodies—whether it be UN bodies or standard setters in the telecoms industry—we can see which areas they want to influence. The Bill is very important in ensuring that we protect that critical national infrastructure. There will be that debate—as

Members will see if they read the ISC’s 2013 report—between prosperity and security. For me, security has got to be the key cornerstone of this legislation, but it will, I think, lead to some very difficult decisions having to be taken.

As I say, I broadly welcome what is being put forward in this Bill, and I will come on to some of the new clauses in a minute, but can I first refer to new clause 7? It has already been spoken to by the Chair of the ISC, the right hon. Member for New Forest East, in terms of oversight. The ISC is not looking for work, I can tell hon. Members that. I have been a member of it for a few years now, and we have a lot on our plate. We do not actually want to be a regulator or in any way to have to decide what should go ahead and what should not—that is the role of Government—but I think it is crucial that those decisions, some of which will be very controversial but taken for perfectly good security reasons, from outside the Executive.

As the right hon. Gentleman has outlined, that cannot be done by the BEIS Committee. Again, I would not want to take away from any of the work it is doing, but we are the only Committee of all the Committees we have that has the levels of security clearance—it has STRAP clearance—to look at the evidence that will have to be put forward for taking these decisions. I think this would give the public confidence in the Bill, and when such decisions are being taken in future, the public can actually have confidence that there is some oversight of the reasons why they are being taken. So I do support new clause 7, but I accept what my Chairman says about wanting some indication of the Government wishing to take this on board. May I also raise the fact that this is not just for this Bill? I am also serving currently on the Telecommunications (Security) Bill Committee, and it is an issue—exactly the same issue—there as well.

I think the Minister is sympathetic to this, but I can tell him now—and I do not want him to admit it—that he will be getting a lot of pushback from the Cabinet Office, because the Cabinet Office somehow sees it as its role to prevent the ISC from seeing anything. As the right hon. Member for New Forest East said, it hides behind the Justice and Security Act 2013, but as he very eloquently outlined, there is already a mechanism to allow us to look at this. This is going to be an increasing problem. If hon. Members read the Act, they will see that it does not actually say that it is about actual Departments; it is about access to sensitive and secure information. That is going to be an increasing issue, whether for this Government or future Governments, because, as that is used by more Departments, it is important that Parliament and the public at least have some oversight of it.

I do not want to bash the Cabinet Office, but hon. Members will remember, if they look at the 2013 ISC report, that it is the same Department that, even though it was told by BT that BT was going to contract with Huawei, somehow conveniently forgot even to tell Ministers until much later. So, I think it is important to ensure that we have robust oversight. I look forward to the Minister’s response on whether he is going to agree to this letter. If he can give such an indication today, or even when the Bill goes to the other place, that would be welcome, and if that is the case, I think it would be quite right not to press new clause 7. I think this is something that is missing from the Bill.

[Mr Kevan Jones]

May I now refer to other new clauses? New clause 4 stands in the name of the hon. Member for Tonbridge and Malling and others, and I congratulate his Committee on its report. I accept what the hon. Member for South Ribble (Katherine Fletcher) has just said about defining national security. Putting that on the face of the Bill, as new clause 5 does, limits what can be done, although it is good to have a debate on this. New clause 4 is slightly different, however, because it sets out a framework within which these decisions can be taken.

The Bill does not define national security or the list, and I understand why: because we cannot list the entities, and, as the hon. Lady said, something might come up in the future that is critical national infrastructure but that we have not yet thought about. We need sufficient flexibility to be able to address such situations.

New clause 4 also covers the following important area:

“(g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and

(h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK.”

We see good examples of states that are making strategic investments for geopolitical or security reasons or in order to acquire technologies, but, as came out in the ISC Russia report, many states are increasingly using fronts and other individuals to acquire such assets, and, having not an exhaustive list, but a framework that covers this would also flag up such matters to the Department.

We talk about critical national infrastructure being things such as power stations, electricity grids, gas mains and telecoms, but might we also say that our food distribution network, for instance, is a part of critical national infrastructure? In the early 2000s we had the fuel delivery lorry drivers’ strike, which led to a critical situation, and control of such events could fall under this. These things might be done not by a state, but by individuals related to it, perhaps acquiring large property portfolios in certain areas. Although new clause 4 is not perfect, it covers these matters.

I accept what my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) is trying to achieve in amendment 7. She wants this unit to have the resources to ensure that it can do its job, and that is very important. However, we also need to ensure that there are no untimely delays, because we do not want this to be a hindrance to business.

Amendment 7 also raises the issue of the personnel who are going to perform this task. I have a huge concern, which I have raised already in terms of the Telecommunications (Security) Bill, about the type of individuals we are going to get in that unit. It is vital that we have people with not only the necessary security clearances but also the right security mindset. Some reassurance on that from the Minister would be welcome.

Overall, however, I welcome this Bill. It takes a huge step in the right direction. As my Chairman, the right hon. Member for New Forest East said, it is strange that we wait for seven years and then get two Bills very quickly, and I also look forward—I hope in the near future—to a further Bill, the hostile state actors Bill, which is another recommendation from our Russia report.

I thank the Minister for the constructive way he has taken this Bill forward—and I will be cheeky and just say to him that if he can deliver extra vaccines in Chester-le-Street this week, that will be very welcome.

Madam Deputy Speaker (Dame Eleanor Laing): We now go over to Sam Tarry—oh no, he’s here!

Sam Tarry (Ilford South) (Lab): I am indeed, Madam Deputy Speaker; I hope you are not too confused that I am here physically. Thank you very much for kicking me off.

I spoke at length on this legislation in Committee, where I moved a number of Opposition amendments to try to strengthen it and where we heard salient and wide-ranging witness statements and testimony on this crucial legislation. Indeed, as many Members across the House have said, the Bill is an important and, frankly, long overdue piece of legislation that will provide more robust powers for the Government to intervene when corporate transactions threaten national security, as the Labour party has long demanded. That is why we support the Bill and have tabled amendments to make it more robust.

3.45 pm

That said, the Bill unfortunately represents a missed opportunity. It fails to go far enough to protect our national interests and our security at a time of ever changing and global emerging threats. It could and should have been used to build a more comprehensive and unified industrial strategy, which is urgently needed as we look to emerge from the pandemic and the severest economic crisis and recession in 300 years.

The fundamental task of any Government, and the reason for the Bill overall, is the protection of our national security. A critical driver of that security is the wider public understanding of the rapidly changing threats we face and the different sources of those threats. In Committee, we heard from various expert witnesses that other countries understand perhaps far better than we do what some of those threats are. Members from across the House heard evidence in Committee from the former head of MI6, Sir Richard Dearlove, who sketched out a complex picture that clearly showed that, for too long, successive Governments over many decades have placed economic interests, including our relationship with China, ahead of our human rights obligations and strategic national security interests.

That is why Labour is calling for the Government to intervene in foreign acquisitions that could damage our national interest and hamper our national security, so that the likes of the disastrous takeover of the UK’s biggest tech company, Arm Holdings, never happen again; and to use the Bill to put in place a robust framework that ensures that and that prioritises national security above all else. That would mean the Government no longer opening our doors to the highest bidder and selling off anything and everything in the process, but instead having a long-term and strategic approach to global threats—economic and otherwise—so that in the post-Brexit world we now inhabit, national security does not take a lesser priority than free market fundamentalism.

Indeed, over the past decade, the Conservative Government have allowed foreign direct investment to grow rapidly. In the past two years alone, it has almost doubled, from £36 billion to £66 billion. That, of course,

is to be commended and much welcomed in many cases, with thousands of jobs created across the country. However, where the investments are being made is the cause of a great deal of concern. Worryingly, on only 12 occasions in the past 18 years have there been national security assessments to scrutinise such investment, with not a single block on a takeover during that period. That is deeply concerning, because as has been well documented across the House, enterprises controlled by potentially hostile countries have been handed contracts for 5G or to build and invest in crucial national infrastructure, such as nuclear plants, giving them potential control of critical infrastructure, personal data and cutting-edge technologies. This should not be about making as much money as possible but about our Government prioritising our nation's security.

We must learn from our partner nations that have put in place similar measures recently to deal with this growing threat. For example, in the US and across the EU, wide-reaching laws have been implemented to enable intervention in investment transactions where national security or national interest concerns are at stake. The EU proposed them in 2017, and Germany updated its legislation the following year, around the time the US did the same. The national security definition clause we have tabled would bring us in line with our allies and would treat this matter with the seriousness it deserves.

The Bill transforms the UK's merger control processes, and that is a key part of it that we would not want to be overlooked, but it locates merger control processes away from the Competition and Markets Authority, with its history of merger control expertise, and into the Department for Business, Energy and Industrial Strategy, which unfortunately has no existing expertise in merger control. It does this at the same time as massively expanding the scope of intervention. In the face of such sweeping powers, we should not abandon all accountability just because the Secretary of State says the words "national security", even though they happen to be at the top of the Bill. Too often during the pandemic, we have seen the Government run roughshod over parliamentary accountability and scrutiny, and national security is simply too important to have that happen again.

The amendments put forward by the Opposition would hold the Government to account through aggregate transparency, with specific focuses on unit efficiency, unit capacity and small and medium-sized enterprise interactions. We are also supporting the Intelligence and Security Committee's amendment, which would require the Government to publish an annual security report to the ISC, allowing the Committee to bring some accountability and transparency to the Government's actions without, of course, compromising on security. The UK, thankfully, is globally recognised as an open and attractive destination for foreign investors. However, our openness has made us vulnerable to exploitation by foreign actors who do not always have our nation's best interests in mind, and we must act before our security could potentially be compromised. Labour's amendments to the Bill, and a clearer definition of what national security means, would enhance this legislation and make it more fit for purpose.

I would like to turn to the new clause that has been put forward on SME support, because this is crucial to their long-term survival, given the precarious position that many of them are currently in. Small and medium-sized

enterprises are enormously important for constituencies such as my own in Ilford South. They are the backbone of our community businesses and a driver of the local economy, but they have faced unprecedented difficulties during the ongoing pandemic. It is therefore vital that the Bill does not lead to SMEs being hamstrung by more red tape.

As the true party of small business, Labour is calling for greater guidance and support for our innovative small business sectors, so that the Government do not once again allow SMEs to fall by the wayside. Any business, whether small or large, needs certainty, and the publication of comprehensive guidance and an early understanding of compliance will allow many SMEs to navigate their way through these new requirements. But above all else, guarding national security should not mean abandoning those SMEs, because they are the engine of national innovation and local economic growth in so many parts of our country. That means that the Government should establish a dedicated SME unit within the Department for Business, Energy and Industrial Strategy that can guide and mediate for those businesses as they progress through the national security screening process. National security is and must always be our highest priority; it is Labour's highest priority. In the post-Brexit world, we want to be a country that is as open and positive as possible towards investment from international partners only if they share our values and objectives of supporting and rebuilding Britain.

Andrew Griffith (Arundel and South Downs) (Con) [V]: May I first take the opportunity today to congratulate our friends in the United States? They are one of our longest and most enduring partners, including in the domain of investment, where we are each one of the largest investors in each other's economy. In fact, 1 million people in the UK go to work every day for an American company, and 1 million Americans work for British companies.

Unlike many of the other speakers in this debate, I want to talk about investment. This Bill should not be about the NHS or employment law or foreign policy, but it is—or at least it should be—about the world-liberating, poverty-alleviating force that is the global movement of capital to make a profitable return. We are all deeply vested in its continued success. The UK economy is one of the most open in the world, and our prosperity depends on that. The salaries and pensions of one in every three nurses, doctors and teachers depend on the cyclotron of capitalism that combines our world-leading science and intellectual capital with human talent from all over the world to invest in and create economic activity here in the UK. So I am pleased that the Minister, who I know is a great friend of business, has once again confirmed that the Government will always enthusiastically champion free trade and provide the warmest of welcomes to overseas investors. He is right to remind us that, since 2011, over 600,000 new jobs have been created in our economy, thanks to over 16,000 foreign direct investment projects.

In new clause 5, Opposition Members put forward a veritable laundry list of subjective factors that are at odds with the clarity and certainty that investors need from this Bill. They would put the UK into a concrete overcoat at just the moment of our greatest opportunity. From the buoyant top, we would plummet to the depths of the world rankings in attracting international investment.

[*Andrew Griffith*]

It is almost as if Opposition Members do not want the British people to taste the fruits of the successful Brexit that they tried to thwart.

From an external perspective, the British economy is a highly attractive investment prospect: a stable, pro-free enterprise democracy with tariff-free access to European markets, close links to the faster-growing Commonwealth countries and native use of English, the universal language used by the fastest-growing sectors and economies of the world. The opportunity is the stability of Switzerland, combined with the dynamism of Singapore.

As net zero champion, I see examples daily of entrepreneurs and investors pursuing opportunities in the expanding clean growth sector. British-based firms are exporting electrolyzers to Europe and fuel cells to Asia. The City of London is a world-leading hub for green finance, while our airports and airlines are the same in sustainable aviation. Elsewhere, similar opportunities exist in artificial intelligence, quantum computing, the life sciences, satellites, aerospace and FinTech, where the UK science and research base positions us very strongly. It is not just rhetoric; economists rightly forecast that UK growth this year will outstrip the US, Japan and the EU.

I urge Opposition Members to withdraw their amendments to the Bill and to allow it to go forward today. Having allowed the golden goose of the UK economy to continue to prosper, we can engage in a legitimate debate about how best all may share in the fruits of that success. [*Interruption.*]

Madam Deputy Speaker (Dame Eleanor Laing): Order. We cannot have Members sitting here in the Chamber—under the cover of masks, so I cannot see their mouths moving—making comments about things that people are saying virtually. It just does not work and, quite frankly, it is not fair. We really must watch the level of behaviour while we are trying to balance this difficult situation in the Chamber.

Jim Shannon (Strangford) (DUP) [V]: Thank you, Madam Deputy Speaker, for allowing me the opportunity to speak this afternoon. I have followed with great interest every stage of the Bill. I do so with a somewhat vested interest. That is not that I have investment portfolios or similar, because I do not, but because I am fully aware of the potential that exists within Northern Ireland for foreign investment from the positive advantage we now have.

As the previous speaker, the hon. Member for Arundel and South Downs (*Andrew Griffith*), said, Brexit has given us some opportunities for investment for the future. I see potential for that, as he does, and hopefully as others do, too. Northern Ireland has become the cyber capital of Europe, with our low business rates, superfast broadband in urban areas, wonderful global connectivity—before the pandemic, at least—and a highly skilled local workforce. It is little wonder that more people have decided to make Northern Ireland the home of their global business, and the opportunity is there for much more.

For that reason, I have followed the Bill closely to ensure that it protects our nation as a priority, and I am firmly behind the Government in that aim. I support the objectives that others have set out, and that the

Secretary of State will set out at the end of today's debate. I also want to ensure that the Bill is not overly prohibitive to companies that see opportunity to invest in my constituency of Strangford and in the Ards council area, but have concerns about the mechanism through which the Secretary of State can put a hold on investment for certain reasons.

I share the concerns of my colleagues that more detail is needed on what constitutes a reason for the Secretary of State to become involved. It is my desire that, rather than a substantive statement by the Secretary of State coming after the passing of the Bill, one should be appended to it. I seek some clarification on this matter. That would enable investors and those businesses seeking investment to know the parameters within which they are working.

I must be clear: I do not wish to water down the aims of the Bill—that is not my intention whatsoever. However, I share the concern of some Members that Chinese companies are under an obligation to share information with the Chinese Government. I remain concerned about overly onerous legislative commitments for small investments and small firms, but I must accept the evidence of the loopholes that foreign investment companies have made their way through by purchasing intellectual property rights and the like. I see how our system has been abused thus far, and I stand with the Government on the need for an overhaul, which is the purpose of this legislation. However, I believe that we need the detail to have the strong and all-encompassing legislation required to keep our nation safe. I again implore Ministers to consider this. The safety of the nation has been spoken about by many Members, and it is certainly a priority for me and my party.

4 pm

I am thankful for the trigger events set out by the Government in the White Paper. I understand the rationale behind those and fully support them, especially the fact that the Government's rationale for introducing mandatory notification for these trigger events is the same as for the trigger events themselves. That is to say that the acquisition of over 25%, over 50%, over 75% or more of votes or shares represents thresholds at which parties can respectively block a special resolution, pass an ordinary resolution or pass a special resolution, as set out in the Bill. It is the delay in the secondary legislation after public consultation that concerns me. Surely the Bill will be stronger when it is complete. Again, I seek the Secretary of State's reassurance on that.

I thank the Secretary of State, the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (*Tom Tugendhat*), and all Committee members for their hard work. We have before us a Bill that we can be proud of and that will lead to the security we need.

In conclusion, is there a reason why we cannot put all the pieces of the jigsaw together and present clear legislation which ensures that both the investor and the company know and understand the prerequisites and that we are all able to play our part to ensure that the security of this nation—the United Kingdom of Great Britain and Northern Ireland, better together—is not at stake, while enabling us to thrive in the future?

Bob Seely (Isle of Wight) (Con): I thank the Minister for his work and for being here for the debate; I know how busy he is, so I am most grateful. I will speak to

new clause 4, which provides a definition of “national security”. After listening to some of the speeches, I wonder whether I am going to play the role of General Melchett in “Blackadder” when I insist that “security” is not a dirty word. Let me try to put the argument in favour of a national security definition. My hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) suggested that I do so, and I am grateful to him for the opportunity. Like him, I thank Nicole Kar and Alice Lynch, who supported the work of the Foreign Affairs Committee.

New clause 4 provides a non-exclusive framework of factors that the Secretary of State would be obliged to regard when he is assessing takeovers or work in this field. It does not limit the Secretary of State in any way, as my hon. Friend the Member for South Ribble (Katherine Fletcher), who spoke eloquently, and others suggested. It provides a public recognition and a public baseline of things that should be considered. As such, it is a sensible amendment to improve the Bill, as well as providing a wider public service by defining national security in the modern era. I would like to make a few background points and then speak for between five and 10 minutes on a few other points.

We need a definition of national security, because the alternative is to have a vague and unstated set of assumptions. The new clause is broad, but it sets quite a high benchmark. It is not a generalised catch-all, nor does it contain a substitute for an industrial policy; that is another debate. The Cadbury takeover would not be included in this, nor would a Stilton creamery in South Notts—it might in France, but not in this country.

In this country we have a tendency to romanticise vagueness, as if planning were a bad thing and muddling through a strategic art as well as a national pastime, with this just-in-time Dunkirk spirit. I think it was Churchill who noted that, actually, Dunkirk was a military disaster, not a victory, and that if we had got our security and strategy right in the years previously, we could have avoided glorifying disasters because we would not have been in that disastrous position in the first place. A more systematic approach to national strategy—frankly, I think we need a national strategy council—but also to security and the definition of national security is important.

My next point is that the nature of national security has changed, and we need to be mindful of that. It is not simply about defence and espionage and the immediate threat to the realm. We have seen from Russia and China a combining of non-military and military, of covert and overt strategies—people call it hybrid war, grey war, under-the-radar war; there are about 25 definitions doing the rounds. This is not a war as such, but it is a form of state struggle and state conflict. Some states in the world, including very significant states such as Russia and, perhaps to a lesser extent, China, see things as a zero-sum game. We need to understand that liberal internationalism is not the only show in town and not the only way to understand international affairs. The west is good at many things, but seeing the world through the eyes of others is not necessarily one of them.

These new states, as many people here have said, use multiple and novel tools, including economic power, energy power, espionage, blackmail, information war and even cultural and religious power, as well as military and paramilitary power, and they use different templates

and different tools in different parts of the world. Clearly, the tools that China uses in Xinjiang province are different from the ones that it uses in the City of London or to reach out to parliamentarians. The tools that Russia uses in eastern Ukraine or Kiev are different from the ones that it uses in the UK. Is the Kremlin’s use of Russian Orthodoxy a national security threat to us? No, of course not. But is its use of oligarchs and informal channels to influence senior political and financial elites in our country—the hon. Member for Aberavon (Stephen Kinnock) called it “elite capture”—a potential threat to national security? Yes.

The right hon. Member for North Durham (Mr Jones) was right to mention how states are using those new powers and how they use power to bend or break the international system. My hon. Friend the Member for Tonbridge and Malling has also spoken about that repeatedly, as indeed have many of us on the Foreign Affairs Committee. That international system is not perfect, but it has served humanity well.

It is important to understand that national security is not just about a narrow defence threat; it is broader. China has published a document, “Made in China 2025”, outlining how it plans to dominate data, artificial intelligence, big data and so on. Is it a threat to our communications infrastructure if we are dominated by a one-party state with a very different values system? I am not saying definitely, but potentially it would be.

The Henry Jackson Society and I produced a report on Five Eyes supply chain reliance on China. Over a quarter of British supply chains are dominated by China, and the UK is strategically dependent on China for 229 categories of goods, 51 of which have potential applications in critical national infrastructure spheres. We need to be mindful of the impact of that on our national security.

There are companies that are going to be bought and universities that are going to be working on gait technology and facial technology. I do not doubt that there are some countries in the world that will use that technology to improve their mass transport systems, but there are countries—China is potentially one of them—that will use it as a means of controlling their people more effectively and developing the sort of Orwellian state that is a potential threat to humanity and mankind.

Let me look specifically at new clause 4. As I said, my hon. Friend the Member for South Ribble talked about the need to be nimble, and she is exactly right, but osmosis is not a way to provide a definition of national security. The new clause obliges the Government to look at a series of areas. We tried to make it broad, but it sets a high bar. It requires the Government to look at the critical supply chain, critical national infrastructure and national resource. A year ago, who would have argued that personal protective equipment manufacture, vaccine supply or AstraZeneca’s cyber-security were national security issues? Probably nobody. Who now would deny it? Probably nobody. This is a significant element of our national security.

Another example—one that has worried me greatly—is that the Government did not see Huawei’s domination of 5G as a national security issue. They chose not to listen to those people in the agencies who said that it was and set a clear political direction. It concerned me particularly that, bizarrely, BEIS and other Ministries presented Huawei in this House as a private firm when,

[*Bob Seely*]

clearly, it was part and parcel of the Chinese state. Therefore, having a clear definition in the Bill of what Ministers are obliged to look at would help to guide them to come to good decisions in the national interest, and that is what we are trying to do.

We are trying to do things in the national interest to improve the Bill where we can. Paragraphs (b) and (c) address the threat from individuals and to individuals. Paragraph (c) addresses the nature of potential acquirers of UK firms. The hon. Members for Aberavon and for Newcastle upon Tyne Central (Chi Onwurah) spoke very eloquently about this, and Huawei is instructive.

My hon. Friend the Member for Tonbridge and Malling spoke about two companies that were bought when perhaps they should not have been, and we need to look at the nature of potential acquirers of UK firms. It is not an attack on *laissez-faire* economics or on our role as a free market and dynamic, global economic centre to accept that a national security definition, along with good laws, helps to provide a framework for honesty and integrity in business life. Paragraph (f) addresses national security and our responsibility to oppose modern slavery and genocide, which is an important issue for me, but again it sets an extraordinarily high bar.

Paragraph (g) addresses the potential threat of global organised crime. Again Russia, specifically, has tried to influence other countries in this way. Yes, that could be a potential national security risk. Finally, paragraph (h) gives the Secretary of State the flexibility to take a generalised approach to things that are not in the interests of the UK and are a threat to our interests or our citizens.

This new clause is a baseline, not a limiting factor. It helps to provide guidance for the Secretary of State and for BEIS. Frankly, this should be cross-departmental. We need our own CFIUS, and why we do not have one I do not know. Again, that is a concern. I will not address it now, because it clearly is not in the new clause and I am wrapping up.

I fear that the vagueness on national security does not help this Bill, nor does it help national security and its role. Clarity is needed in the long term to help us provide better strategy and a better understanding of the opportunities and risks that face this country in the years ahead.

Kim Johnson (Liverpool, Riverside) (Lab) [V]: I start by congratulating Joe Biden and Kamala Harris, and by wishing for a violence-free inauguration today. Good riddance to the outgoing President. We will not miss his speech.

The National Security and Investment Bill seeks to usher in sweeping reforms to how our Government can scrutinise foreign investment. It proposes strong measures to toughen foreign investment rules and to bring the UK into line with other major countries in key sectors. These steps to keep high-growth and strategically important companies in the UK are overdue and highly welcome, but does the Secretary of State agree that, for the UK to have an active industrial policy that works in the public interest, the Government must go further than just blocking hostile mergers and acquisitions, and instead implement a robust industrial strategy that puts critical national infrastructure at the heart of Government policy?

One example is the recent takeover of Arm, the crown jewel of the British tech sector—a genuine global powerhouse worth more than £31 billion and with more than 6,000 employees. Its recent sale to Nvidia, a US tech giant worth more than £338 billion that is tucked away in the tax-light and secrecy-heavy state of Delaware, provides a clear example of the risky and problematic sale of a British firm to foreign investors, which threatens both security fears and job losses.

4.15 pm

Nvidia competes with companies that Arm supplies. Arm's co-founder declared the takeover to be a “disaster” that will destroy the company's business model and lead to job losses at its Cambridge headquarters and elsewhere in the UK. He also said:

“It is very much in Nvidia's interest to kill Arm.”

At the time of the sale, Unite the Union, which represents Arm workers, declared that, if allowed to go ahead, the sale

“risks the company's UK operations being run down and jobs and investment moved abroad.”

I wholeheartedly support Unite's call for the Government to protect tech firms from being hollowed out by detrimental takeovers, and to provide the investment needed for the sector as a whole to flourish.

Although the Bill makes great strides in bringing UK legislation in line with that of other countries in giving the Government significant powers and oversight of all investments to protect national security, gaping holes remain in our powers to protect jobs and industry here in the UK. With the country's manufacturing sector already on its knees, dismantled and sold off in the Thatcher years and subsequent decades, do the Government not agree that it is high time for a robust industrial strategy that bolsters high-skilled, high-paid and sustainable jobs, to invest in our communities and rebuild after decades of industrial decline and the economic fall-out from coronavirus?

We need to support this legislation to protect UK jobs and industries from foreign, hostile acquisitions that could damage the UK economy and lead to job losses, but we cannot ignore the lack of investment or attention by our Government in developing the UK's industrial strategy. If we are talking about protecting jobs and industry here in the UK, the two cannot be separated. If the Government are serious about industrial strategy, we need stronger powers, such as those in France and the USA, to intervene in takeovers to protect our vital interests, particularly in our tech sector.

We also need serious planning and investment in these sectors, training and reskilling of our workers, and strategic investment in line with the plans for regional levelling up to provide the necessary conditions for these sectors, and the communities dependent on these jobs, to flourish. Now is the time for bold action to put critical national infrastructure at the heart of Government policy, and to retain high-growth and strategically important companies in the UK.

Bob Stewart (Beckenham) (Con): Enhanced protection of our national security is obviously at the heart of the Bill. It has come not before time, too. It has had a gestation period of something like seven years since the Intelligence and Security Committee first raised the matters that it addresses directly. As a member of the Committee,

I will not repeat what my right hon. Friend the Member for New Forest East (Dr Lewis), the Chair of the ISC, or the senior Opposition member of the ISC, the right hon. Member for North Durham (Mr Jones), have said with regard to oversight of investments. I think the point has been well made, and I totally accept that the Minister gets those points.

Let us be clear, though, that if a potential enemy state can get critical information and technologies, it is highly likely to do so. In truth, as we all know, the UK is a primary target for a broad range of national security attacks from both foreign intelligence agencies and organisations, as well as companies, which certainly are operating at the moment. If a company that is British and world leading in a technology—for instance, artificial intelligence or robotics—is bought by a foreign investor from a country that is not particularly friendly to the UK, we must have a system to ensure that British technology, ideas and even hardware are not simply hijacked and possibly used against us. We have to stop that.

Unless the United Kingdom curbs the right of foreign firms and investors to obtain technologies through the means of mergers and acquisitions and similar, our advanced technologies could easily find their way into weapons systems of foreign, potentially hostile states. These days, weapons systems should be much more broadly defined. They include possible attacks on the way we live. For example, using the internet to turn off water purification and supplies or just sewerage would have a dramatic and immediate impact on British society. I reckon that is a weapons system these days. In future, investors will have no choice but to notify the Government if the ownership of certain businesses is to change hands. That is good news. I note, too, that the Secretary of State will also have the power to call in other businesses if he or she has concerns about national security. That is good, too: it allows for sensible flexibility.

In contrast to others who have spoken, I think we should be careful about defining exactly what national security involves because it changes all the time. It is difficult to pin it down. We know what it is, but I am worried about defining it.

Within the Department for Business, Energy and Industrial Strategy will now sit this new investment security unit, which will be tasked with supervising sensitive sectors of our economy. I know that those sectors have yet to be fully defined, but most are pretty obvious—defence communications, energy, cryptography, satellite and space technologies and many more. But in the fast-moving modern world that we live in, it will also be important for the investment security unit to look actively at seemingly innocent technologies and systems, which in the wrong hands could bring our society to a grinding standstill. Others have mentioned the national grid: if that could be disabled by the simple means of remote instructions, the whole of the country's electricity supplies could be turned off. Just think of how difficult that would be!

Keeping sovereign control over the methods of controlling something like the national grid is crucial. I presume and hope that the investment security unit will spend some time looking out for non-obvious threats. Having once been an intelligence officer, I know that trying to identify the threat, the signals that identify what is about to happen, is really difficult because they are embedded in a plethora of noise. But this investment security unit will have to try.

I am pleased that the Bill extends the current screening powers to allow the Secretary of State to investigate the acquisition of sensitive assets in intellectual property as well as the straightforward acquisition of companies. In short, I support the Bill and I am pleased that it has at last reached this stage.

Matt Western (Warwick and Leamington) (Lab) [V]: It is a pleasure to follow the hon. Member for Beckenham (Bob Stewart). I join my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) and others in thanking the Bill Committee, the Clerks and others who supported us so well—including the expert witnesses from whom we got to hear during that fortnight. I had not sat through Second Reading, but we had a particularly enlightening series of sessions.

I wish to speak to new clauses 5, 6 and 7, which I will be supporting, along with the Bill. I emphasise how strongly colleagues and I feel about how important national security is, and how much Labour prioritises it. That is why we welcome the Bill, following, as it does, unfortunately, the leadership of states such as the United States, Germany and the EU; perhaps we are just that much behind the curve. I am sorry to say that it is clear that the Government failed to recognise the clear and present danger of the commercial strategy of other powers. Although I very much support the Bill, as it introduces greater powers for Government to intervene when corporate transactions threaten our national security, it is late, perhaps even a decade or more late.

As so many have said, national security has traditionally been viewed quite narrowly. Perhaps we have had the light touch of economically liberal Governments welcoming investment when in fact those acquisitions are aimed at reducing the competition, improving margins and protecting domestic interests. Also we have seen the purpose being to asset-strip those businesses of their intellectual property, often at considerable cost to the UK in terms of our knowledge base and expertise, but with the risk of seriously damaging our supply chains and having the consequent economic impact. Often this results in those businesses moving overseas. So overall, although the Government's proposal brings the UK in line with other countries on national security, there is the need for greater powers on mergers and acquisitions, particularly in respect of what may be deemed to be beyond security but actually in the national interest, as in the US and France, where they have the powers to block takeovers of companies deemed strategic or that have major implications for national interests.

I am afraid that the past 10 years show that consecutive Conservative and coalition Governments have been persistently slow and muted in intervening to protect national security in a series of cases: Huawei and 5G which has been cited frequently this afternoon, Pfizer and AstraZeneca—the proposal of course failed, but we can only imagine what would have happened to the cost of vaccines had those two companies merged and had we been reliant on one major player; Google and DeepMind; and now Nvidia and Arm technologies. Among a great many others, we have also had the takeover of GKN by Melrose and the acquisition of Cobham aviation. They are now owned by businesses based in a friendly state, which is okay and acceptable, but it is questionable how we are prepared to let some of these important businesses—important leaders in

[Matt Western]

technologies—be disposed of, with the assets, the research and the intellectual properties of those businesses moved offshore, to elsewhere.

New clause 5 seeks to define national security. Interestingly, the right hon. Member for Reading West (Alok Sharma), the former Secretary of State, has stated that the Government had a very narrow interpretation of national security. It was surprising what came to light in the Bill Committee, where we heard that, as I understand it, in drawing up this legislation the Government had failed to engage with the Intelligence and Security Committee in the first instance. That was a shortcoming. The evidence sessions proved more than enlightening, particularly when we were hearing from some of the expert witnesses. Some of what we heard was deeply disturbing. The words spoken by Charles Parton of the Royal United Services Institute were some of the most alarming of all. He said:

“we should not underestimate the degree to which Xi Jinping and the Communist party intend, as Xi said to the first politburo meeting, to get the upper hand against western democracies... When you add that to his policy of civil-military fusion—using civil in the military context—and the fact that he has set up a party organisation specifically to push that forward, and the change in investment policy away from things such as property, football clubs and other things, very much towards benefitting China and its technology, we have to be a lot more careful than we have been in the past.”

I think he said that, perhaps deliberately, with extraordinary understatement. Perhaps most alarmingly, he added:

“I am not aware of a really good assessment of just how much technology has been bought, the targets and so on. Maybe the Government have one—I don’t know—but I do not think that they do.”

—[Official Report, *National Security and Investment Public Bill Committee*, 24 November 2020; c. 6, Q2.]

Perhaps that is something that the Minister could answer when he sums up.

4.30 pm

We also heard from Sir Richard Dearlove, former director of MI6, who expanded on the threats and made it quite clear that the extreme naivety of recent UK Governments had allowed the Chinese in particular, although there were other states too, to become deeply embedded in the UK economy. He underlined his concerns by saying that we had been

“pretty naive and had forgotten the fundamental dangers of having a close relationship with China.”

He added that

“we have to understand where we restrict their access, where we control their access and where we do not allow them to build strategic positions at our expense and literally take us for a ride. It was completely ridiculous that we should even have been considering Huawei to build our 5G.”—[Official Report, *National Security and Investment Public Bill Committee*, 24 November 2020; c. 19-27, Q21.]

That is what is important about the Bill.

Although I have a lot of sympathy for new clause 4, I will concentrate on new clause 5. Sir Richard set out the breadth of the threat; he highlighted the fact that it was not just to our businesses but to our infrastructure and academic institutions. It is worth remembering that only 10 years ago, the coalition Government were hailing a new golden era, and were desperately seeking to

attract investment from China, seemingly oblivious to the national security issues surrounding any investment in nuclear power stations or transport infrastructure. Meanwhile, the open access that Chinese businesses have had to UK universities includes the hiring of UK academics. That is both surprising and unexpected, and a recent report demonstrated the scale of the problem, stating that at Oxford University, 17 projects were under way with Huawei.

It is clear that the narrow, more obvious view of national security, as we have heard, is incredibly naive about what is happening around us. The UK has been guilty, particularly in the last decade, of playing to the old rules when the game has moved on. If we did not understand that, we should really have learned from 9/11 that the threats to national security, as we heard from the hon. Member for Beckenham (Bob Stewart), are both the same and very different. That is why we have introduced the new clause—to widen the definition of security, so that it includes critical national infrastructure, energy resilience, and food supply, and also relates to human rights and environmental security. We are pushing for greater guidance and clarity for businesses, as well as true security for our citizens in the broadest sense.

New clause 6 seeks to set up a small and medium-sized enterprise engagement unit to help SMEs engage with this process. For years, the Government have refused to do more to protect growing UK companies. Developing a robust takeover regime is essential if we want firms in our key sectors to grow and provide good jobs in the UK, rather than sell up and move abroad. We must keep those businesses here in our country.

The regime means that we would go from 12 national security investigations in total since 2003 to an annual expectation of 1,800 or 1,900 notifications, with perhaps 60 to 100 called in by the Secretary of State and subjected to detailed review. That vast expansion would be managed by the entirely new unit that we have heard about. It would be based in BEIS, which traditionally has not taken responsibility for national security. We must ensure that there is sufficient resourcing and expertise, as we discussed frequently in the Bill Committee, and we must also ensure that there is accountability to Parliament, as well as performance transparency.

On that huge increase in referrals, the Government expect SMEs to account for about 80% of mandatory notifications under the new regime. Naturally, that represents a huge challenge for tech start-ups that raise investment in rapid transactions in sectors that are capital-intensive, particularly in the early phases of their development. There is clearly a need for greater BEIS resource to support SMEs with early engagement, and we must ensure that there is accountability from BEIS in that regard.

Recent history is littered with examples of great nascent businesses being lost to voracious venture capitalists, whether they are from benign nations or, more concerningly, are a front for the investment arm of a state, especially those states that we regard as less than friendly. A small business example is Stonewood, a global leader and innovator in data security. It was a supplier to the UK Government, intelligence services and military—a home-grown business based in the UK. It was a brilliant, advanced technology company, but is now just a shell based in Farnborough, with all the value transferred to the US. It is not just companies such as GKN and Cobham aviation or the Centre for Integrated Photonics;

so many businesses across the UK are seen as very attractive targets to friendly, benign nations, as well as to those who have more concerning interests in taking over some of our technologies.

Finally, I will address new clause 7, which would require the Government to publish an annual security report to the Intelligence and Security Committee of Parliament. It is clear that with the day-to-day pressures, and the wider picture of activity and patterns, there is a need for this kind of reporting—and perhaps it should be even more frequent than is being suggested. I listened with interest to the remarks of the right hon. Member for New Forest East (Dr Lewis), and was surprised that his views and those of the Committee were not taken on board earlier. The ISC should be much more centrally involved, where appropriate. It will have material that is really important to the Committee, but that might not be available to the BEIS unit.

It is important that there be these powers for intervention, given the various types of threats that I described. The investment screening process—the scrutiny—needs to be so great, and that is why the abilities and skills of other Departments should be brought into play. We proposed that in Committee; we suggested that there be an overarching structure that can bring in the minds and understanding of people in the sectors, whether they be in the academic sphere or from the Department for Environment, Food and Rural Affairs, so that they can discuss their knowledge of the sector with BEIS.

What is most important is that there is the capacity in the unit, given the increase in the volume of referrals that I described, particularly from small and medium-sized enterprises, which will be desperate for funding, tie-ups and opportunities. The speed with which this unit can respond will be really important, and this report should identify where there are issues and bottlenecks, so that we can ensure a speedy process. That way, small businesses that need the funding and support can be allowed to proceed where the takeover is not deemed to be suspicious, or to the detriment of the UK.

In summing up, I confirm that we on the Opposition Benches absolutely welcome the Bill. Colleagues who have been in Parliament for many more years than me have long called for it. We are indeed playing catch-up, but we are where we are. We do have regulation, and it is needed, but countries such as the US have had stronger regulatory enforcement for decades; interestingly that was strengthened and broadened under the most recent—Trump—Administration. France introduced very similar measures to those we are talking about back in 2014, and recently, Germany introduced further measures to block foreign takeovers in the health sector, for example.

It is quite clear that national security is not just in our defence interests; national security is the defence of our prosperity, and indeed our way of life. With this Bill, we are at last considering our commercial interests, including the interests of our research institutions, and the areas where the two meet. National security is a primary responsibility of Government, and hopefully the Bill will see the Government start to think about our economic strategy and resilience, but they must also think about our social resilience, as so many have said. That has to be a good thing.

Sir John Hayes (South Holland and The Deepings) (Con) [V]: This Bill is apposite. It is an appropriate response to an ever-pressing but rapidly changing problem:

our national wellbeing. I want to speak briefly about its scope, its dynamism, and the oversight that is necessary to make it as effective as it can be.

That national security is inextricably linked to our national interest is axiomatic. It is obvious that our trade and investment also serve our interest. The potentially paradoxical objects of economic interest and keeping our nation safe are brought into sharp focus by the Bill, which I welcome, and I congratulate the Government and the Minister on bringing it forward. The Government response to the changing circumstances that we face could not be more significant. Malevolent forces of ill intent—both hostile state actors and non-state organisations, including global commercial interests—must be countered, curtailed and, where necessary, controlled. As the hon. Member for Aberavon (Stephen Kinnock) said, greater assiduity in this respect is to be commended. No longer can we be naive about the ethics of the free market or free trade; nor should we appease foreign powers that, frankly, embody tyrannical tendencies, in a chilling echo of the worst of the 20th century.

As the scope of the Bill's provision must be used appropriately, so it should also be used as necessary, and as circumstances dictate. I am afraid it is not enough to count risk and resilience in the way we have, historically; we need to measure risk and prepare the necessary resilience in a new way. So I am sympathetic to new clauses 4 and 5, which look to establish factors to which the Secretary of State must have regard when assessing risk, but I hear what my hon. Friend the Member for Beckenham (Bob Stewart) said: given that that risk is as I have described it—dynamic—it is important that there should be a framework, rather than specifying precisely what the risks are or may be. It does seem to me, however, that the Government can do more work, as the Bill continues its passage through both Houses, to be clearer about the circumstances in which the Government might assess risk and define its character and the response to it.

That BEIS is to take the lead in this policy area is new, and it empowers Ministers in a very particular way, but in my estimation, security is likely to be the business of all aspects of Government. As has been said by previous speakers, in respect of health, is it really in the national interest for vital health supplies to be dependent on provision from unstable and unhelpful places? Should the supply of technology, which is so critical to so much of what we do in business, in the public sector and as individuals, be in the hands of those who are either capriciously cavalier or maliciously malign? Should our universities become so dependent on funds from overseas that they are obliged to transfer knowledge to individuals or states that may use it against us?

From now on, the whole of Government have to be associated with the effort to measure risk, develop resilience and understand the threats to our security. In those terms, the Bill must allow sufficient responsiveness to metamorphosing threats, to allow us to alter our response to counter those threats. That implies acting quickly and Ministers using their executive power without the scope, space or time always to seek parliamentary approval. If they did seek such approval, they would be doing so almost every week, certainly every month, and possibly by the day or hour. That is why oversight matters so much, yet the Bill is not yet quite right in that respect, as several contributors to the debate have said.

[*Sir John Hayes*]

The existing accountability to Select Committees is valuable, but not enough. As the Chairman of the ISC, my right hon. Friend the Member for New Forest East (Dr Lewis), explained, that Committee is designated. Indeed, it was set up for precisely this purpose, dealing with highly sensitive information, including secret documents that would normally not pass through the House as a whole because of the public implications of that. Adequate oversight is therefore essential.

4.45 pm

That brings me to new clause 7. As drafted, the Bill does not yet provide sufficient oversight, but I welcome the Minister's engagement and the assurance that the Government are considering these matters closely. I look forward to what the Government say about the contents of new clause 7, which will provide the means by which scrutiny could take place through the provision of an annual report detailing when the Government acted and why. The Chairman of the ISC has suggested an alternative, which is an annexe to the existing annual report. Depending on what the Government say about that, it might well satisfy our call for greater scrutiny.

As I said at the outset, the Government have acted in an appropriate way. I welcome the change of emphasis that this Bill, and other legislation that has been brought before us recently, represents. There seems to be a new understanding of the character of the threats our country faces and a willingness to do something about it. Some would say that that is long overdue given that the ISC highlighted these matters some years ago. Nevertheless, one must, I think, be generous in recognising that not just this Minister but the whole of Government are now acting as they should. The Minister must not be timid about using the provisions of this Bill: he must be prepared to use them in defence of our interests and for the common good. It was Edmund Burke who said,

"Good order is the foundation of all things",

and order depends on our national security. National security is the very principle on which government is based, in which spirit I support the Bill enthusiastically and look forward to its further developments—in particular, the further work that I know the Government are now raring to do on appropriate scrutiny and oversight.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Nadhim Zahawi): May I add my congratulations to President Biden and Vice-President Kamala Harris, and their national security team?

I thank all hon. Members who have tabled amendments and new clauses and have spoken to them so eloquently: the hon. Member for Dundee East (Stewart Hosie); my right hon. Friend the Member for New Forest East (Dr Lewis); the shadow Minister, the hon. Member for Newcastle upon Tyne Central (Chi Onwurah); my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat); the hon. Member for Aberavon (Stephen Kinnock); the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), who spoke so pithily; my hon. Friend the Member for South Ribble (Katherine Fletcher); the right hon. Member for North Durham (Mr Jones); the hon. Member for Ilford South (Sam Tarry); my hon. Friend the Member for Arundel and South Downs (Andrew Griffith); the hon. Member for Strangford

(Jim Shannon); my hon. Friend the Member for Isle of Wight (Bob Seely); the hon. Member for Liverpool, Riverside (Kim Johnson); my hon. Friend the Member for Beckenham (Bob Stewart); the hon. Member for Warwick and Leamington (Matt Western), my neighbour; and of course my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes), who reminded us of the words of the great Edmund Burke.

National security is an area of utmost importance, and that has been reflected in a sober and considered debate, with the excellent contributions that we have heard today, and, indeed, over the past few months. I will take this opportunity to respond to some of the points raised this afternoon.

New clauses 4 and 5 create a non-exhaustive list of factors that the Secretary of State must have regard to when assessing national security risks arising from trigger events. In fact, the Secretary of State has joined us to demonstrate how important this Bill is to him. I congratulate him on his elevation to being my new boss at BEIS.

As currently drafted, the Bill does not seek to define national security or include factors that the Secretary of State must or may take into account when assessing national security risks. Instead, factors that the Secretary of State expects to take into account when deciding whether to exercise the call-in power are proposed to be set out in the statement provided for by clause 3, a draft of which was published alongside the Bill. The Secretary of State is unable to call in an acquisition of control until that statement has been laid before both Houses. It is clear from the debate today, and also from conversations with colleagues, that these are the amendments on which there is strongest feeling in the House, and in the Foreign Affairs Committee, so I will take care to set out the Government's case.

The Bill's approach reflects the long-standing policy of Governments of different hues to ensure that powers relating to national security are sufficiently flexible to address the myriad risks that may arise. As we heard from my hon. Friend the Member for Beckenham, national security risks are multi-faceted and constantly evolving, and what may constitute a risk today may not be a risk in the future. Indeed, the Foreign Affairs Committee, chaired by my hon. Friend the Member for Tonbridge and Malling, said in its own excellent report that

"an overly specific definition of national security could serve to limit the Government's ability to protect UK businesses from unforeseen security risks."

Bob Seely: Does the Minister accept that what is being proposed is not a limiting arena of what constitutes national security but a baseline of what constitutes national security, and that there may be a reason to adapt it over time? Indeed, paragraph (h) of new clause 4 makes an assumption that it can be expanded.

Nadhim Zahawi: My hon. Friend makes an important point. As I mentioned, the statement that the Secretary of State has laid with the Bill takes in much of the direction of travel of this amendment from the Foreign Affairs Committee.

I acknowledge that the Foreign Affairs Committee is pushing for more detail rather than less, but I would reassure them that the Government agree with their main conclusion that the Secretary of State should provide as much detail as possible on the factors that will be taken into account when considering national

security. Importantly, however, that is only up until the point that the detail risks the protection of national security itself. That is why the Government have taken this approach in the draft statement provided for by clause 3. In that statement, we identify three types of risk that are proposed to form the basis of the call-in national security assessment. These are: the target risk, which considers the nature of the acquisition and where it lies in the economy; the trigger event risk, which considers the level of control and how it might be used; and the acquirer risk, which covers the extent to which the acquirer raises national security concerns.

I would like to address each of the arguments made in the report, so that I can ease the concerns of hon. Members across the House. First, there are concerns that without a narrow definition of national security, the investment screening unit would be inundated by notifications, hampering its ability to deliver its crucial role. I acknowledge that, for business confidence in the regime, it is essential that we deliver on our statutory timeframes for decisions, which is why it is so essential that we do not allow any broadening of the assessment done by officials as part of the regime to occur, whether by inexhaustive lists, as my hon. Friend the Member for Isle of Wight has just said, or by any other form. To include modern slavery, genocide and tax evasion as factors that the Secretary of State must take into account as part of national security assessments, as these amendments propose, would not reduce the demands on the investment security unit but potentially increase them.

Secondly, there is concern that ambiguity could hinder the success of the regime. Let me be clear that this regime is about protecting national security—nothing more, nothing less—hence its real focus. Thirdly, the Foreign Affairs Committee report suggests that the staff responsible for screening transactions may lack sufficient clarity on what kinds of transactions represent legitimate national security risks, leading to important transactions being missed or to a large volume of benign transactions overwhelming the investment security unit. I want to assure hon. Members, and my hon. Friend the Chairman of the Foreign Affairs Committee, that the investment security unit will be staffed by the brightest and best, with many of them being recruited on the basis that they have essentially written the book on national security.

Tom Tugendhat: I am grateful to my hon. Friend for highlighting this point. May I assure him that I have absolute confidence that the people he will recruit into the unit will be the best and brightest? I pay huge tribute and send many congratulations to the Secretary of State for Business, Energy and Industrial Strategy, who is sitting next to him. He is a friend of long standing, and I am delighted to see him serving in the Cabinet; that is well earned and somewhat overdue. I am sure that they are both going to have the best judgment possible. However—I am afraid there is a “however”—there are other people who are going to have to decide whether or not to file, and there is therefore a danger that people will over-file, even though the judgments will have been very cautiously made.

Nadhim Zahawi: That is something I have been watching carefully as we introduced this legislation, obviously. We have had around 36 inquiries to the team already, so it feels to me that where we have landed is proportionate and right.

Mr Kevan Jones: I have no doubt that the Minister will aim to recruit the brightest and best. However, what assurance can he give that those individuals will have not only the necessary security clearance but the culture of thinking about security, as opposed to business and regulation?

Nadhim Zahawi: They will be able to draw on all the experience, culture and, of course, resources of Government to be able to do their job properly, I assure the right hon. Member of that.

The report sets out a fear, which we have heard elsewhere, that without a definition of national security in the Bill, interventions under the NSI regime will be politicised. I wholeheartedly agree that it is crucial for the success of the regime that decisions made are not political but rather technocratic, dispassionate and well judged. I repeat the words of my right hon. Friend the Member for Reading West (Alok Sharma), the former Business Secretary, who on Second Reading assured the House that:

“The Government will not be able to use these powers to intervene in business transactions for broader economic or public interest reasons, and we will not seek to interfere in deals on political grounds.”—[*Official Report*, 17 November 2020; Vol. 684, c. 210.]

Indeed, if the Secretary of State took into account political factors outside the remit of national security, the decision could not be upheld on judicial review. It is with this in mind, and our focus on protecting foreign direct investment, which so many colleagues are concerned about, especially as we come out of the covid challenge, that politicised decisions will not be possible under the NSI regime. I hope right hon. and hon. Members feel I have sufficiently explained the Government’s approach. We have sought to deliver what the Foreign Affairs Committee and the Opposition recommend.

Bob Seely: I will not labour the point beyond this. The Minister says that tax evasion will not be a bar. I accept that the Government made that statement. Does he accept that, in Australia, tax evasion is one of those significant elements? He rather implies that tax evasion and tax evaders will not be opposed in buying UK companies, so how high will the bar be set on criminality or on unsavoury characters—maybe people close to Russian Presidents and oligarchs and questionable companies?

Nadhim Zahawi: As colleagues have said, the Bill has been a long time in gestation, from 2017 to the 2018 consultation and White Paper and now today. We look at what other countries do, and I think we have reached a proportionate position. Of course, as I say, the Secretary of State’s statement sets out exactly how he would assess the risks to national security. I hope I have addressed that.

My final point of reassurance is that there will be further scrutiny on this point. As I explained in Committee, the statement provided for by clause 3 will go out to full public consultation prior to being laid before Parliament, and the Government will listen carefully to any proposals for further detail.

Amendments 1, 2, 3 and 6 broadly seek to ensure that the scope of the regime as a whole is right, that mandatory notification covers the right sectors and that both the statement and the notifiable acquisition regulations are

[*Nadhim Zahawi*]

reviewed within a year. Amendment 1 would require notifiable acquisition regulations to be reviewed within a year of having been made, and once every five years thereafter. It is right that the Secretary of State keeps a constant watch on these regulations. Indeed, it is vital that he has the flexibility to reassess and, if necessary, seek to update the regulations at any time. The nature of his responsibilities under the regime creates sufficient incentive for this regular review.

Amendment 2 would, in effect, introduce two further trigger events to the regime. It would mean that a person becoming a major debt holder would count as a person gaining control of a qualifying entity. The amendment would also mean that a person becoming a major supplier to an entity counted as a person gaining control of a qualifying entity.

We on the Government Benches believe that access to finance is crucial for so many small businesses and large businesses to grow and succeed. They will often take out loans secured against the very businesses and assets that they have fought so hard to build; I did just that when I started YouGov. That is why the Bill allows the Secretary of State to scrutinise acquisitions of control that take place where lenders exercise rights over such collateral, but the Government do not consider that the provision of loans and finance is automatically a national security issue. Indeed, it is part of a healthy business ecosystem that enables businesses to flourish in this country.

5 pm

I share the desire of the hon. Members for Aberdeen South, for Glenrothes and for Dundee East to ensure that businesses in our most sensitive supply chains are protected. The Bill does that already by allowing the Secretary of State to call in trigger events across the economy where he reasonably suspects that they may give rise to national security risks. That includes key suppliers.

Amendment 3 proposes that the Secretary of State must review the first statement under clause 3, which sets out how he expects to exercise the call-in power, within one year of its publication. As drafted, the amendment requires the Secretary of State to review that statement “at least” every five years. Let me assure the House that the Secretary of State will maintain the closest watch on the changing security landscape. He will therefore review and, if appropriate, update the statement more frequently than every five years if needed.

Finally, amendment 6 would require the Secretary of State to bring all broadcast, print and social media companies in scope of mandatory notification when making notifiable acquisition regulations. The requirement for mandatory notification should be limited to the most sensitive sectors. The vast majority of acquisition of shares or voting rights in media companies will not raise national security concerns. Indeed, they are captured by the Enterprise Act 2002. I hope that Members are reassured to know that the Bill allows Government to use the call-in power across the economy where any risks may arise.

I turn to the new clauses and amendments that consider reporting and accountability, with a particular interest in small and medium enterprises. The aims of these

amendments are laudable, and the Government are a strong supporter of SMEs and of appropriate safeguards around information sharing and transparency. Indeed, as Members will be aware, clause 61 sets out the minimum reporting requirements that the Secretary of State must meet in the annual report. This clause provides for the fullest parliamentary and public scrutiny of the detail of the regime, which at the same time avoids giving rise to national security risks when published at an aggregate level.

On top of that, new clause 7 would create additional reporting requirements to the Intelligence and Security Committee. While I very much understand the grounds for seeking such reporting, and I was grateful for the discussion with the Chair of the Intelligence and Security Committee, my right hon. Friend the Member for New Forest East, the Government are unable to accept this amendment. I wish instead to welcome and encourage the ISC’s security-specific expertise and its review of the annual report when it is laid before Parliament. Indeed, there is no restriction on the Secretary of State providing further information in the annual report, should it be appropriate, to the ISC.

Dr Julian Lewis: For the sake of clarity, the annual report that will be supplied to Parliament will not have any security-sensitive information in it. The Minister says that we could request further information. The only information we want to request is the information of a security-sensitive nature that will routinely have played a part in leading to these decisions. I do not want to tell any tales out of school. All I can say is that the Minister seemed very receptive when I put forward the idea of an annexe to the report, which would come to the Committee, or alternatively there could be an unredacted or redacted version of the report. Is he saying that the Cabinet Office is declining to do that? If so, it would appear that the malign influence of one Mr Cummings is not entirely eliminated from that Department.

Nadhim Zahawi: I am grateful for my right hon. Friend’s intervention. What I was saying is that there are no restrictions. His Committee will be able to invite the Secretary of State to give evidence to it, and it will also be able to ask for further information, which the unit will be able to provide.

Mr Kevan Jones: The Minister is wrong when he talks about asking the Secretary of State, because his is not one of the Departments that we overlook, but it is already there that this information be provided. I do not know why he and the Government are resisting this, because it will give certain confidence in terms of ensuring that decisions are taken on national security grounds. If he thinks for one minute that the Cabinet Office will divulge information easily to us, I can assure him that it will not. It does not do so. We have to drag it out of them kicking and screaming every time. I am sorry, but this is very disappointing.

Nadhim Zahawi: I am grateful to the right hon. Gentleman for his intervention. Let me repeat again: there are no restrictions on the Committee requesting further information from the unit or from the Secretary of State.

Dr Lewis: Is this what the Minister wants? Every year, the Committee will request to have a comprehensive explanation of the security-sensitive information that has underlain the different decisions that the unit has taken. All he is saying is that we can request this ad hoc every year and we will get it—I will believe that when I see it. If that were to be the case, there could be no possible objection to incorporating this in the legislation now so that it is not at the whim of a future Minister to either give us what we need or deny us what we need.

Nadhim Zahawi: I am grateful to my right hon. Friend for his intervention and his powerful argument, but I just repeat that there are no restrictions on his Committee requesting that information.

Mr Kevan Jones *rose*—

Nadhim Zahawi: I will not give way. There is a lot to get through and time is short.

The Government will more generally monitor the operation of the regime and regularly review the contents of the annual reports, including in relation to academic research, spin-off enterprise or SMEs, and we will pay close attention to the resourcing and the timelines of the regime.

If, during any financial year, the assistance given under clause 30 totals £100 million or more, the Bill requires the Secretary of State to lay a report of the amount before the House. Requiring him to lay what would likely be a very similar report for every calendar year as well as for every financial year, which is in amendment 4, appears to be excessive in our view. He would likely have to give Parliament two very similar reports only a few months apart.

On amendment 5, I can reassure the House that, under clause 54, the Secretary of State would be subject to public law duties when deciding whether to share information with an overseas public authority. That includes a requirement to take all relevant considerations into account in making decisions. These are therefore considerations that the Secretary of State would already need to take into account in order to comply with public law duties.

Moving on to new clause 6, I want to be clear that we do not expect the regime to disproportionately affect SMEs, although we will of course closely monitor its impact. The Government have been happy to provide support to businesses both large and small through the contact address available on gov.uk. Furthermore, the factsheets make it clear what the measures in the proposed legislation are and to whom they apply, so there is real clarity on this. It would therefore not be necessary to provide the grace period for SMEs proposed under new clause 3, nor would it be appropriate. Notifiable acquisitions by SMEs may well present national security concerns and this proposed new clause would, I am afraid, create a substantial loophole.

To conclude, although I am very grateful for the constructive and collegiate engagement from hon. and right hon. Members across the House, for the reasons that I have mentioned I cannot accept the amendments and new clauses tabled for this debate and I therefore hope that they will agree not to press them.

Stewart Hosie [V]: This has been a detailed and considered debate. I thought there were some particularly thoughtful contributions from the Chair of the ISC and

from the right hon. Member for North Durham (Mr Jones) in relation to the oversight of sensitive and confidential information that should fall within the remit of the ISC. It was disappointing to hear the Minister's response in his last contribution. My main concern, however, was to ensure that the scope of the Bill was appropriate and that the impact of the measures was proportionate, particularly for smaller businesses and for academia. Given what the Minister has just said about the regulations and procedures being under constant watch, with the Secretary of State having the flexibility to update them at any time, I am satisfied that, should we identify an overly burdensome course of action being taken in relation to small businesses or academia in the future, the Minister would respond swiftly. I therefore beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 4

FRAMEWORK FOR UNDERSTANDING NATIONAL SECURITY

“When assessing a risk to national security for the purposes of this Act, the Secretary of State must have regard to factors including, but not restricted to—

- (a) the potential impact of the trigger event on the UK's defence capabilities and interests;
- (b) whether the trigger event risks enabling a hostile actor to—
 - (i) gain control or significant influence of a part of a critical supply chain, critical national infrastructure, or natural resource;
 - (ii) conduct espionage via or exert undue leverage over the target entity;
 - (iii) obtain access to sensitive sites or to corrupt processes or systems;
- (c) the characteristics of the acquirer, including whether it is effectively directly or indirectly under the control, or subject to the direction, of a foreign government;
- (d) whether the trigger event adversely impacts the UK's capability and capacity to maintain security of supply or strategic capability in sectors critical to the UK's economy or creates a situation of significant economic dependency;
- (e) the potential impact of the trigger event on the transfer of sensitive data, technology or potentially sensitive intellectual property in strategically important sectors, outside of the UK;
- (f) the potential impact of the trigger event on the UK's international interests and obligations, including compliance with UK legislation on modern slavery and compliance with the UN Genocide Convention;
- (g) the potential of the trigger event to involve or facilitate significant illicit or subversive activities, including terrorism, organised crime, money laundering and tax evasion; and
- (h) whether the trigger event may adversely impact the safety and security of UK citizens or the UK.”—

(Tom Tugendhat.)

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 269, Noes 351.

Division No. 208]

[5.10 pm]

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena

Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, Jonathan
Bardell, Hannah

Barker, Paula
 Baron, Mr John
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris

Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hollobone, Mr Philip
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, rh Dr Julian
 Linden, David
 Lloyd, Tony

Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 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
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Steve
 Rees, Christina

Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Henry
 Smith, Nick
 Smith, Royston
 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
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Tugendhat, Tom
 Turner, Karl
 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:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth

Bacon, Mr Richard	Dorries, Ms Nadine	Holden, Mr Richard	Milling, rh Amanda
Badenoch, Kemi	Double, Steve	Hollinrake, Kevin	Mills, Nigel
Bailey, Shaun	Dowden, rh Oliver	Holloway, Adam	Mitchell, rh Mr Andrew
Baillie, Siobhan	Doyle-Price, Jackie	Holmes, Paul	Mohindra, Mr Gagan
Baker, Duncan	Drax, Richard	Howell, John	Moore, Damien
Baker, Mr Steve	Drummond, Mrs Flick	Howell, Paul	Moore, Robbie
Baldwin, Harriett	Duddridge, James	Huddleston, Nigel	Mordaunt, rh Penny
Barclay, rh Steve	Duguid, David	Hudson, Dr Neil	Morris, Anne Marie
Baynes, Simon	Dunne, rh Philip	Hughes, Eddie	Morris, David
Bell, Aaron	Eastwood, Mark	Hunt, Jane	Morris, James
Benton, Scott	Edwards, Ruth	Hunt, rh Jeremy	Morrissey, Joy
Beresford, Sir Paul	Ellis, rh Michael	Hunt, Tom	Morton, Wendy
Berry, rh Jake	Ellwood, rh Mr Tobias	Jack, rh Mr Alister	Mullan, Dr Kieran
Bhatti, Saqib	Elphicke, Mrs Natalie	Javid, rh Sajid	Mumby-Croft, Holly
Blackman, Bob	Eustice, rh George	Jayawardena, Mr Ranil	Mundell, rh David
Blunt, Crispin	Evans, Dr Luke	Jenkin, Sir Bernard	Murray, Mrs Sheryll
Bone, Mr Peter	Evennett, rh Sir David	Jenkinson, Mark	Murrison, rh Dr Andrew
Bowie, Andrew	Everitt, Ben	Jenkyns, Andrea	Neill, Sir Robert
Bradley, Ben	Fabricant, Michael	Jenrick, rh Robert	Nici, Lia
Bradley, rh Karen	Farris, Laura	Johnson, rh Boris	Nokes, rh Caroline
Braverman, rh Suella	Fell, Simon	Johnson, Dr Caroline	Norman, rh Jesse
Brereton, Jack	Fletcher, Katherine	Johnson, Gareth	O'Brien, Neil
Bridgen, Andrew	Fletcher, Mark	Johnston, David	Offord, Dr Matthew
Brine, Steve	Fletcher, Nick	Jones, Andrew	Opperman, Guy
Bristow, Paul	Ford, Vicky	Jones, rh Mr David	Parish, Neil
Britcliffe, Sara	Foster, Kevin	Jones, Fay	Patel, rh Priti
Brokenshire, rh James	Fox, rh Dr Liam	Jones, Mr Marcus	Paterson, rh Mr Owen
Browne, Anthony	Francois, rh Mr Mark	Jupp, Simon	Pawsey, Mark
Bruce, Fiona	Frazer, Lucy	Kawczynski, Daniel	Penning, rh Sir Mike
Buchan, Felicity	Freeman, George	Kearns, Alicia	Penrose, John
Buckland, rh Robert	Freer, Mike	Keegan, Gillian	Percy, Andrew
Burghart, Alex	Fuller, Richard	Knight, rh Sir Greg	Philp, Chris
Burns, rh Conor	Fysh, Mr Marcus	Knight, Julian	Pincher, rh Christopher
Butler, Rob	Gale, rh Sir Roger	Kruger, Danny	Poulter, Dr Dan
Cairns, rh Alun	Garnier, Mark	Kwarteng, rh Kwasi	Pow, Rebecca
Carter, Andy	Ghani, Ms Nusrat	Lamont, John	Prentis, Victoria
Cartlidge, James	Gibb, rh Nick	Largan, Robert	Pritchard, Mark
Cash, Sir William	Gibson, Peter	Latham, Mrs Pauline	Quin, Jeremy
Cates, Miriam	Gideon, Jo	Leadsom, rh Andrea	Quince, Will
Chalk, Alex	Gillan, rh Dame Cheryl	Leigh, rh Sir Edward	Raab, rh Dominic
Chishti, Rehman	Glen, John	Levy, Ian	Randall, Tom
Churchill, Jo	Goodwill, rh Mr Robert	Lewer, Andrew	Redwood, rh John
Clark, rh Greg	Gove, rh Michael	Lewis, rh Brandon	Rees-Mogg, rh Mr Jacob
Clarke, Mr Simon	Graham, Richard	Liddell-Grainger, Mr Ian	Richards, Nicola
Clarke, Theo	Grant, Mrs Helen	Loder, Chris	Richardson, Angela
Clarke-Smith, Brendan	Gray, James	Logan, Mark	Roberts, Rob
Clarkson, Chris	Grayling, rh Chris	Longhi, Marco	Robertson, Mr Laurence
Cleverly, rh James	Green, Chris	Lopez, Julia	Robinson, Mary
Clifton-Brown, Sir Geoffrey	Green, rh Damian	Lopresti, Jack	Rosindell, Andrew
Coffey, rh Dr Thérèse	Griffith, Andrew	Lord, Mr Jonathan	Ross, Douglas
Colburn, Elliot	Griffiths, Kate	Loughton, Tim	Rowley, Lee
Collins, Damian	Grundy, James	Mackinlay, Craig	Russell, Dean
Costa, Alberto	Gullis, Jonathan	Mackrory, Cherilyn	Rutley, David
Courts, Robert	Halfon, rh Robert	Maclean, Rachel	Sambrook, Gary
Coutinho, Claire	Hall, Luke	Mak, Alan	Saxby, Selaine
Cox, rh Sir Geoffrey	Hammond, Stephen	Malthouse, Kit	Scully, Paul
Crabb, rh Stephen	Hancock, rh Matt	Mangnall, Anthony	Selous, Andrew
Crosbie, Virginia	Hands, rh Greg	Mann, Scott	Shapps, rh Grant
Crouch, Tracey	Harper, rh Mr Mark	Marson, Julie	Sharma, rh Alok
Daly, James	Harris, Rebecca	May, rh Mrs Theresa	Shelbrooke, rh Alec
Davies, David T. C.	Harrison, Trudy	Mayhew, Jerome	Simmonds, David
Davies, Gareth	Hart, Sally-Ann	Maynard, Paul	Skidmore, rh Chris
Davies, Dr James	Hart, rh Simon	McCartney, Jason	Smith, Chloe
Davies, Mims	Hayes, rh Sir John	McCartney, Karl	Smith, Greg
Davies, Philip	Heald, rh Sir Oliver	McPartland, Stephen	Smith, rh Julian
Davis, rh Mr David	Heappey, James	McVey, rh Esther	Solloway, Amanda
Davison, Dehenna	Heaton-Harris, Chris	Menzies, Mark	Spencer, Dr Ben
Dinenage, Caroline	Henderson, Gordon	Mercer, Johnny	Spencer, rh Mark
Dines, Miss Sarah	Henry, Darren	Merriman, Huw	Stafford, Alexander
Djanogly, Mr Jonathan	Higginbotham, Antony	Metcalfe, Stephen	Stephenson, Andrew
Docherty, Leo	Hinds, rh Damian	Millar, Robin	Stevenson, Jane
Donelan, Michelle	Hoare, Simon	Miller, rh Mrs Maria	Stevenson, John

Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian

Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Maria Caulfield and
Tom Pursglove

Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence

Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny

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.

New Clause 6

DEDICATED SMALL TO MEDIUM ENTERPRISE SUPPORT

“(1) Within 3 months of this Act receiving Royal Assent the Secretary of State must set up, a specific division focused on engagement with Small to Medium enterprises (SMEs) engaged in any provisions of this Act.

(2) The division must focus on four functions—

- (a) providing updated, efficient and accessible guidance specific to SMEs on compliance with the terms of this Act;
- (b) engaging with SMEs in advance of formal notification that can allow efficient notice and assessment periods, including through use of regulatory sandboxes where beneficial for innovation and national security;
- (c) providing regular engagement with and assistance to SMEs throughout the assessment periods for SMEs;
- (d) seeking to deliver prompt, proportionate resolution of complaints by SMEs relating to the provisions of this Bill;
- (e) monitor the impact on access to investment for SMEs and report to the Secretary of State.”—(*Chi Onwurah.*)

This new clause would require the Secretary of State to set up a Small to Medium Enterprise (SME) engagement unit to assist and support SMEs through the national security screening process.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 263, Noes 355.

Division No. 209]

[5.21 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bardell, Hannah

MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
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
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rayner, Angela
Reed, Steve
Rees, Christina

Reeves, Ellie
Reeves, Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmar, 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
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
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:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, Stuart
Ansell, Caroline

Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve

Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
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 Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James

Duguid, David
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
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
Heappey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul

Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie

Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 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
 Prentis, Victoria
 Pritchard, Mark
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 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
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles

Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Maria Caulfield and
Tom Pursglove

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.

New Clause 7

REPORTS TO THE INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT

(1) The Secretary of State must, in relation to each relevant period—

(a) prepare a report in accordance with this section, and

(b) provide a copy of it to the Intelligence and Security Committee of Parliament as soon as is practicable after the end of that period.

(2) Each report must provide, in respect of mandatory and voluntary notifications, call-in notices, and final orders made under this Act, details of—

(a) the jurisdiction of the acquirer and its incorporation;

(b) the number of state-owned entities and details of states of such entities;

(c) the nature of national security risks posed in transactions for which there were final orders;

(d) details of particular technological or sectoral expertise that were being targeted; and

(e) any other information the Secretary of State may deem instructive on the nature of national security threats uncovered through review undertaken under this Act.”—(*Chi Onwurah*.)

This new clause would require the Government to publish an 'Annual Security Report' to the Intelligence and Security Committee of Parliament.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The House divided: Ayes 265, Noes 355.

Division No. 210]

[5.33 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir

Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia

Ashworth, Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Callaghan, Amy
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 Day, Martyn
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie

Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hanvey, Neale
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, rh Dr Julian
 Linden, David
 Lloyd, Tony

Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacAskill, Kenny
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 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
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela

Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Allyn
 Smith, Cat
 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
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 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:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart

Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan

Baker, Duncan	Doyle-Price, Jackie	Holloway, Adam	Mitchell, rh Mr Andrew
Baker, Mr Steve	Drax, Richard	Holmes, Paul	Mohindra, Mr Gagan
Baldwin, Harriett	Drummond, Mrs Flick	Howell, John	Moore, Damien
Barclay, rh Steve	Duddridge, James	Howell, Paul	Moore, Robbie
Baron, Mr John	Duguid, David	Huddleston, Nigel	Mordaunt, rh Penny
Baynes, Simon	Dunne, rh Philip	Hudson, Dr Neil	Morris, Anne Marie
Bell, Aaron	Eastwood, Mark	Hughes, Eddie	Morris, David
Benton, Scott	Edwards, Ruth	Hunt, Jane	Morris, James
Beresford, Sir Paul	Ellis, rh Michael	Hunt, rh Jeremy	Morrissey, Joy
Berry, rh Jake	Ellwood, rh Mr Tobias	Hunt, Tom	Morton, Wendy
Bhatti, Saqib	Elphicke, Mrs Natalie	Jack, rh Mr Alister	Mullan, Dr Kieran
Blackman, Bob	Eustice, rh George	Javid, rh Sajid	Mumby-Croft, Holly
Blunt, Crispin	Evans, Dr Luke	Jayawardena, Mr Ranil	Mundell, rh David
Bone, Mr Peter	Evennett, rh Sir David	Jenkin, Sir Bernard	Murray, Mrs Sheryll
Bowie, Andrew	Everitt, Ben	Jenkinson, Mark	Murrison, rh Dr Andrew
Bradley, Ben	Fabricant, Michael	Jenkyns, Andrea	Neill, Sir Robert
Bradley, rh Karen	Farris, Laura	Jenrick, rh Robert	Nici, Lia
Braverman, rh Suella	Fell, Simon	Johnson, rh Boris	Nokes, rh Caroline
Brereton, Jack	Fletcher, Katherine	Johnson, Dr Caroline	Norman, rh Jesse
Bridgen, Andrew	Fletcher, Mark	Johnson, Gareth	O'Brien, Neil
Brine, Steve	Fletcher, Nick	Johnston, David	Offord, Dr Matthew
Bristow, Paul	Ford, Vicky	Jones, Andrew	Opperman, Guy
Britcliffe, Sara	Foster, Kevin	Jones, rh Mr David	Parish, Neil
Brokenshire, rh James	Fox, rh Dr Liam	Jones, Fay	Patel, rh Priti
Browne, Anthony	Francois, rh Mr Mark	Jones, Mr Marcus	Paterson, rh Mr Owen
Bruce, Fiona	Frazer, Lucy	Jupp, Simon	Pawsey, Mark
Buchan, Felicity	Freeman, George	Kawczynski, Daniel	Penning, rh Sir Mike
Buckland, rh Robert	Freer, Mike	Kearns, Alicia	Penrose, John
Burghart, Alex	Fuller, Richard	Keegan, Gillian	Percy, Andrew
Burns, rh Conor	Fysh, Mr Marcus	Knight, rh Sir Greg	Philp, Chris
Butler, Rob	Gale, rh Sir Roger	Knight, Julian	Pincher, rh Christopher
Cairns, rh Alun	Garnier, Mark	Kruger, Danny	Poulter, Dr Dan
Carter, Andy	Ghani, Ms Nusrat	Kwarteng, rh Kwasi	Pow, Rebecca
Cartlidge, James	Gibb, rh Nick	Lamont, John	Prentis, Victoria
Cash, Sir William	Gibson, Peter	Largan, Robert	Pritchard, Mark
Cates, Miriam	Gideon, Jo	Latham, Mrs Pauline	Quin, Jeremy
Chalk, Alex	Gillan, rh Dame Cheryl	Leadsom, rh Andrea	Quince, Will
Chishti, Rehman	Glen, John	Leigh, rh Sir Edward	Raab, rh Dominic
Churchill, Jo	Goodwill, rh Mr Robert	Levy, Ian	Randall, Tom
Clark, rh Greg	Gove, rh Michael	Lewer, Andrew	Redwood, rh John
Clarke, Mr Simon	Graham, Richard	Lewis, rh Brandon	Rees-Mogg, rh Mr Jacob
Clarke, Theo	Grant, Mrs Helen	Liddell-Grainger, Mr Ian	Richards, Nicola
Clarke-Smith, Brendan	Gray, James	Loder, Chris	Richardson, Angela
Clarkson, Chris	Grayling, rh Chris	Logan, Mark	Roberts, Rob
Cleverly, rh James	Green, Chris	Longhi, Marco	Robertson, Mr Laurence
Clifton-Brown, Sir Geoffrey	Green, rh Damian	Lopez, Julia	Robinson, Mary
Coffey, rh Dr Thérèse	Griffith, Andrew	Lopresti, Jack	Rosindell, Andrew
Colburn, Elliot	Griffiths, Kate	Lord, Mr Jonathan	Ross, Douglas
Collins, Damian	Grundy, James	Loughton, Tim	Rowley, Lee
Costa, Alberto	Gullis, Jonathan	Mackinlay, Craig	Russell, Dean
Courts, Robert	Halfon, rh Robert	Mackrory, Cherilyn	Rutley, David
Coutinho, Claire	Hall, Luke	Maclean, Rachel	Sambrook, Gary
Cox, rh Sir Geoffrey	Hammond, Stephen	Mak, Alan	Saxby, Selaine
Crabb, rh Stephen	Hancock, rh Matt	Malthouse, Kit	Scully, Paul
Crosbie, Virginia	Hands, rh Greg	Mangnall, Anthony	Seely, Bob
Crouch, Tracey	Harper, rh Mr Mark	Mann, Scott	Selous, Andrew
Daly, James	Harris, Rebecca	Marson, Julie	Shapps, rh Grant
Davies, David T. C.	Harrison, Trudy	May, rh Mrs Theresa	Sharma, rh Alok
Davies, Gareth	Hart, Sally-Ann	Mayhew, Jerome	Shelbrooke, rh Alec
Davies, Dr James	Hart, rh Simon	Maynard, Paul	Simmonds, David
Davies, Mims	Hayes, rh Sir John	McCartney, Jason	Skidmore, rh Chris
Davies, Philip	Heald, rh Sir Oliver	McCartney, Karl	Smith, Chloe
Davis, rh Mr David	Heapey, James	McPartland, Stephen	Smith, Greg
Davison, Dehenna	Heaton-Harris, Chris	McVey, rh Esther	Smith, Henry
Dinenage, Caroline	Henderson, Gordon	Menzies, Mark	Smith, rh Julian
Dines, Miss Sarah	Henry, Darren	Mercer, Johnny	Smith, Royston
Djanogly, Mr Jonathan	Higginbotham, Antony	Merriman, Huw	Solloway, Amanda
Docherty, Leo	Hinds, rh Damian	Metcalfe, Stephen	Spencer, Dr Ben
Donelan, Michelle	Hoare, Simon	Millar, Robin	Spencer, rh Mark
Dorries, Ms Nadine	Holden, Mr Richard	Miller, rh Mrs Maria	Stafford, Alexander
Double, Steve	Hollinrake, Kevin	Milling, rh Amanda	Stephenson, Andrew
Dowden, rh Oliver	Hollobone, Mr Philip	Mills, Nigel	Stevenson, Jane

Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa

Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Noes:
Maria Caulfield and
Tom Pursglove

Question accordingly negated.

Third Reading

5.42 pm

The Secretary of State for Business, Energy and Industrial Strategy (Kwasi Kwarteng): I beg to move, That the Bill be now read the Third time.

First, I would like to pay tribute to my immediate predecessor, my right hon. Friend—my very good friend—the Member for Reading West (Alok Sharma), who took the Bill through on Second Reading. I pay tribute to him for being such a motivating force behind this Bill, and also for providing excellent leadership in our Department up to only a couple of weeks ago. I wish him well, and I am sure he will continue the excellent work that he has already started as president of COP26, which I am sure will be a brilliant and vital success.

I would like to return to the very core of why we need this Bill. As my right hon. Friend told this House, the UK remains

“open for business, but being open for business does not mean that we are open to exploitation. An open approach to international investment must also include”—

has to include—

“appropriate safeguards to protect our national security.”—[*Official Report*, 17 November 2020; Vol. 684, c. 205.]

This Bill provides those safeguards.

Subject to the debate in the other place and the views of the other place, the Government will be automatically informed of certain acquisitions in key sectors and will be able to scrutinise a range of others across the economy. The Government will also be able to look at deals involving assets, including intellectual property, whose acquisition might pose a national security concern. There will be no thresholds for intervention, as there are currently under the Enterprise Act 2002. This means that acquisitions involving emerging innovative businesses will also be covered by the Bill. All this adds up to a significant upgrade to our abilities and powers to reflect the sweeping technological, economic and geopolitical changes across the globe over the past 20 years.

I would like to make further acknowledgement of the work done so ably by those from across the House and in my Department that has got us to this point. I thank the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi), and the Bill team for their fantastic work to date. My hon. Friend even managed to convince me. I know he is working flat out to ensure we can all return to normal before too long. I thank those who have ensured that the proceedings of this House continued without any disruption in the meantime. I therefore place on record, Mr Deputy Speaker, my thanks to you, to Madam Deputy Speaker, and to all the House staff who have ensured that today's proceedings and previous stages of the Bill were undertaken with exemplary smoothness—no mean feat in the circumstances.

I also thank the members of the Public Bill Committee from across the House for their keen and diligent scrutiny of the Bill, and particularly its Chairs, the hon. Member for Halton (Derek Twigg) and my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady). I also thank all those who contributed to this very important debate. We heard from eminent Select Committee Chairs. My hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) is no longer in his place, but I have known him for a very long time, and I was very pleased to hear his able contribution to this debate. I thank my right hon. Friend the Member for New Forest East (Dr Lewis), the Chair of the Intelligence and Security Committee. His expertise is widely acknowledged across the House and was brought to bear in the proceedings.

In addition, we heard from Members from across the House, including my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes), and my hon. Friends the Members for Beckenham (Bob Stewart), for Isle of Wight (Bob Seely), for South Ribble (Katherine Fletcher) and for Arundel and South Downs (Andrew Griffith). The right hon. Member for North Durham (Mr Jones) is an acknowledged expert, and devotes himself to these highly important issues. There were also contributions I noted from the hon. Members for Aberavon (Stephen Kinnock), for Ilford South (Sam Tarry), for Liverpool, Riverside (Kim Johnson), for Warwick and Leamington (Matt Western), for Caithness, Sutherland and Easter Ross (Jamie Stone) and for Strangford (Jim Shannon). I thank all those right hon. and hon. Members for their important contributions.

Although there have been one or two differences, I have above all been struck by the broad consensus that has emerged across the House on the Bill, and by how important it is that we all agree that the Government should act in this area. There is a degree of debate about the details of the Bill. I thank the Opposition Front Benchers—the right hon. Member for Doncaster North (Edward Miliband) and the hon. Member for Newcastle upon Tyne Central (Chi Onwurah)—and the SNP spokesperson, the hon. Member for Dundee East (Stewart Hosie). All have acknowledged the need for this crucial legislation. Broadly, they have approached the Bill in a constructive manner. For that, my right hon. Friend the Member for Reading West and I are and have been extremely grateful.

Returning to what my right hon. Friend the Member for Reading West said on Second Reading, this country has always been a beacon for inward investment and a

[*Kwasi Kwarteng*]

champion of free trade. The Bill does not change that. It does not turn its back on that history, but it feels very apposite for me to say that prosperity and security should go hand in hand. The Bill really captures that insight and represents a proportionate approach to the threats we face in today's world. On that basis, I commend the Bill to the House.

Mr Deputy Speaker (Mr Nigel Evans): As this is the first time I have been in the Chair since your promotion and appearance at the Dispatch Box, I congratulate you on your new role.

5.49 pm

Edward Miliband (Doncaster North) (Lab) [V]: May I begin by adding my congratulations to the new Secretary of State? Promotion to the Cabinet with such an important role as Secretary of State for Business, Energy and Industrial Strategy must be a proud moment for him, and it is in the interests of the country that he succeeds, so I offer him my warmest congratulations. I also take the opportunity to pay tribute to his predecessor, the right hon. Member for Reading West (Alok Sharma). We all wish him incredibly well in his important job as the full-time president of COP26. He and I approached our exchanges in a constructive spirit, meeting, I hope, the mood of the times, and I hope that I can have the same relationship with the Secretary of State.

If you will allow me to, Mr Deputy Speaker, I extend our congratulations to President Biden and Vice-President Harris; I think it is right to, as they came to office only in the last hour. The world already feels a better, fairer, and safer place than it did yesterday.

In this Third Reading debate, let me make it clear that we welcome and support the Bill as a necessary step in protecting our national security interests. It is important that we legislate to ensure that our national security is preserved in the face of evolving geopolitical, economic and, in particular, technological threats. Our country has been behind the curve on this issue and behind our allies, so action is long overdue. The Bill represents a belated recognition that the country requires a stronger regime to protect its national security.

Protecting national security is the essential, first duty of any Government, but it is only the first building block of an industrial policy. Before I discuss the Bill in more detail and how I hope it will be improved in the other place, I emphasise to the Secretary of State that while it is welcome, it forms only one part, though a particularly important part, of protecting, developing and nurturing key sectors of our economy. There are much wider lessons on which we still need to act on industrial policy. That forms the essential context for the Bill, and I flag it to the Secretary of State, as it is early in his tenure.

I say this in the constructive spirit that I mentioned at the beginning of my speech: I gather that the Secretary of State has said that he is a convert to industrial policy after, if I can put it this way, his wilder, free-market days. The days of his notorious pamphlet, "*Britannia Unchained*", are apparently over, but there are important lessons that we have to draw on; the most fundamental is that good words from Government on strategic,

mission-led industrial policy are welcome, but too often they are still not matched by deeds. That has been clear during this economic crisis.

One example is the scale of support provided to our manufacturing sector. Time after time, I have spoken to manufacturers who look enviously at support in other countries and say that the Government are simply not in the same league. We see it, too, in plans for a green recovery; I am afraid that the stimulus offered by France, Germany and others puts us in the shade. Indeed, while we have been debating the Bill, President Biden has, on being inaugurated, made a \$2 trillion commitment to the green economy.

Our takeover regime is not fit for purpose when it comes to matters well beyond national security, either, as events over the last decade have shown—for example, there was Pfizer's attempted takeover of AstraZeneca, and SoftBank's takeover of Arm.

It is clearer than ever that when it comes to the big challenges facing this country, from national security to the climate emergency and our future prosperity, an active industrial policy will be one of the most important tools in our arsenal. The challenge for the Secretary of State is to match his words on industrial policy with deeds, and we will judge him on that. We certainly need to drop the tired, failed cliché that all the state can do to support the economy is get out of the way, deregulate, and cut workers' rights. If that is the Secretary of State's view of how best to support our economy, let me tell him that we will fight him every step of the way.

On the Bill, we have approached the task of legislating constructively, and I am grateful to the Secretary of State for acknowledging that. I pay tribute in particular to my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) for the brilliant job she has done in taking the Bill through the House on behalf of the Opposition. I also put on the record my thanks to my right hon. Friend the Member for North Durham (Mr Jones), and my hon. Friends the Members for Southampton, Test (Dr Whitehead), for Ilford South (Sam Tarry), for Warwick and Leamington (Matt Western), and for Aberavon (Stephen Kinnock), for their work on the Bill. I acknowledge the role of the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Stratford-on-Avon (Nadhim Zahawi), who has a big and important task relating to public health, and has also done an assiduous job on the Bill.

As we saw on Report, there are three particular ways in which Opposition Members believe that the Bill needs to be improved. I will briefly put them on the record, because they represent unfinished business for the other place. First, there is the issue of the definition of national security, and how it can be clarified for use in the Bill. We recognise, as we have said on a number of occasions, the difficulty of providing a comprehensive definition, given the evolving nature of the threats we face as a country. However, the Bill can and should provide greater clarity, not least for potential investors in the UK. I agree with the Secretary of State that it is important that our country be open for business.

That definition could be provided in the Bill or in other ways, and would be an essential source of reassurance for inward investors. The Foreign Affairs Committee published an excellent report on this yesterday, and as we saw on Report, there is agreement between the

Opposition and that Committee on these issues. We hope the Government will continue to listen, and will act on this in the other place.

Secondly, support for business, particularly small and medium-sized enterprises, is vital if they are to navigate this new regime. As my colleagues said on Report, SMEs will account for an estimated 80% of mandatory notifications under the new system, according to the Government. Many small firms will struggle to navigate this new system. This comes at a time when hundreds of thousands of SMEs across the country are in perilous circumstances. That is why we called for dedicated help and support for SMEs—to ease the burden as this new system comes into effect. If we are serious about nurturing cutting-edge businesses in sectors such as robotics and quantum technologies, it is critical that SMEs in these industries are supported through the process.

Thirdly and finally, there is the crucial issue—it is worth spending time on this—of the resourcing, accountability and scrutiny of the newly created unit in the Department and its work. We all know from the experience of both parties in government that good intentions can be overwhelmed by challenges of practical delivery. Under this regime, the Government expect that there may be up to 1,830 notifications by businesses and individuals, with a further 70 to 100 being called in by the Secretary of State. The number could well be higher than that as businesses adjust to the new system. The Secretary of State has a big, profound responsibility, as I am sure he recognises, to make sure this system works.

It is also vital that the new regime be scrutinised and monitored. As we have said throughout the passage of the Bill, that should include a role for the Intelligence and Security Committee in providing an oversight mechanism, through which there is regular reporting to the House, and regular scrutiny of the working of the new unit. Secretary of State, our international allies do exactly that. The US, for example, requires oversight of CFIUS in exactly this way. The Chair of the ISC, the right hon. Member for New Forest East (Dr Lewis), said that the Committee is open to this idea. It is not about simply saying to the ISC that it can have a look at this if it wants to. It needs a proper, acknowledged role in this. It is in all our interests, and indeed the Secretary of State's, that the ISC performs this role. That would reassure businesses in this country that there is proper scrutiny—undertaken in the right way, given the constraints around national security—of the working of this new regime. I hope the Secretary of State will ponder this matter and keep it under review. I am sure that it will be raised in the other place.

To conclude, we support the Bill as a necessary measure to protect our national security interests from evolving threats. We do so hoping that the Government have heard the constructive concerns that we have raised throughout the passage of the Bill and will continue to raise and that Members in the other place will raise, because I believe we can build on and improve the Bill as it progresses. We believe—I emphasise this point—that this is the first step for the active industrial policy that our country needs. It only marks the start of what is required.

Mr Deputy Speaker (Mr Nigel Evans): I would like to add my congratulations to the 46th President of the United States of America. In the past, I have worked on

three presidential elections. I congratulate both Joe Biden and his Vice-President, Kamala Harris. I am certain that when they visit the United Kingdom, they will be guaranteed a very warm welcome.

6 pm

Dr Julian Lewis: Mr Deputy Speaker, may I begin this short contribution by warmly endorsing what you had to say by way of congratulations to the new Secretary of State? He is genuinely one of the most popular Members in any part of the House, and I am sure that his delayed but nevertheless entirely merited accession to the Cabinet was greeted with wide acclamation.

The best must never be allowed to be the enemy of the good. This is a good Bill, but there are, as the right hon. Member for Doncaster North (Edward Miliband) said, opportunities for it to be improved further in another place, which I hope will happen. It is never good form to repeat from the lengthier preliminary stages what one has said in any detail in the final Third Reading debate, so I will just quote one small extract from the memorandum of understanding between the Prime Minister and the ISC, which the Secretary of State may not have heard me read earlier. Paragraph 8 of the memorandum of understanding says:

“only the ISC is in a position to scrutinise effectively the work of the Agencies and of those parts of Departments”—

meaning other Departments such as his—

“whose work is directly concerned with intelligence and security matters.”

On Report, the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi), said that it will be open to the ISC to request the secret information that cannot be published. That is a great step forward, and I thank him for it genuinely, because previously there were remarks to the effect that the ISC's writ did not run anywhere near the Department for Business, Energy and Industrial Strategy. That appears to have been dropped, and that is a big step forward.

The reason why it is necessary to recognise this is not that we want to make extra work for ourselves. It is because we entirely agree with the Government that the security threats constantly change, morph and spread themselves out into different areas of activity and, inevitably therefore, into different areas for which different Departments have responsibility. We cannot possibly do our job of inspecting and scrutinising those parts of security issue information that have to be classified if we are not allowed to go into those Departments only in so far as that type of information has spread with a new threat into a different Department. If the Government are saying—and I see some nodding heads on the Front Bench—that it is now accepted that the ISC can ask the Department for Business, Energy and Industrial Strategy for this sort of information, that is a huge step forward, and we thank the Government for it. We still believe that it would be better for it to be formalised in the way that Sir Richard Dearlove suggested in Committee.

I will conclude with a message that I would like the Ministers to take to their colleagues in the Cabinet Office. The Cabinet Office seems to have a strange sort of fear of the Intelligence and Security Committee, because every time we try to do our job, it seems to want to push back. The message I wish to give to them is this:

[Dr Julian Lewis]

“Friends, colleagues—comrades, even—of the Cabinet Office, the ISC is not your enemy. We are your constructively critical friends. You know what? Sometimes we get it right: we got it right over Huawei. It would have been good if successive Governments had listened a bit earlier over Huawei, but they got there in the end. If you lock us out, you are simply shutting off a safety valve and a mechanism for correcting mistakes that you need not make. Don’t make that mistake again. Apart from that, congratulations on a very good Bill indeed.”

6.5 pm

Stewart Hosie (Dundee East) (SNP) [V]: I also offer my congratulations to the Secretary of State on his promotion. I thank all the staff who have worked on the Bill so far and the businesses, trade bodies and others that advised on what might or might not be good about the legislation as it has gone through its stages. Finally, I thank Members from all parties—not just those who took part in the set piece debates, but those who put in a shift in Committee as well. They did a fantastic job.

In this short Third Reading speech, I should say briefly that I share the general agreement that this legislation is not just necessary—it is—but overdue. There is a broad consensus that that is the case. Changes may yet be made in the other place—including, I hope, as we just heard from the Chair of the Intelligence and Security Committee, a formal role for the ISC—but whether those changes happen or not, we must now all hope that this legislation will go on to deliver the anticipated additional national security benefits. As that happens, the Government must also step in quickly if the impact of the Bill starts to chill vital investment across different areas of the economy.

I am sure that the first part will happen: that the national security benefits will be there and obvious for all to see. We must all, however, be on our guard and realise that the burdens that we are placing on businesses—to notify when investment is happening or to have investment called in subsequently—may chill investment. We must all guard against that to make sure that, as well as there being additional security for those in the UK, businesses can continue to grow, thrive and seek the investment they need.

6.7 pm

Bob Stewart (Beckenham) (Con): I will make four quick points. The first is that I am pleased that we have improved the prospects for national security through this Bill. Well done, everyone! My second point is that I am also pleased that the Intelligence and Security Committee will have some role in the oversight of sensitive investment decisions, albeit in retrospect. I fully expect that to happen, as the Chair of the ISC has already suggested and the Minister has accepted.

My third point is that I am clear that the new investment security unit will have to have close links with the security services—probably with liaison officers. I make my final point as a member of the ISC. I guarantee that our job is simple: to ensure that the pro-business outlook of the Government is tempered, if necessary, by the requirements of national security.

6.9 pm

Mr Kevan Jones (North Durham) (Lab): I start by congratulating the Secretary of State on his appointment; I wish him well in the years to come. I also thank the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Stratford-on-Avon (Nadhim Zahawi), for how he has conducted himself during the Bill—I just say that Chester-le-Street would be a lot happier if extra vaccines arrived this week. I just wanted to get that plug in yet again.

I also thank my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah), who has led on this Bill for Her Majesty’s Opposition. Following the comments from the right hon. Member for New Forest East (Dr Lewis) about the scrutiny of this Act, once the Bill becomes one, I welcome the recognition that the ISC has a role. The Minister, in response to me and the right hon. Gentleman, said that there is nothing to stop the ISC asking the Business Secretary to come before it or asking for information on the Bill. I do not for one minute doubt the integrity of the two Ministers, but they—like me and like us all—are, to use a Robin Day phrase, “here today, gone tomorrow” politicians. Legislation has to stand for a length of time in terms of different Ministers and people who will look at it. The only way to do that is to formalise this.

If we were asking, in terms of the ISC, for an overcomplicated system or something that was completely alien to the culture of scrutiny, I could accept that, but we are not. As the right hon. Gentleman said, the mechanism is there already. All we have to do is enact it. That means that when the two Ministers and I have moved on, and when even the Chair of the ISC has gone on to greater and better things, there will be a mechanism in place to ensure that there is parliamentary scrutiny of those decisions, because some will be very controversial. As I said on Report, there is no way in which the ISC wants to act as a regulator or to have some veto over decisions—it is for Ministers to do that—but it is important to ensure that Parliament has oversight of those decisions. The only Committee that can do that is the ISC, because of its security classification.

I join the Chair of the ISC in saying to the Secretary of State: this is about standing up to the Cabinet Office. On the idea that the ISC can ask for information, sometimes getting information that, actually, we are entitled to see, is like getting blood out of a stone. If we formalised that, as suggested by the Chair of the ISC, it would give oversight of the decisions taken, which would strengthen the decision-making process and ensure that we could at least see what intelligence is there; no one else could see it, apart from the Ministers taking the decisions obviously. That would strengthen the entire process, so I ask the Secretary of State to reflect on the matter, as clearly it will come up again when the Bill goes to the other place.

There is a tendency, which I never liked when the Labour party was in government, for suggestions to be put forward in this place and the Government then to leave things to be changed in the other place, as though it is somehow a sign of failure on the part of the governing party—I aim this not just at this Government but at any Government. It is as though, if a Bill is amended by a suggestion from the Opposition or anyone else, it is somehow, in this place, a sign of weakness and failure. It is not. That is what we are here to do. As my

right hon. Friend the Member for Doncaster North (Edward Miliband) said, this is a very important Bill, which has cross-party support. Anything that we can do to improve it is not being done as a criticism of the Government. We are trying to improve the Bill, and the suggestion from the right hon. Member for New Forest East would do that. It is simple, so I ask the Secretary of State seriously to reflect on it.

In conclusion, I finish where I began by welcoming the Secretary of State and wishing him well in the job that he has before him.

6.14 pm

Simon Baynes (Clwyd South) (Con) [V]: Having had the privilege of serving on the Bill Committee, and therefore having analysed it in detail, I believe the Bill ensures that the Government have the necessary powers to scrutinise and intervene in business transactions, such as takeovers, to protect national security. I, too, welcome the Secretary of State to his new role, and congratulate the Ministers, their team, the parliamentary Committees and everyone else involved in preparing this legislation with such care and inclusivity in respect of views and opinions. I respect the Opposition's constructive approach in Committee and in today's debate.

Having worked in the financial sector for 25 years before becoming an MP, I believe the Bill provides investors and businesses with the certainty and transparency they need to do business in the UK. As the Conservative small business ambassador for Wales, who strongly believes in the importance of free trade and foreign direct investment for businesses in my constituency, Clwyd South, and in the rest of Wales and the UK, I consider that the Bill strikes the right balance between protecting national security and preserving the position of the UK as an open and liberal international trading partner. Indeed, I would go further and say that the Bill's provisions strengthen the UK's position as an attractive place to invest. We are not alone in making such reforms; many of our allies have modernised their investment-screening regimes in recent years, which will mean that investors will be familiar with the approach in the Bill.

In my previous career in finance, I saw at first hand the crucial importance and attraction to overseas investors and companies of the UK's established legal system, highly competitive tax regime and stable regulatory framework. The Bill reinforces these invaluable assets for the UK by updating our regulatory approach. Having heard many submissions by expert witnesses in the Bill Committee stage, I am convinced that the Bill will also make interaction with Government much simpler and more transparent for businesses and investors, enabling legitimate investments to be screened much more quickly than they are under the current regime.

The Bill is not a signal that the Government have reduced their appetite for foreign investment, but is a proportionate response to the small number of transactions that raise national security threats. One of the most striking parts of the Bill Committee was hearing the severe warnings from experts such as Sir Richard Dearlove about the minority of individuals and regimes that seek to use foreign investment to undermine our national security. The Bill will ensure that that does not happen.

UK citizens' safety and our economy rely on the Government's protecting security, and it is only right that with new threats, new powers are put into place to

achieve that. If the Government took no further action, unchecked hostile behaviour could leave the UK vulnerable to disruption, unfair leverage and espionage. We cannot let that happen, so I am pleased to support wholeheartedly the Third Reading of the Bill, which brings a much-needed update to the Government's investment-screening powers, most of which date from 2002 and are not suited to the new world and the modern threats that we face. The Bill is proportionate and measured and will provide much needed long-term security for the UK as one of the most attractive and dynamic countries in which to invest in the world.

6.18 pm

Jim Shannon: On behalf of the Democratic Unionist party, I congratulate the Secretary of State on his elevation. It is a well-deserved promotion, so congratulations and well done.

May I echo your comments, Mr Deputy Speaker, in relation to the election of the President of the United States, Joe Biden, and his Vice-President, Kamala Harris? I wish them both well and hope they have a very strong relationship over the next few years.

We are all aware that the Foreign Affairs Committee and the Defence Committee both launched inquiries in 2020 that touch on concerns relating to the current Competition and Markets Authority regime. As the Library briefing for this debate makes clear:

"Comments from the Chairs of the inquiries indicated that there could be support for a strengthened regime in order to protect national security".

I believe that today the Government and the Secretary of State have ensured that. However, neither Committee has yet reported in full, and I am keen to see their recommendations and findings being part of the foundation of any change in legislation. I know that the Government and particularly the Secretary of State, like me, highly value the work of those Committees and the findings that they present. I would be interested to see the work undertaken by those renowned Committees in tandem with the Bill to ensure that we achieve a holistic approach to this matter of national security.

Will the Secretary of State outline how he believes that those concerns are addressed in the Bill? What surety and certainty can we have, for example, that a small independent business that is setting up in Ards business centre in my constituency—a family-run business, with an American investor who is a close family friend—will not fall foul of this legislation, and that the Bill will not prevent investment by foreign investors in Northern Ireland, which undoubtedly has the UK's most attractive investment potential? I would say that, of course, but I believe it to be the case as well.

Some have questioned this radical overhaul, particularly given that only 12 national security investigations have been undertaken under the existing regime. There are also concerns, I believe, that the expanded notification system will lead to a dramatic increase in cases subject to review, leading to bureaucracy as well as delay and doubts for potential investment decisions—a situation that might discourage investment. Again, can the Secretary of State assure us that investment will be encouraged? The impact assessment published alongside the Bill indicates that there could be 1,000 to 1,830 transactions notified under the new system each year.

[*Jim Shannon*]

Those are some queries—fundamental questions, too—that I believe deserve acknowledgement and a response, so I would sincerely appreciate it if the Secretary of State gave further assurances that we are equipped and ready to deal with these changes, and that we will not lose investment at a time when the need to rebuild is stronger than at any time since the second world war.

We need investment, but I agree with the Government that the security of our nation is paramount. I give my full support in that aim to the Secretary of State and our Government, and I trust that they will enable investment in areas that are straightforward, without backlogs or delays.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Mr Deputy Speaker (Mr Nigel Evans): In order for Members to leave the Chamber safely and others to come in, and for the sanitisation of both Dispatch Boxes, I will suspend the sitting for a few minutes.

6.22 pm

Sitting suspended.

Electoral Commission

[*Relevant document: Sixth Report of 2020 from the Speaker's Committee on the Electoral Commission, HC 1102.*]

Mr Deputy Speaker (Mr Nigel Evans): Before I call the Leader of the House to move the motion, I should inform the House that I have not selected the amendment in the name of Mr Peter Bone.

6.25 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): I beg to move,

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Alexander Attwood as an Electoral Commissioner with effect from 1 February 2021 for the period ending on 31 January 2024.

The Speaker's Committee on the Electoral Commission has produced a report, its sixth report of 2020, in relation to this motion and it may help if I set out the key points for the record. Electoral commissioners are appointed under the Political Parties, Elections and Referendums Act 2000 as amended by the Political Parties and Elections Act 2009. Under the Act, the Speaker's Committee has the responsibility to oversee the selection of candidates for appointment to the Electoral Commission, including the reappointment of commissioners.

If this appointment were made, Alexander Attwood would be one of four nominated commissioners. Nominated commissioners are put forward by the leaders of registered political parties with two or more Members in the House of Commons at the time of the appointment. Three of the four nominated commissioners are put forward by the leaders of the three largest parties in the House of Commons. In the case of the fourth commissioner—the position in question today—the other qualifying parties are each invited to nominate candidates for that one post.

This appointment is necessary because of the resignation of Alastair Ross last year. I thank Mr Ross for his service on the commission. In May last year Mr Speaker wrote to the leaders of the Liberal Democrats, the Democratic Unionist party, Plaid Cymru and the Social Democratic and Labour party asking them for their nominations to replace Mr Ross. Three candidates were put forward. The Speaker's Committee appointed an interview panel to assess each of these candidates against agreed criteria. The panel consisted of Philippa Helme CB, the independent chairman, Sir John Holmes, then chairman of the Electoral Commission, the hon. Member for City of Chester (Christian Matheson) and my hon. Friend the Member for Lincoln (Karl McCartney). The panel interviewed the candidates on 7 September. Its recommendation was that Alexander Attwood, the candidate nominated by the Social Democratic and Labour party, should go forward as its preferred candidate.

The Speaker's Committee on the Electoral Commission considered the panel's report and recommendations, and agreed to recommend that Mr Attwood be appointed for a three-year term. Once the Speaker's Committee has reached a decision, statute should require that Mr Speaker consult the leaders of political parties represented at Westminster on the proposed reappointments. The statutory consultation provides an opportunity for the party leaders to comment, but they are not required to do so. No objection to Mr Attwood's appointment was received in response to this consultation.

Mr Attwood has significant political experience in Northern Ireland. He served as a Belfast City councillor, representing West Belfast. He was an elected Member of the Northern Ireland Assembly between 1998 and 2017 and held ministerial office in the Northern Ireland Executive. The interview panel found Mr Attwood to be an impressive candidate who met all the essential criteria for the position.

If the appointment were made, Mr Attwood would serve as an electoral commissioner for three years. I hope that the House will support this appointment, and I wish Mr Attwood success in this important role and commend this motion to the House.

6.28 pm

Afzal Khan (Manchester, Gorton) (Lab) [V]: I thank the outgoing member of the commission, Mr Alastair Ross, who served on the Electoral Commission from November 2018 to February 2020.

The Speaker's Committee appointed a panel to consider the nominee to the Electoral Commission and I thank the panel for its work. In the report of the Speaker's Committee on the Electoral Commission, its sixth report in this Session, Mr Alexander Attwood was selected by the panel to serve as an electoral commissioner. The panel said that Mr Attwood's

"experience of consensus building and handling hostile criticism would be of great value to the Electoral Commission."

Mr Attwood was appointed by John Hume to the Dublin Forum for Peace and Reconciliation in 1997. The Opposition support the motion, and wish Mr Attwood well in his work.

6.29 pm

Mr Peter Bone (Wellingborough) (Con): It is a great pleasure to follow the shadow Minister and the Leader of the House. I have concerns about today's motion. Hopefully, the Leader of the House will be able to reassure me in his closing remarks. This is a very important appointment. There are only 10 electoral commissioners, and they have, overall, five different strategic reasons for being there. The most important, perhaps, is to set the overall strategic direction of the commission, to ensure delivery of its strategic goals, and to ensure public confidence in democracy.

As the Leader of the House rightly said, the process was started way back last year, and many things have changed since that process began. If the Electoral Commission had widespread support, a routine appointment of another electoral commissioner would be no problem. I fear that both the Leader of the House and the shadow Minister are treating it in that respect. I have a great deal of personal experience of dealing with the Electoral Commission, before and during the 2016 EU referendum. Since the appointment process started, there has been a huge amount of criticism of the Electoral Commission, and we do not know what Mr Attwood's views on the proposed changes are.

I have absolutely no criticism of Mr Attwood. I do not know him, but his CV looks very good and he beat the Liberal Democrat and Plaid Cymru nominees for the post, but he is joining an organisation that is in serious trouble. As the shadow Minister referred to, one of the criteria was: "How are you going to deal with hostile criticism?" I wonder why the Electoral Commission had that as such an important point. It could be because it is not fit for purpose; it is an awful organisation.

What struck me as strange about this Humble Address was the length of time of the appointment. Nominated commissioners for the smaller parties are usually given only a two-year term. This motion calls for a three-year term. Nowhere in the report from the Speaker's Committee on the Electoral Commission can I see why it changed it, and I notice that the Leader of the House did not explain why there was this change. It would seem to me, given the state of affairs in the Electoral Commission, that the term should have been shorter.

I am not seeking to block Mr Attwood's appointment; I am just seeing whether the Leader of the House will consider withdrawing the motion and appointing Mr Attwood for a shorter period. I will explain why I think that is essential. I also hope that the Leader of the House will be able to answer some of the questions that I would have liked to pose to Mr Attwood personally, because the House needs to know his views on certain things to do with the Electoral Commission to see whether he is the right person to set its goals.

As the Leader of the House said, it is up to the Speaker's Committee on the Electoral Commission how it makes its appointment of an electoral commissioner. It could, before this stage, have recommended pre-appointment scrutiny, perhaps via the Public Administration and Constitutional Affairs Committee, and the questions I am posing now could have been posed then. I understand that if we were appointing the chairman of the Electoral Commission, the Committee may well have gone for a pre-appointment hearing, but we have not had one on this occasion, so I am going to have to press on with the questions I would have liked to ask.

The process outlined by the Leader of the House was exactly how it happened, and it is recorded in the sixth report of the Speaker's Committee. But of course, that Committee meets in private, so we do not really know what the thinking is about the Electoral Commission. We do know, however, that the Speaker's Committee has rejected the application for the existing chairman to have a new term of office, which I would have thought implied some criticism of the way the Commission has been run. I think that the situation is so grave, and what the Electoral Commission has done is so wicked, that I want to know what Mr Attwood's views are on certain things.

I mentioned the fact that PACAC was looking into the Electoral Commission. In fact, it is a wide-ranging inquiry that started some time last year, and there are eight areas that the Committee is looking into. The third area asks whether the remit of the Electoral Commission should be changed. The sixth covers public and political confidence in the impartiality and ability of the Electoral Commission, and the eighth asks what, if any, reform to the Electoral Commission should be considered. I would like to know whether those points were put to Mr Attwood and what his answers were.

I also think it is unfair to Mr Attwood to appoint him for three years when he does not know what he is actually going to be appointed to. I have no doubt that PACAC will recommend massive changes to, if not the abolition of, the Electoral Commission, yet he is being appointed for three years to something that could be completely different after only a few months. I hope that the Leader of the House can tell us what will happen if

[*Mr Peter Bone*]

the Electoral Commission is abolished later this summer. I understand that the Committee is likely to report during the summer.

I suppose the question I would have most wanted to ask, and which I hope the Leader of the House can shed some light on, involves the wicked behaviour, political corruption and nastiness of how the Electoral Commission dealt with people who were involved in the details of the 2016 referendum. It has been widely reported, and it will not come as any surprise to the House, that the Electoral Commission tried to persecute people who were heads of the leave campaign—the directors of legal organisations, like myself. I was a director and founder of Grassroots Out, along with my hon. Friend the Member for Corby (Tom Pursglove). There was widespread coverage of this, and perhaps the most well known and vicious attack was on Mr Arron Banks. In the end, the Electoral Commission had to fight a law case and lose. During that period, Mr Banks suffered malicious attacks in the media. His reputation was damaged commercially, bank accounts were closed because of the ongoing investigation, and press leaks from the Commission occurred. This was done by the Electoral Commission, whose electoral commissioners are responsible for its actions, yet they used the power of the state, the money of the state, to persecute people who had headed up leave campaigns. I would like to ask Mr Attwood what his view is on that and what he would do in future to stop it happening again.

The area that has not got much coverage, and should have done, is the position of what was called the responsible person. Every leave campaign had a responsible person. I will just mention four of them. For Grassroots Out, it was Mr Richard Murphy; for Better for the Country, it was Liz Bilney; for BeLeave, it was Darren Grimes; and for Vote Leave, it was Alan Halsall. They were threatened with prosecution. Their names were rubbished. Their professional reputations were attacked. They had to endure the worst of malicious state treatment. The money that the Electoral Commission could use in legal fees was endless, yet the individuals had to fight back. They had no support. Quite often the Electoral Commission would demand lengthy explanations of things and give a very short timescale to reply, and it then got months and months to come back. It was disgraceful.

I joined the Conservative party when I was 15, so I have now been in local and national politics for more than 50 years. Often I have disagreed with things and often I have been upset about things—very upset, quite often, by things my own party did—but at no time did I think there was an organisation that was maliciously undermining the democratic process and attacking individuals because of their political views. Let us remember this: the responsible people are not politicians. They are not the Peter Bones or the Arron Bankses; they are just people who want to be involved in the political process and have knowledge of how to do campaign returns. Anyone who thinks the Electoral Commission treated those people fairly either has no idea of what happened or is not telling the truth.

Many of these people had their health severely damaged, their reputations tarnished, and their finances destroyed by having to raise thousands and thousands of pounds to fight the Electoral Commission. Every time, those people

won, and not a single one of them was ever charged with anything. They were honest, decent people who were attacked by the state through the Electoral Commission. I want to know from Mr Attwood what he thinks about that, and what the other commissioners think, when we get a chance to debate this. It really was the most disgusting thing that I have ever seen a state organisation do.

We should be immensely proud of the referendum and the debate that surrounded it. It was the greatest exercise in democracy in this country. Whether you were on the leave side or the remain side, it was a great debate. From my point of view, as I said, I formed Grassroots Out. I did not know at the time that Richard Murphy, who was put there to look after the paperwork and everything relating to the requirements of the Electoral Commission, would be in such a terrible, terrible state because of the Electoral Commission—and the electoral commissioners did nothing to stop it.

I put on this rather garish GO tie to show the extent that we went to to comply with the rules. I doubt if anyone else in the country has a tie that has an imprint on the back of it with Richard Murphy's name on it. That is because we were assiduous in making sure that we did everything right. We went to the Electoral Commission's buildings when we registered—we went throughout the process. We filled in its pre-poll reports. We broke off campaigning to deal with some return or other it wanted at the last minute during the campaign. My hon. Friend the Member for Corby and I toured the UK, going up and down the country, talking to people and having three meetings a day, but we would break off, if necessary, to deal with the Electoral Commission.

When we finished the campaign, we did the return, which was not that complicated; we had spent a few hundred thousand pounds, which was way under any limit that we could possibly have broken. Being a chartered accountant, I looked at the paperwork we were submitting and it was fine, but we took the extra precaution of going to the Electoral Commission's offices—I, Richard Murphy and my hon. Friend the Member for Corby—where we went through the return line by line before we submitted it. We said, "Is there anything wrong with this? If there is, we will go back and check it." It was given the all clear, but months later we are dragged through months and months of an inquiry by a commission whose only reason to do it was that they hated leave campaigners. Instead of being at the heart of the democratic process, encouraging democracy, the commission did exactly the reverse. I would like to know from Mr Attwood how he is going to restore trust in democracy for any future referendum. I would bet a few pounds that none of the responsible people in the EU referendum would take the job on again—I could not advise anyone to do it. They do the work and do it properly, and do not get paid for it, but then a state organisation uses all the power of the state; first, it does the regulation, then it does the inspection, and then it becomes the jury and judge and executioner. That cannot be right.

Mr Attwood, I want to know what you think about the reforms necessary to bring confidence back to the Electoral Commission. It may well be that it has to be abolished—that the culture in the Electoral Commission is so wicked, bad and unfair that it has to be scrapped and we have to start again. I fear that we are appointing a commissioner to carry on in the same old way, for a

three-year term. It must be clear to everyone that there is not cross-party support for the Electoral Commission and it has lost the support of people. This is not party political; Conservatives, Labour members, United Kingdom Independence party members and people of no party all found themselves being persecuted by this organisation. It is a disgrace. It spends more than £15 million of our money each year. So if Mr Attwood was standing there now, I would say, "What are you going to do about all this?" It may well be that he could give me the answers and I would be able to support him, but this system does not stand the test of scrutiny. I hope the Leader of the House will be able to reassure me on these things when he answers, but I doubt it.

In 2016, we had a revolution. It was not a bloody one; it was a democratic revolution. It changed our relationship with Europe peacefully. More people voted in that referendum than ever before. The Electoral Commission should be helping and encouraging a repeat of that in the future. Its wicked persecution of responsible people after the referendum is a disgrace. I have nothing against Mr Attwood personally, but I think we are being put in a very difficult situation tonight; we are being asked to ask Her Majesty to appoint him as an electoral commissioner when we do not know the views.

6.49 pm

Patrick Grady (Glasgow North) (SNP): I am glad that the hon. Member for Wellingborough (Mr Bone) is endorsing the concept of future referendums. I look forward to a referendum in the not-too-distant future, which might bring out a democratic revolution of its own, paving the way for independence for Scotland. If he wants to compare notes on ties, he might be interested to know that on the back of mine, the label states "United States Capitol Historical Society", and it bears inscriptions from the constitution of the United States, such as:

"We the people of the United States in Congress assembled", and so on.

Mr Attwood will always remember the day when he was appointed to the Electoral Commission, not just because of the interrogation from the hon. Gentleman, but because of the other historic events that are taking place—the triumph of democracy being affirmed in the United States. Here we are in our own quiet way enacting the democratic processes of this country and affirming Mr Attwood's nomination to the body that oversees those electoral processes.

It is right to question the role and functions of the Electoral Commission, but it is perhaps not quite so appropriate to hijack a relatively technical debate that should be a formality. It has happened several times recently, and I think it does no favours to the candidates, who have been through a rigorous process. We ought to have faith in those processes. I certainly have faith in my hon. Friend the Member for Midlothian (Owen Thompson), who serves on the Speaker's Committee on the Electoral Commission. He assures me that all due process was carried out and the best candidate of those available was selected.

It is very clear from the report that Mr Attwood is highly qualified to take on the position. We wish his predecessor well and we wish him well as he takes up his

office, much as we wish President Biden and Vice-President Harris well—I think I get to be the first person to call them that on the Floor of the House of Commons—in their positions.

6.52 pm

Ian Paisley (North Antrim) (DUP) [V]: I, too, add my voice of congratulations to Alastair Ross for the time he spent as an electoral commissioner. I am disappointed he has not been able to serve out a full term and contribute fully to the role of the Electoral Commission, but I believe he moved on to other things.

I have a number of points that I would like to raise, and I must say I have some sympathy with the points made by the hon. Member for Wellingborough (Mr Bone) this evening. The first point I would make is: why are we appointing someone to the Electoral Commission for a period of three years, when the Electoral Commission itself is being reviewed and could, as the hon. Member said, no longer exist by the end of this appointment's duration? It would be much more satisfactory if the appointment had been made for a year to allow the Committee dealing with the matter in Parliament to address its affairs properly. The matter should be looked at properly. Will the Leader of the House examine that matter and consider, as was requested of him, withdrawing the motion tonight, given the lack of public transparency and scrutiny of these appointments?

There has been absolutely no public transparency over these appointments. We are told this is the best candidate available. We are not sure whether various sifts happened in the process. There is no transparency whatever about the appointment, and that should be looked at. Transparency in public appointments is very important, especially when people's elected careers and mandates can be questioned.

There are issues about whether this is a controversial appointment. This will be regarded in Northern Ireland as a controversial appointment, just because of the very nature of the person being appointed, who is a member of the nationalist Social Democratic and Labour party. They therefore have political baggage. That is unfair on the gentleman in question, but that is a fact of life and we all deal with that. I have political baggage, because I am from the Unionist tradition, and those matters will be examined.

We do not know, for example, whether the Committee examined the professional conduct of the individuals in question or whether it knows about the pretty basic dealings with the Law Society. Were those matters addressed? Were they examined? I do not know, because there has been no transparency in this House and no opportunity for Members, as the hon. Member for Wellingborough said, to examine any of the points of this appointment. We are not able to examine or to hold ourselves, or indeed this House, to account. The issue of how this appointment was made should be looked at, and the Leader of the House has a duty to take this matter away and to consider some of the points that are being raised.

On a wider point, I believe that there is very little public confidence left in the Electoral Commission by many of the larger parties in this House, which is why the decision must be examined. The commission wrongly reported three individuals to the National Crime Agency after the 2016 referendum, and it largely made that

[*Ian Paisley*]

recommendation after a Twitter campaign against those individuals. The hon. Member for Wellingborough quite rightly said that people were persecuted. Just think of it: a publicly funded body in the United Kingdom made recommendations to the National Crime Agency, which led to the persecution of people. It led to the persecution of Liz Bilney. It led to the persecution of Andrew Wigmore. It led to the persecution of Arron Banks. Careers were put on hold and businesses were questioned and challenged all because of a narcissistic, axe-grinding campaign against those who organised Vote Leave. The Electoral Commission cannot wash its hands of those career-wrecking decisions.

I understand that those individuals had to spend upwards of a quarter of a million pounds in defending themselves. They then ended up with an apology and were just dismissed and told to go away: “Oh, we got it wrong. We persecuted you. We wrecked your jobs. We wrecked your careers.” The hon. Member for Wellingborough mentioned that bank accounts were closed and put on hold. “Well, we did all that to you and your family, but we will just say sorry and let it go on from here.” That is not good enough.

It is right and proper that we should be able to hold to account those members being appointed. After one of the most important electoral decisions in the history of this nation—certainly in the history of modern times—are they content with how the Electoral Commission behaved and will they instigate change in how the Electoral Commission behaves? There has been no effort to scrutinise how the Electoral Commission member would avoid any of the political activity or any of the conflicts of interest that would ultimately arise as they have arisen in the past. If the Electoral Commission cannot be trusted on the biggest election in our recent history, in the referendum, this issue really does require scrutiny. I urge the Leader of the House to bring it back.

An allegation of dark money was made to the Electoral Commission in relation to my own party, because we dared to be part of a nationwide campaign. Because the allegations were made on Twitter and on social media, the Electoral Commission thought it had to run with them and bow to them and push for those investigations. It took months for those issues to be dismissed, when they should have been dismissed out of hand.

I must say that the way that this commission is structured allows for the fuelling of these attacks on people. It has taken months for it to investigate people—to be a judge, a jury and an executioner itself. Effectively, it acts with the same *carte blanche* that the Star Chamber would have used in years gone by. All of this needs to be reformed. If we are in the process of considering these matters of reform, why are we in the process of appointing people who do not have the full confidence of the House, not in themselves but in terms of how the process of appointment is actually taking place? We need to encourage public confidence in this matter, not encourage public concern, and I do fear that tonight’s motion drives public concern.

Mr Deputy Speaker (Mr Nigel Evans): I apologise for the fact that the video link went down, but I can assure the hon. Gentleman that he came through loud and clear.

6.59 pm

Mr Rees-Mogg: This is an important debate, but it has wandered slightly, though in a very carefully phrased way within the orders of the House, beyond the appointment of Mr Attwood.

May I begin by thanking the hon. Member for Manchester, Gorton (Afzal Khan) for his support and the support of the official Opposition, and the hon. Member for Glasgow North (Patrick Grady) for the support of the Scottish National party, for which I am grateful? There is one point I would pick up on with the hon. Member for Glasgow North, and it is not the label one has on one’s tie. It is that, in this process, the House is the final arbiter. This is part of the process, and we should never view this part of the process as being a mere rubber stamp. However good the earlier stages, when something comes to the House, we are free to decide in any direction, but I am grateful for his support.

There are really three points that have come up in this debate, the first two of which are not particularly controversial. The first is the question of the appointment of Mr Attwood, which seems to be accepted. It seems to be accepted that he is qualified. The hon. Member for North Antrim (Ian Paisley) mentioned his support for the SDLP, but this is one of the four nominated members who do have party political affiliations. That is therefore perfectly reasonable within the structure of the Electoral Commission, although I obviously understand the sensitivities in Ulster over any political affiliations. It is broadly accepted that he is qualified, that he is a suitable person and that sending an Humble Address to Her Majesty in his name or on his behalf is reasonable.

The second point, which was perhaps slightly more contentious but not overwhelmingly so, was the question of whether this should be done now, or whether I should withdraw the motion and come back at a later stage. The problem with this is that it elides the first point and the third point, which I will come on to. The reason for doing it now is that Mr Attwood is accepted to be suitable, not because of questions on the Electoral Commission, which I shall turn to briefly.

There is the debate on why this appointment is for a three-year rather than a two-year term. The simple fact is that the Speaker’s Committee took the view that the Electoral Commission would benefit from the commissioner spending longer in post. That was the decision it came to and put forward in its report and, the amendment not having been selected, that is what we have the ability to vote on this afternoon. I think it reasonable to put some confidence in the Speaker’s Committee, which represents all views of the House.

However, thirdly, the real issue of debate today is not the suitability of Mr Attwood and this question of an Humble Address, but the Electoral Commission itself and its treatment of individuals. My hon. Friend the Member for Wellingborough (Mr Bone) mentioned that Richard Murphy had difficulty with the Electoral Commission. I have known Richard Murphy for 20 years, and he is the most brilliant, honest, sensible man one could think of and a formidable political campaigner. He was the area agent when I first stood for Parliament in England—when I stood in The Wrekin in 2001—and, goodness, he is an impressive and honest man. If even somebody like Richard finds the Electoral Commission is trying to hang weights round his neck, then that is

something which of course is a matter of concern, and we know that the issue with Darren Grimes was settled in Darren Grimes's favour.

I think it is not unjustifiable to raise these concerns, but that is not the issue for tonight's vote. It is of course important that the Electoral Commission should be impartial in its judgments. It is of course crucial that people should have confidence in it when it is involved in a referendum—whether that be a referendum as in 2014, which we know settled things for a generation, or one in 2016, which settled our relationship with the European Union. If people do not have confidence in the Electoral Commission to be fair, regardless of which side of the debate they are on, then it is a risk for our democracy. So it is important that the Electoral Commission should hear this debate and should respond to the important points raised by my hon. Friend the Member for Wellingborough, because that confidence is of fundamental importance.

However, I am glad to say that this House, in its wisdom, has an answer. The Public Administration and Constitutional Affairs Committee—whose distinguished Chairman, my hon. Friend the Member for Hazel Grove (Mr Wragg), is sitting behind me—is carrying out an examination into the Electoral Commission, which will be able to go through all the points raised by my hon. Friend the Member for Wellingborough and the hon. Member for North Antrim, consider them carefully and make recommendations. That is very important. We see in all elections how important confidence in the system is, and when confidence is undermined, whether rightly or wrongly, that is a troubling state for democracy to be in. I therefore urge the PACAC to put its shoulder to the wheel, put grease on its elbow and ensure that its report comes forward, to help us deliberate in future. In the meantime, I commend this motion to the House.

Question put and agreed to.

Resolved,

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Alexander Attwood as an Electoral Commissioner with effect from 1 February 2021 for the period ending on 31 January 2024.

House of Commons Commission (External Members)

7.5 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): I beg to move,

That the appointment of Jane McCall to the House of Commons Commission be extended to 30 April 2021, in pursuance of section 1(2B) of the House of Commons (Administration) Act 1978, as amended.

The motion proposes the extension of Jane McCall's membership of the House of Commons Commission until 30 April 2021. I will keep my remarks particularly short, but I think it is important that the House has the opportunity to debate these matters if it wishes. It should be noted that this is a short, three-month extension to Ms McCall's term, to ensure that the Commission has enough time to carry out the recruitment process for her successor, while the Commission faces a particularly challenging time overseeing the House Service's response to the pandemic.

Jane has served the Commission well in her time as a member, and I am sure that she will continue to do so if this extension is approved. I wish to place on record my continued thanks to her for her work and for the work of all members of the House of Commons Commission. I hope the House will support this extension, and I wish Ms McCall every success in her continuing role on the Commission.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

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

FINANCIAL SERVICES AND MARKETS

That the draft Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2020, which was laid before this House on 26 November, be approved.—(*Maggie Throup.*)

Question agreed to.

Deputy Speaker's Statement

Mr Deputy Speaker (Mr Nigel Evans): I would like to make a short statement about second and additional speeches during half-hour Adjournment debates which reflects the position of Mr Speaker and all the Deputy Speakers.

“Erskine May” makes it clear that the half-hour Adjournment debate is a personal debate between the Member who secured the debate and the Minister who is to reply. We would deprecate any attempt to transform the end-of-day Adjournment into a general debate. It is important that the Minister has time to engage with the issue and reply. Although other Members may intervene or make brief speeches with the agreement of the Member who secured the debate and the Minister, it is important to state that such agreement can be very reasonably withheld. The Member in charge and the Minister should not feel in any way obliged to agree. It is also important that, where both the Member whose debate it is and the Minister agree, the Chair must be notified in advance and in good time.

Separately, I should also inform the House that Mr Speaker has modified the scheme for virtual participation to provide that, where virtual participation is not required for the Member who secured the debate or the Minister replying, it will not be made available for another Member to give a second or additional speech.

Building Safety Fund

Motion made, and Question proposed, That this House do now adjourn.—(*Maggie Throup.*)

7.9 pm

Stephen Morgan (Portsmouth South) (Lab) [V]: [*Inaudible.*]

Mr Deputy Speaker (Mr Nigel Evans): Stephen, you are on mute. We cannot hear you. We will labour a little bit longer with you, do not worry, because you are the last act. Stephen, what we will do, if everybody is happy, is suspend for a short time while our comms people talk to you. If we can correct the gremlins, we will. If we cannot, I am afraid we will have to seek to have you another time.

7.10 pm

Sitting suspended.

7.15 pm

On resuming—

Mr Deputy Speaker (Mr Nigel Evans): Order. It is quite clear that the gremlins have defeated us on this particular occasion. It is incredibly rare. We know that this is a very important subject matter and we will endeavour to ensure that Mr Morgan is able to raise his subject again in the very, very near future.

Question put and agreed to.

7.15 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
Debbie Abrahams (Oldham East and Saddleworth) (Lab)	Sir Alan Campbell
Nigel Adams (Selby and Ainsty) (Con)	Marcus Jones
Bim Afolami (Hitchin and Harpenden) (Con)	Marcus Jones
Imran Ahmad Khan (Wakefield) (Con)	Marcus Jones
Nickie Aiken (Cities of London and Westminster) (Con)	Marcus Jones
Peter Aldous (Waveney) (Con)	Marcus Jones
Rushanara Ali (Bethnal Green and Bow) (Lab)	Sir Alan Campbell
Tahir Ali (Birmingham, Hall Green) (Lab)	Sir Alan Campbell
Lucy Allan (Telford) (Con)	Marcus Jones
Dr Rosena Allin-Khan (Tooting) (Lab)	Sir Alan Campbell
Mike Amesbury (Weaver Vale) (Lab)	Sir Alan Campbell
Sir David Amess (Southend West) (Con)	Marcus Jones
Fleur Anderson (Putney) (Lab)	Sir Alan Campbell
Lee Anderson (Ashfield) (Con)	Chris Loder
Stuart Anderson (Wolverhampton South West) (Con)	Marcus Jones
Stuart Andrew (Pudsey) (Con)	Marcus Jones
Caroline Ansell (Eastbourne) (Con)	Marcus Jones
Tonia Antoniazzi (Gower) (Lab)	Sir Alan Campbell
Edward Argar (Charnwood) (Con)	Marcus Jones
Jonathan Ashworth (Leicester South) (Lab)	Sir Alan Campbell
Sarah Atherton (Wrexham) (Con)	Marcus Jones
Victoria Atkins (Louth and Horncastle) (Con)	Marcus Jones
Gareth Bacon (Orpington) (Con)	Marcus Jones
Mr Richard Bacon (South Norfolk) (Con)	Marcus Jones
Kemi Badenoch (Saffron Walden) (Con)	Marcus Jones
Shaun Bailey (West Bromwich West) (Con)	Marcus Jones
Siobhan Baillie (Stroud) (Con)	Marcus Jones
Duncan Baker (North Norfolk) (Con)	Marcus Jones
Mr Steve Baker (Wycombe) (Con)	Marcus Jones
Steve Barclay (North East Cambridgeshire) (Con)	Marcus Jones
Hannah Bardell (Livingston) (SNP)	Patrick Grady
Paula Barker (Liverpool, Wavertree) (Lab)	Sir Alan Campbell
Mr John Baron (Basildon and Billericay) (Con)	Marcus Jones
Simon Baynes (Clwyd South) (Con)	Marcus Jones
Margaret Beckett (Derby South) (Lab)	Sir Alan Campbell
Apsana Begum (Poplar and Limehouse) (Lab)	Bell Ribeiro-Addy
Aaron Bell (Newcastle-under-Lyme) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
Hilary Benn (Leeds Central) (Lab)	Sir Alan Campbell
Scott Benton (Blackpool South) (Con)	Marcus Jones
Sir Paul Beresford (Mole Valley) (Con)	Marcus Jones
Jake Berry (Rossendale and Darwen) (Con)	Marcus Jones
Clive Betts (Sheffield South East) (Lab)	Sir Alan Campbell
Saqib Bhatti (Meriden) (Con)	Marcus Jones
Mhairi Black (Paisley and Renfrewshire South) (SNP)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber) (SNP)	Patrick Grady
Bob Blackman (Harrow East) (Con)	Marcus Jones
Kirsty Blackman (Aberdeen North) (SNP)	Patrick Grady
Olivia Blake (Sheffield, Hallam) (Lab)	Sir Alan Campbell
Paul Blomfield (Sheffield Central) (Lab)	Sir Alan Campbell
Crispin Blunt (Reigate) (Con)	Marcus Jones
Mr Peter Bone (Wellingborough) (Con)	Marcus Jones
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Patrick Grady
Andrew Bowie (West Aberdeenshire and Kincardine) (Con)	Marcus Jones
Tracy Brabin (Batley and Spen) (Lab/Co-op)	Sir Alan Campbell
Ben Bradley (Mansfield) (Con)	Marcus Jones
Karen Bradley (Staffordshire Moorlands) (Con)	Marcus Jones
Ben Bradshaw (Exeter) (Lab)	Sir Alan Campbell
Suella Braverman (Fareham) (Con)	Marcus Jones
Kevin Brennan (Cardiff West) (Lab)	Sir Alan Campbell
Jack Brereton (Stoke-on-Trent South) (Con)	Marcus Jones
Andrew Bridgen (North West Leicestershire) (Con)	Marcus Jones
Steve Brine (Winchester) (Con)	Marcus Jones
Paul Bristow (Peterborough) (Con)	Marcus Jones
Sara Britcliffe (Hyndburn) (Con)	Marcus Jones
Deidre Brock (Edinburgh North and Leith) (SNP)	Patrick Grady
James Brokenshire (Old Bexley and Sidcup) (Con)	Marcus Jones
Alan Brown (Kilmarnock and Loudon) (SNP)	Patrick Grady
Ms Lyn Brown (West Ham) (Lab)	Sir Alan Campbell
Anthony Browne (South Cambridgeshire) (Con)	Marcus Jones
Chris Bryant (Rhondda) (Lab)	Sir Alan Campbell
Felicity Buchan (Kensington) (Con)	Marcus Jones
Ms Karen Buck (Westminster North) (Lab)	Sir Alan Campbell
Robert Buckland (South Swindon) (Con)	Marcus Jones
Alex Burghart (Brentwood and Ongar) (Con)	Marcus Jones
Richard Burgon (Leeds East) (Lab)	Bell Ribeiro-Addy
Conor Burns (Bournemouth West) (Con)	Marcus Jones
Dawn Butler (Brent Central) (Lab)	Bell Ribeiro-Addy

Member eligible for proxy vote	Nominated proxy
Rob Butler (Aylesbury) (Con)	Marcus Jones
Ian Byrne (Liverpool, West Derby) (Lab)	Sir Alan Campbell
Liam Byrne (Birmingham, Hodge Hill) (Lab)	Sir Alan Campbell
Ruth Cadbury (Brentford and Isleworth) (Lab)	Sir Alan Campbell
Alun Cairns (Vale of Glamorgan) (Con)	Marcus Jones
Amy Callaghan (East Dunbartonshire) (SNP)	Patrick Grady
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP)	Patrick Grady
Mr Gregory Campbell (East Londonderry) (DUP)	Sammy Wilson
Dan Carden (Liverpool, Walton) (Lab)	Sir Alan Campbell
Mr Alistair Carmichael (Orkney and Shetland) (LD)	Ben Lake
Andy Carter (Warrington South) (Con)	Marcus Jones
James Cartlidge (South Suffolk) (Con)	Marcus Jones
Sir William Cash (Stone) (Con)	Marcus Jones
Miriam Cates (Penistone and Stocksbridge) (Con)	Marcus Jones
Alex Chalk (Cheltenham) (Con)	Marcus Jones
Wendy Chamberlain (North East Fife) (LD)	Ben Lake
Sarah Champion (Rotherham) (Lab)	Sir Alan Campbell
Douglas Chapman (Dunfermline and West Fife) (SNP)	Patrick Grady
Joanna Cherry (Edinburgh South West) (SNP)	Patrick Grady
Rehman Chishti (Gillingham and Rainham) (Con)	Marcus Jones
Jo Churchill (Bury St Edmunds) (Con)	Marcus Jones
Feryal Clark (Enfield North) (Lab)	Sir Alan Campbell
Greg Clark (Tunbridge Wells) (Con)	Marcus Jones
Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)	Marcus Jones
Theo Clarke (Stafford) (Con)	Marcus Jones
Brendan Clarke-Smith (Bassetlaw) (Con)	Marcus Jones
Chris Clarkson (Heywood and Middleton) (Con)	Marcus Jones
James Cleverly (Braintree) (Con)	Marcus Jones
Sir Geoffrey Clifton-Brown (The Cotswolds) (Con)	Marcus Jones
Dr Thérèse Coffey (Suffolk Coastal) (Con)	Marcus Jones
Elliot Colburn (Carshalton and Wallington) (Con)	Marcus Jones
Damian Collins (Folkestone and Hythe) (Con)	Marcus Jones
Daisy Cooper (St Albans) (LD)	Ben Lake
Rosie Cooper (West Lancashire) (Lab)	Sir Alan Campbell
Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)	Sir Alan Campbell
Jeremy Corbyn (Islington North) (Ind)	Bell Ribeiro-Addy
Alberto Costa (South Leicestershire) (Con)	Marcus Jones
Robert Courts (Witney) (Con)	Marcus Jones
Claire Coutinho (East Surrey) (Con)	Marcus Jones
Ronnie Cowan (Inverclyde) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
Sir Geoffrey Cox (Torridge and West Devon) (Con)	Marcus Jones
Neil Coyle (Bermondsey and Old Southwark) (Lab)	Sir Alan Campbell
Stephen Crabb (Preseli Pembrokeshire) (Con)	Marcus Jones
Angela Crawley (Lanark and Hamilton East) (SNP)	Patrick Grady
Stella Creasy (Walthamstow) (Lab)	Sir Alan Campbell
Virginia Crosbie (Ynys Môn) (Con)	Marcus Jones
Tracey Crouch (Chatham and Aylesford) (Con)	Marcus Jones
Jon Cruddas (Dagenham and Rainham) (Lab)	Sir Alan Campbell
John Cryer (Leyton and Wanstead) (Lab)	Sir Alan Campbell
Judith Cummins (Bradford South) (Lab)	Sir Alan Campbell
Alex Cunningham (Stockton North) (Lab)	Sir Alan Campbell
Janet Daby (Lewisham East) (Lab)	Sir Alan Campbell
James Daly (Bury North) (Con)	Marcus Jones
Ed Davey (Kingston and Surbiton) (LD)	Ben Lake
Wayne David (Caerphilly) (Lab)	Sir Alan Campbell
Gareth Davies (Grantham and Stamford) (Con)	Marcus Jones
Geraint Davies (Swansea West) (Lab/Co-op)	Sir Alan Campbell
Dr James Davies (Vale of Clwyd) (Con)	Marcus Jones
Mims Davies (Mid Sussex) (Con)	Marcus Jones
Alex Davies-Jones (Pontypridd) (Lab)	Sir Alan Campbell
Philip Davies (Shipley) (Con)	Marcus Jones
Mr David Davis (Haltemprice and Howden) (Con)	Marcus Jones
Martyn Day (Linlithgow and East Falkirk) (SNP)	Patrick Grady
Thangam Debbonaire (Bristol West) (Lab)	Sir Alan Campbell
Marsha De Cordova (Battersea)	Bell Ribeiro-Addy
Mr Tanmanjeet Singh Dhesi (Slough) (Lab)	Sir Alan Campbell
Caroline Dinenage (Gosport) (Con)	Marcus Jones
Miss Sarah Dines (Derbyshire Dales) (Con)	Marcus Jones
Jonathan Djanogly (Huntingdon) (Con)	Marcus Jones
Leo Docherty (Aldershot) (Con)	Marcus Jones
Martin Docherty-Hughes (West Dunbartonshire) (SNP)	Patrick Grady
Anneliese Dodds (Oxford East) (Lab/Co-op)	Sir Alan Campbell
Sir Jeffrey M. Donaldson (Lagan Valley) (DUP)	Sammy Wilson
Michelle Donelan (Chippenham) (Con)	Marcus Jones
Dave Doogan (Angus) (SNP)	Patrick Grady
Allan Dorans (Ayr, Carrick and Cumnock) (SNP)	Patrick Grady
Ms Nadine Dorries (Mid Bedfordshire) (Con)	Marcus Jones
Steve Double (St Austell and Newquay) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
Stephen Doughty (Cardiff South and Penarth) (Lab)	Sir Alan Campbell
Peter Dowd (Bootle) (Lab)	Sir Alan Campbell
Oliver Dowden (Hertsmere) (Con)	Marcus Jones
Richard Drax (South Dorset) (Con)	Marcus Jones
Jack Dromey (Birmingham, Erdington) (Lab)	Sir Alan Campbell
Mrs Flick Drummond (Meon Valley) (Con)	Marcus Jones
James Duddridge (Rochford and Southend East) (Con)	Marcus Jones
Rosie Duffield (Canterbury) (Lab)	Sir Alan Campbell
David Duguid (Banff and Buchan) (Con)	Marcus Jones
Philip Dunne (Ludlow) (Con)	Marcus Jones
Ms Angela Eagle (Wallasey) (Lab)	Sir Alan Campbell
Maria Eagle (Garston and Halewood) (Lab)	Sir Alan Campbell
Colum Eastwood (Foyle) (SDLP)	Patrick Grady
Mark Eastwood (Dewsbury) (Con)	Marcus Jones
Jonathan Edwards (Carmarthen East and Dinefwr) (Ind)	Marcus Jones
Ruth Edwards (Rushcliffe) (Con)	Marcus Jones
Clive Efford (Eltham) (Lab)	Sir Alan Campbell
Julie Elliott (Sunderland Central) (Lab)	Sir Alan Campbell
Michael Ellis (Northampton North) (Con)	Marcus Jones
Mr Tobias Ellwood (Bournemouth East) (Con)	Marcus Jones
Sir Alan Campbell (Ogmore) (Lab)	Sir Alan Campbell
Mrs Natalie Elphicke (Dover) (Con)	Marcus Jones
Florence Eshalomi (Vauxhall) (Lab/Co-op)	Sir Alan Campbell
Bill Esterson (Sefton Central) (Lab)	Sir Alan Campbell
George Eustice (Camborne and Redruth) (Con)	Marcus Jones
Chris Evans (Islwyn) (Lab/Co-op)	Sir Alan Campbell
Dr Luke Evans (Bosworth) (Con)	Marcus Jones
Sir David Evennett (Bexleyheath and Crayford) (Con)	Marcus Jones
Ben Everitt (Milton Keynes North) (Con)	Marcus Jones
Michael Fabricant (Lichfield) (Con)	Marcus Jones
Laura Farris (Newbury) (Con)	Marcus Jones
Tim Farron (Westmorland and Lonsdale) (LD)	Ben Lake
Stephen Farry (North Down) (Alliance)	Ben Lake
Simon Fell (Barrow and Furness) (Con)	Marcus Jones
Marion Fellows (Motherwell and Wishaw) (SNP)	Patrick Grady
Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Marcus Jones
Colleen Fletcher (Coventry North East) (Lab)	Sir Alan Campbell
Katherine Fletcher (South Ribble) (Con)	Marcus Jones
Mark Fletcher (Bolsover) (Con)	Marcus Jones
Nick Fletcher (Don Valley) (Con)	Marcus Jones
Stephen Flynn (Aberdeen South) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
Vicky Ford (Chelmsford) (Con)	Marcus Jones
Kevin Foster (Torbay) (Con)	Marcus Jones
Yvonne Fovargue (Makerfield) (Lab)	Sir Alan Campbell
Dr Liam Fox (North Somerset) (Con)	Marcus Jones
Vicky Foxcroft (Lewisham, Deptford) (Lab)	Sir Alan Campbell
Mary Kelly Foy (City of Durham) (Lab)	Bell Ribeiro-Addy
Mr Mark Francois (Rayleigh and Wickford) (Con)	Marcus Jones
Lucy Frazer (South East Cambridgeshire) (Con)	Marcus Jones
George Freeman (Mid Norfolk) (Con)	Marcus Jones
Mike Freer (Finchley and Golders Green) (Con)	Marcus Jones
Richard Fuller (North East Bedfordshire) (Con)	Marcus Jones
Marcus Fysh (Yeovil) (Con)	Marcus Jones
Sir Roger Gale (North Thanet) (Con)	Marcus Jones
Barry Gardiner (Brent North) (Lab)	Sir Alan Campbell
Mark Garnier (Wyre Forest) (Con)	Marcus Jones
Nick Gibb (Bognor Regis and Littlehampton) (Con)	Marcus Jones
Patricia Gibson (North Ayrshire and Arran) (SNP)	Patrick Grady
Peter Gibson (Darlington) (Con)	Marcus Jones
Jo Gideon (Stoke-on-Trent Central) (Con)	Marcus Jones
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op)	Sir Alan Campbell
Dame Cheryl Gillan (Chesham and Amersham) (Con)	Marcus Jones
Paul Girvan (South Antrim) (DUP)	Sammy Wilson
John Glen (Salisbury) (Con)	Marcus Jones
Mary Glindon (North Tyneside) (Lab)	Sir Alan Campbell
Mr Robert Goodwill (Scarborough and Whitby) (Con)	Marcus Jones
Michael Gove (Surrey Heath) (Con)	Marcus Jones
Richard Graham (Gloucester) (Con)	Marcus Jones
Mrs Helen Grant (Maidstone and The Weald) (Con)	Marcus Jones
Peter Grant (Glenrothes) (SNP)	Patrick Grady
James Gray (North Wiltshire) (Con)	Marcus Jones
Neil Gray (Airdrie and Shotts) (SNP)	Patrick Grady
Chris Grayling (Epsom and Ewell) (Con)	Marcus Jones
Damian Green (Ashford) (Con)	Marcus Jones
Kate Green (Stretford and Urmston) (Lab)	Sir Alan Campbell
Lilian Greenwood (Nottingham South) (Lab)	Sir Alan Campbell
Margaret Greenwood (Wirral West) (Lab)	Sir Alan Campbell
Andrew Griffith (Arundel and South Downs) (Con)	Marcus Jones
Nia Griffith (Llanelli) (Lab)	Sir Alan Campbell
Kate Griffiths (Burton) (Con)	Marcus Jones
James Grundy (Leigh) (Con)	Marcus Jones
Jonathan Gullis (Stoke-on-Trent North) (Con)	Marcus Jones
Andrew Gwynne (Denton and Reddish) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Louise Haigh (Sheffield, Heeley) (Lab)	Sir Alan Campbell
Robert Halfon (Harlow) (Con)	Marcus Jones
Luke Hall (Thornbury and Yate) (Con)	Marcus Jones
Fabian Hamilton (Leeds North East) (Lab)	Sir Alan Campbell
Stephen Hammond (Wimbledon) (Con)	Marcus Jones
Matt Hancock (West Suffolk) (Con)	Marcus Jones
Greg Hands (Chelsea and Fulham) (Con)	Marcus Jones
Claire Hanna (Belfast South) (SDLP)	Ben Lake
Neale Hanvey (Kirkcaldy and Cowdenbeath) (SNP)	Patrick Grady
Emma Hardy (Kingston upon Hull West and Hessle) (Lab)	Sir Alan Campbell
Ms Harriet Harman (Camberwell and Peckham) (Lab)	Sir Alan Campbell
Carolyn Harris (Swansea East) (Lab)	Sir Alan Campbell
Rebecca Harris (Castle Point) (Con)	Marcus Jones
Trudy Harrison (Copeland) (Con)	Marcus Jones
Sally-Ann Hart (Hastings and Rye) (Con)	Marcus Jones
Simon Hart (Carmarthen West and South Pembrokeshire) (Con)	Marcus Jones
Helen Hayes (Dulwich and West Norwood) (Lab)	Sir Alan Campbell
Sir John Hayes (South Holland and The Deepings) (Con)	Marcus Jones
Sir Oliver Heald (North East Hertfordshire) (Con)	Marcus Jones
John Healey (Wentworth and Dearne) (Lab)	Sir Alan Campbell
James Heappey (Wells) (Con)	Marcus Jones
Chris Heaton-Harris (Daventry) (Con)	Marcus Jones
Gordon Henderson (Sittingbourne and Sheppey) (Con)	Marcus Jones
Sir Mark Hendrick (Preston) (Lab/Co-op)	Sir Alan Campbell
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)	Patrick Grady
Darren Henry (Broxton) (Con)	Marcus Jones
Anthony Higginbotham (Burnley) (Con)	Marcus Jones
Mike Hill (Hartlepool) (Lab)	Sir Alan Campbell
Meg Hillier (Hackney South and Shoreditch) (Lab)	Sir Alan Campbell
Damian Hinds (East Hampshire) (Con)	Marcus Jones
Simon Hoare (North Dorset) (Con)	Marcus Jones
Wera Hobhouse (Bath) (LD)	Ben Lake
Dame Margaret Hodge (Barking) (Lab)	Sir Alan Campbell
Mrs Sharon Hodgson (Washington and Sunderland West) (Lab)	Sir Alan Campbell
Kate Hollern (Blackburn) (Lab)	Sir Alan Campbell
Kevin Hollinrake (Thirsk and Malton) (Con)	Marcus Jones
Adam Holloway (Gravesham) (Con)	Marcus Jones
Paul Holmes (Eastleigh) (Con)	Marcus Jones
Rachel Hopkins (Luton South) (Lab)	Sir Alan Campbell
Stewart Hosie (Dundee East) (SNP)	Patrick Grady
Sir George Howarth (Knowsley) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
John Howell (Henley) (Con)	Marcus Jones
Paul Howell (Sedgefield) (Con)	Marcus Jones
Nigel Huddleston (Mid Worcestershire) (Con)	Marcus Jones
Dr Neil Hudson (Penrith and The Border) (Con)	Marcus Jones
Eddie Hughes (Walsall North) (Con)	Marcus Jones
Jane Hunt (Loughborough) (Con)	Marcus Jones
Jeremy Hunt (South West Surrey) (Con)	Marcus Jones
Rupa Huq (Ealing Central and Acton) (Lab)	Sir Alan Campbell
Imran Hussain (Bradford East) (Lab)	Bell Ribeiro-Addy
Mr Alister Jack (Dumfries and Galloway) (Con)	Marcus Jones
Christine Jardine (Edinburgh West) (LD)	Ben Lake
Dan Jarvis (Barnsley Central) (Lab)	Sir Alan Campbell
Sajid Javid (Bromsgrove) (Con)	Marcus Jones
Mr Ranil Jayawardena (North East Hampshire) (Con)	Marcus Jones
Sir Bernard Jenkin (Harwich and North Essex) (Con)	Marcus Jones
Mark Jenkinson (Workington) (Con)	Marcus Jones
Andrea Jenkyns (Morley and Outwood) (Con)	Marcus Jones
Robert Jenrick (Newark) (Con)	Marcus Jones
Boris Johnson (Uxbridge and South Ruislip) (Con)	Marcus Jones
Dr Caroline Johnson (Sleaford and North Hykeham) (Con)	Marcus Jones
Dame Diana Johnson (Kingston upon Hull North) (Lab)	Sir Alan Campbell
Gareth Johnson (Dartford) (Con)	Marcus Jones
Kim Johnson (Liverpool, Riverside) (Lab)	Sir Alan Campbell
David Johnston (Wantage) (Con)	Marcus Jones
Darren Jones (Bristol North West) (Lab)	Sir Alan Campbell
Andrew Jones (Harrogate and Knaresborough) (Con)	Marcus Jones
Mr David Jones (Clwyd West) (Con)	Marcus Jones
Fay Jones (Brecon and Radnorshire) (Con)	Marcus Jones
Gerald Jones (Merthyr Tydfil and Rhymney) (Lab)	Sir Alan Campbell
Ruth Jones (Newport West) (Lab)	Sir Alan Campbell
Sarah Jones (Croydon Central) (Lab)	Sir Alan Campbell
Simon Jupp (East Devon) (Con)	Marcus Jones
Mike Kane (Wythenshawe and Sale East) (Lab)	Sir Alan Campbell
Daniel Kawczynski (Shrewsbury and Atcham) (Con)	Marcus Jones
Alicia Kearns (Rutland and Melton) (Con)	Marcus Jones
Gillian Keegan (Chichester) (Con)	Marcus Jones
Barbara Keeley (Worsley and Eccles South) (Lab)	Sir Alan Campbell
Liz Kendall (Leicester West) (Lab)	Sir Alan Campbell
Afzal Khan (Manchester, Gorton) (Lab)	Sir Alan Campbell
Stephen Kinnock (Aberavon) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Sir Greg Knight (East Yorkshire) (Con)	Marcus Jones
Julian Knight (Solihull) (Con)	Marcus Jones
Danny Kruger (Devizes) (Con)	Marcus Jones
Kwasi Kwarteng (Spelthorne) (Con)	Marcus Jones
Peter Kyle (Hove) (Lab)	Sir Alan Campbell
Mr David Lammy (Tottenham) (Lab)	Sir Alan Campbell
John Lamont (Berwickshire, Roxburgh and Selkirk) (Con)	Marcus Jones
Robert Lagan (High Peak) (Con)	Marcus Jones
Mrs Pauline Latham (Mid Derbyshire) (Con)	Mr William Wragg
Ian Lavery (Wansbeck) (Lab)	Bell Ribeiro-Addy
Chris Law (Dundee West) (SNP)	Patrick Grady
Andrea Leadsom (South Northamptonshire) (Con)	Marcus Jones
Sir Edward Leigh (Gainsborough) (Con)	Marcus Jones
Ian Levy (Blyth Valley) (Con)	Marcus Jones
Mrs Emma Lewell-Buck (South Shields) (Lab)	Sir Alan Campbell
Andrew Lewer (Northampton South) (Con)	Marcus Jones
Brandon Lewis (Great Yarmouth) (Con)	Marcus Jones
Clive Lewis (Norwich South) (Lab)	Sir Alan Campbell
Dr Julian Lewis (New Forest East) (Con)	Marcus Jones
Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Marcus Jones
David Linden (Glasgow East) (SNP)	Patrick Grady
Tony Lloyd (Rochdale) (Lab)	Sir Alan Campbell
Carla Lockhart (Upper Bann) (DUP)	Sammy Wilson
Mark Logan (Bolton North East) (Con)	Marcus Jones
Rebecca Long Bailey (Salford and Eccles) (Lab)	Bell Ribeiro-Addy
Marco Longhi (Dudley North) (Con)	Marcus Jones
Julia Lopez (Hornchurch and Upminster) (Con)	Marcus Jones
Jack Lopresti (Filton and Bradley Stoke) (Con)	Marcus Jones
Mr Jonathan Lord (Woking) (Con)	Marcus Jones
Tim Loughton (East Worthing and Shoreham) (Con)	Marcus Jones
Caroline Lucas (Brighton, Pavilion) (Green)	Bell Ribeiro-Addy
Holly Lynch (Halifax) (Lab)	Sir Alan Campbell
Kenny MacAskill (East Lothian) (SNP)	Patrick Grady
Steve McCabe (Birmingham, Selly Oak) (Lab)	Sir Alan Campbell
Kerry McCarthy (Bristol East) (Lab)	Sir Alan Campbell
Jason McCartney (Colne Valley) (Con)	Marcus Jones
Siobhain McDonagh (Mitcham and Morden) (Lab)	Sir Alan Campbell
Andy McDonald (Middlesbrough) (Lab)	Sir Alan Campbell
Stewart Malcolm McDonald (Glasgow South) (SNP)	Patrick Grady
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy
John McDonnell (Hayes and Harlington) (Lab)	Bell Ribeiro-Addy
Mr Pat McFadden (Wolverhampton South East) (Lab)	Sir Alan Campbell
Conor McGinn (St Helens North) (Lab)	Sir Alan Campbell
Alison McGovern (Wirral South) (Lab)	Sir Alan Campbell
Craig Mackinlay (South Thanet) (Con)	Marcus Jones
Catherine McKinnell (Newcastle upon Tyne North) (Lab)	Sir Alan Campbell
Cherilyn Mackrory (Truro and Falmouth) (Con)	Marcus Jones
Anne McLaughlin (Glasgow North East) (SNP)	Patrick Grady
Rachel Maclean (Redditch) (Con)	Marcus Jones
Jim McMahon (Oldham West and Royton) (Lab)	Sir Alan Campbell
Anna McMorrin (Cardiff North) (Lab)	Sir Alan Campbell
John Mc Nally (Falkirk) (SNP)	Patrick Grady
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)	Patrick Grady
Karl McCartney (Lincoln) (Con)	Marcus Jones
Stephen McPartland (Stevenage) (Con)	Marcus Jones
Esther McVey (Tatton) (Con)	Marcus Jones
Justin Madders (Ellesmere Port and Neston) (Lab)	Sir Alan Campbell
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Sir Alan Campbell
Shabana Mahmood (Birmingham, Ladywood) (Lab)	Sir Alan Campbell
Alan Mak (Havant) (Con)	Marcus Jones
Seema Malhotra (Feltham and Heston) (Lab)	Sir Alan Campbell
Kit Malthouse (North West Hampshire) (Con)	Marcus Jones
Scott Mann (North Cornwall) (Con)	Marcus Jones
Julie Marson (Hertford and Stortford) (Con)	Marcus Jones
Rachael Maskell (York Central) (Lab)	Sir Alan Campbell
Christian Matheson (City of Chester) (Lab)	Sir Alan Campbell
Mrs Theresa May (Maidenhead) (Con)	Marcus Jones
Jerome Mayhew (Broadland) (Con)	Marcus Jones
Paul Maynard (Blackpool North and Cleveleys) (Con)	Marcus Jones
Ian Mearns (Gateshead) (Lab)	Bell Ribeiro-Addy
Mark Menzies (Fylde) (Con)	Marcus Jones
Johnny Mercer (Plymouth, Moor View) (Con)	Marcus Jones
Huw Merriman (Bexhill and Battle) (Con)	Marcus Jones
Stephen Metcalfe (South Basildon and East Thurrock) (Con)	Marcus Jones
Edward Miliband (Doncaster North) (Lab)	Sir Alan Campbell
Robin Millar (Aberconwy) (Con)	Marcus Jones
Mrs Maria Miller (Basingstoke) (Con)	Marcus Jones
Amanda Milling (Cannock Chase) (Con)	Marcus Jones
Nigel Mills (Amber Valley) (Con)	Marcus Jones
Navendu Mishra (Stockport) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Mr Andrew Mitchell (Sutton Coldfield) (Con)	Marcus Jones
Gagan Mohindra (South West Hertfordshire) (Con)	Marcus Jones
Carol Monaghan (Glasgow North West)	Patrick Grady
Damien Moore (Southport) (Con)	Marcus Jones
Layla Moran (Oxford West and Abingdon) (LD)	Ben Lake
Penny Mordaunt (Portsmouth North) (Con)	Marcus Jones
Jessica Morden (Newport East) (Lab)	Sir Alan Campbell
Stephen Morgan (Portsmouth South) (Lab)	Sir Alan Campbell
Anne Marie Morris (Newton Abbot) (Con)	Marcus Jones
David Morris (Morecambe and Lunesdale) (Con)	Marcus Jones
Grahame Morris (Easington) (Lab)	Sir Alan Campbell
James Morris (Halesowen and Rowley Regis) (Con)	Marcus Jones
Joy Morrissey (Beaconsfield) (Con)	Marcus Jones
Wendy Morton (Aldridge-Brownhills) (Con)	Marcus Jones
Dr Kieran Mullan (Crewe and Nantwich) (Con)	Chris Loder
Holly Mumby-Croft (Scunthorpe) (Con)	Marcus Jones
David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con)	Marcus Jones
Ian Murray (Edinburgh South) (Lab)	Sir Alan Campbell
James Murray (Ealing North) (Lab/Co-op)	Sir Alan Campbell
Mrs Sheryll Murray (South East Cornwall) (Con)	Marcus Jones
Andrew Murrison (South West Wiltshire) (Con)	Marcus Jones
Lisa Nandy (Wigan) (Lab)	Sir Alan Campbell
Sir Robert Neill (Bromley and Chislehurst) (Con)	Marcus Jones
Gavin Newlands (Paisley and Renfrewshire North) (SNP)	Patrick Grady
Charlotte Nichols (Warrington North) (Lab)	Sir Alan Campbell
Lia Nici (Great Grimsby) (Con)	Marcus Jones
John Nicolson (Ochil and South Perthshire) (SNP)	Patrick Grady
Caroline Nokes (Romsey and Southampton North) (Con)	Marcus Jones
Jesse Norman (Hereford and South Herefordshire) (Con)	Marcus Jones
Alex Norris (Nottingham North) (Lab/Co-op)	Sir Alan Campbell
Neil O'Brien (Harborough) (Con)	Marcus Jones
Brendan O'Hara (Argyll and Bute) (SNP)	Patrick Grady
Dr Matthew Offord (Hendon) (Con)	Marcus Jones
Sarah Olney (Richmond Park) (LD)	Ben Lake
Chi Onwurah (Newcastle upon Tyne Central) (Lab)	Sir Alan Campbell
Guy Opperman (Hexham) (Con)	Marcus Jones
Abena Opong-Asare (Erith and Thamesmead) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Kate Osamor (Edmonton) (Lab/Co-op)	Bell Ribeiro-Addy
Kate Osborne (Jarrow) (Lab)	Bell Ribeiro-Addy
Kirsten Oswald (East Renfrewshire) (SNP)	Patrick Grady
Taiwo Owatemi (Coventry North West) (Lab)	Sir Alan Campbell
Sarah Owen (Luton North) (Lab)	Sir Alan Campbell
Ian Paisley (North Antrim) (DUP)	Sammy Wilson
Neil Parish (Tiverton and Honiton) (Con)	Marcus Jones
Priti Patel (Witham) (Con)	Marcus Jones
Mr Owen Paterson (North Shropshire) (Con)	Marcus Jones
Mark Pawsey (Rugby) (Con)	Marcus Jones
Stephanie Peacock (Barnsley East) (Lab)	Sir Alan Campbell
Sir Mike Penning (Hemel Hempstead) (Con)	Marcus Jones
Matthew Pennycook (Greenwich and Woolwich) (Lab)	Sir Alan Campbell
John Penrose (Weston-super-Mare) (Con)	Marcus Jones
Andrew Percy (Brigg and Goole) (Con)	Marcus Jones
Mr Toby Perkins (Chesterfield) (Lab)	Sir Alan Campbell
Jess Phillips (Birmingham, Yardley) (Lab)	Sir Alan Campbell
Bridget Phillipson (Houghton and Sunderland South) (Lab)	Sir Alan Campbell
Chris Philp (Croydon South) (Con)	Marcus Jones
Christopher Pincher (Tamworth) (Con)	Marcus Jones
Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op)	Sir Alan Campbell
Dr Dan Poulter (Central Suffolk and North Ipswich) (Con)	Marcus Jones
Rebecca Pow (Taunton Deane) (Con)	Marcus Jones
Lucy Powell (Manchester Central) (Lab/Co-op)	Sir Alan Campbell
Victoria Prentis (Banbury) (Con)	Marcus Jones
Mark Pritchard (The Wrekin) (Con)	Marcus Jones
Jeremy Quin (Horsham) (Con)	Marcus Jones
Will Quince (Colchester) (Con)	Marcus Jones
Yasmin Qureshi (Bolton South East) (Lab)	Sir Alan Campbell
Dominic Raab (Esher and Walton) (Con)	Marcus Jones
Tom Randall (Gedling) (Con)	Marcus Jones
Angela Rayner (Ashton-under-Lyne) (Lab)	Sir Alan Campbell
John Redwood (Wokingham) (Con)	Marcus Jones
Steve Reed (Croydon North) (Lab/Co-op)	Sir Alan Campbell
Christina Rees (Neath) (Lab)	Sir Alan Campbell
Ellie Reeves (Lewisham West and Penge) (Lab)	Sir Alan Campbell
Rachel Reeves (Leeds West) (Lab)	Sir Alan Campbell
Jonathan Reynolds (Stalybridge and Hyde) (Lab)	Sir Alan Campbell
Nicola Richards (West Bromwich East) (Con)	Marcus Jones
Ms Marie Rimmer (St Helens South and Whiston) (Lab)	Sir Alan Campbell
Rob Roberts (Delyn) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
Mr Laurence Robertson (Tewkesbury) (Con)	Marcus Jones
Gavin Robinson (Belfast East) (DUP)	Sammy Wilson
Mary Robinson (Cheadle) (Con)	Marcus Jones
Matt Rodda (Reading East) (Lab)	Sir Alan Campbell
Andrew Rosindell (Romford) (Con)	Marcus Jones
Douglas Ross (Moray) (Con)	Marcus Jones
Lee Rowley (North East Derbyshire) (Con)	Marcus Jones
Dean Russell (Watford) (Con)	Marcus Jones
Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)	Sir Alan Campbell
David Rutley (Macclesfield) (Con)	Marcus Jones
Liz Saville Roberts (Dwyfor Meirionnydd) (PC)	Ben Lake
Selaine Saxby (North Devon) (Con)	Marcus Jones
Paul Scully (Sutton and Cheam) (Con)	Marcus Jones
Andrew Selous (South West Bedfordshire) (Con)	Marcus Jones
Naz Shah (Bradford West) (Lab)	Sir Alan Campbell
Jim Shannon (Strangford) (DUP)	Sammy Wilson
Grant Shapps (Welwyn Hatfield) (Con)	Marcus Jones
Alok Sharma (Reading West) (Con)	Marcus Jones
Mr Virendra Sharma (Ealing, Southall) (Lab)	Sir Alan Campbell
Mr Barry Sheerman (Huddersfield) (Lab/Co-op)	Sir Alan Campbell
Alec Shelbrooke (Elmet and Rothwell) (Con)	Marcus Jones
Tommy Sheppard (Edinburgh East) (SNP)	Patrick Grady
Tulip Siddiq (Hampstead and Kilburn) (Lab)	Sir Alan Campbell
David Simmonds (Ruislip, Northwood and Pinner) (Con)	Marcus Jones
Chris Skidmore (Kingswood) (Con)	Marcus Jones
Andy Slaughter (Hammersmith) (Lab)	Sir Alan Campbell
Alyn Smith (Stirling) (SNP)	Patrick Grady
Cat Smith (Lancaster and Fleetwood) (Lab)	Sir Alan Campbell
Chloe Smith (Norwich North) (Con)	Marcus Jones
Greg Smith (Buckingham) (Con)	Marcus Jones
Henry Smith (Crawley) (Con)	Marcus Jones
Julian Smith (Skipton and Ripon) (Con)	Marcus Jones
Nick Smith (Blaenau Gwent) (Lab)	Sir Alan Campbell
Royston Smith (Southampton, Itchen) (Con)	Marcus Jones
Karin Smyth (Bristol South) (Lab)	Sir Alan Campbell
Alex Sobel (Leeds North West) (Lab)	Sir Alan Campbell
Amanda Solloway (Derby North) (Con)	Marcus Jones
Dr Ben Spencer (Runnymede and Weybridge) (Con)	Marcus Jones
Alexander Stafford (Rother Valley) (Con)	Marcus Jones
Keir Starmer (Holborn and St Pancras) (Lab)	Sir Alan Campbell
Chris Stephens (Glasgow South West) (SNP)	Patrick Grady
Andrew Stephenson (Pendle) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
Jo Stevens (Cardiff Central) (Lab)	Sir Alan Campbell
Jane Stevenson (Wolverhampton North East) (Con)	Marcus Jones
John Stevenson (Carlisle) (Con)	Marcus Jones
Bob Stewart (Beckenham) (Con)	Marcus Jones
Iain Stewart (Milton Keynes South) (Con)	Marcus Jones
Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	Ben Lake
Sir Gary Streeter (South West Devon) (Con)	Marcus Jones
Wes Streeting (Ilford North) (Lab)	Sir Alan Campbell
Mel Stride (Central Devon) (Con)	Marcus Jones
Graham Stringer (Blackley and Broughton) (Lab)	Sir Alan Campbell
Graham Stuart (Beverley and Holderness) (Con)	Marcus Jones
Julian Sturdy (York Outer) (Con)	Marcus Jones
Zarah Sultana (Coventry South) (Lab)	Bell Ribeiro-Addy
Rishi Sunak (Richmond (Yorks)) (Con)	Marcus Jones
James Sunderland (Bracknell) (Con)	Marcus Jones
Mark Tami (Alyn and Deeside) (Lab)	Sir Alan Campbell
Sam Tarry (Ilford South) (Lab)	Sir Alan Campbell
Alison Thewliss (Glasgow Central) (SNP)	Patrick Grady
Derek Thomas (St Ives) (Con)	Marcus Jones
Gareth Thomas (Harrow West) (Lab/Co-op)	Sir Alan Campbell
Nick Thomas-Symonds (Torfaen) (Lab)	Sir Alan Campbell
Owen Thompson (Midlothian) (SNP)	Patrick Grady
Richard Thomson (Gordon) (SNP)	Patrick Grady
Emily Thornberry (Islington South and Finsbury) (Lab)	Sir Alan Campbell
Stephen Timms (East Ham) (Lab)	Sir Alan Campbell
Edward Timpson (Eddisbury) (Con)	Marcus Jones
Kelly Tolhurst (Rochester and Strood) (Con)	Marcus Jones
Justin Tomlinson (North Swindon) (Con)	Marcus Jones
Craig Tracey (North Warwickshire) (Con)	Marcus Jones
Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con)	Marcus Jones
Jon Trickett (Hemsworth) (Lab)	Bell Ribeiro-Addy
Laura Trott (Sevenoaks) (Con)	Marcus Jones
Elizabeth Truss (South West Norfolk) (Con)	Marcus Jones
Tom Tugendhat (Tonbridge and Malling) (Con)	Marcus Jones
Karl Turner (Kingston upon Hull East) (Lab)	Sir Alan Campbell
Derek Twigg (Halton) (Lab)	Sir Alan Campbell
Liz Twist (Blaydon) (Lab)	Sir Alan Campbell
Mr Shailesh Vara (North West Cambridgeshire) (Con)	Marcus Jones
Martin Vickers (Cleethorpes) (Con)	Marcus Jones
Theresa Villiers (Chipping Barnet) (Con)	Marcus Jones
Mr Robin Walker (Worcester) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
Mr Ben Wallace (Wyre and Preston North)	Marcus Jones
Dr Jamie Wallis (Bridgend) (Con)	Marcus Jones
Matt Warman (Boston and Skegness) (Con)	Marcus Jones
David Warburton (Somerset and Frome) (Con)	Marcus Jones
Giles Watling (Clacton) (Con)	Marcus Jones
Suzanne Webb (Stourbridge) (Con)	Marcus Jones
Claudia Webbe (Leicester East) (Ind)	Bell Ribeiro-Addy
Catherine West (Hornsey and Wood Green) (Lab)	Sir Alan Campbell
Matt Western (Warwick and Leamington) (Lab)	Sir Alan Campbell
Helen Whately (Faversham and Mid Kent) (Con)	Marcus Jones
Mrs Heather Wheeler (South Derbyshire) (Con)	Marcus Jones
Dr Alan Whitehead (Southampton, Test) (Lab)	Sir Alan Campbell
Dr Philippa Whitford (Central Ayrshire) (SNP)	Patrick Grady
Mick Whitley (Birkenhead) (Lab)	Sir Alan Campbell
Craig Whittaker (Calder Valley) (Con)	Marcus Jones

Member eligible for proxy vote	Nominated proxy
John Whittingdale (Malden) (Con)	Marcus Jones
Nadia Whittome (Nottingham East) (Lab)	Sir Alan Campbell
Bill Wiggin (North Herefordshire) (Con)	Marcus Jones
James Wild (North West Norfolk) (Con)	Marcus Jones
Craig Williams (Montgomeryshire) (Con)	Marcus Jones
Hywel Williams (Arfon) (PC)	Ben Lake
Gavin Williamson (Montgomeryshire) (Con)	Marcus Jones
Munira Wilson (Twickenham) (LD)	Ben Lake
Beth Winter (Cynon Valley) (Lab)	Rachel Hopkins
Pete Wishart (Perth and North Perthshire) (SNP)	Patrick Grady
Mike Wood (Dudley South) (Con)	Marcus Jones
Jeremy Wright (Kenilworth and Southam) (Con)	Marcus Jones
Mohammad Yasin (Bedford) (Lab)	Sir Alan Campbell
Jacob Young (Redcar) (Con)	Marcus Jones
Nadhim Zahawi (Stratford-on-Avon) (Con)	Marcus Jones
Daniel Zeichner (Cambridge) (Lab)	Sir Alan Campbell

Written Statement

Wednesday 20 January 2021

HOME DEPARTMENT

Drug Misuse: Project ADDER

The Secretary of State for the Home Department (Priti Patel): My right hon. Friend the Secretary of State for Health and Social Care (Matt Hancock) and I have today announced the investment of £148 million to dismantle criminal gangs, reduce the demand for illegal drugs and help those in treatment and recovery, to make communities safer.

The Government are determined to take concerted action to address drug misuse, given its associated harms and that it is a significant driver of crime. This funding, which includes the largest increase in drug treatment funding for 15 years, will see more illegal drugs taken off the street and communities made safer, delivering on our pledge to “build back safer” from the pandemic.

This £148 million package comprises of £40 million for financial years 2021-22 to tackle drug supply and take down county lines gangs and £80 million for financial years 2021-22 for drug treatment services across the country. Additionally, £28 million over three years will be directed towards Project ADDER (addiction, diversion, disruption, enforcement and recovery), an innovative and targeted project to reduce drug-related offending, drug deaths and prevalence of drug use.

Funding will be directed to key local areas, to help drive down the prevalence of drug misuse and drug-related deaths in the community. Project ADDER will trial a new system-wide approach to drug misuse, which combines a targeted police approach with enhanced treatment

and recovery services. It brings together the police, local councils and health services, to reduce drug-related offending, drug deaths and drug use and will run for three financial years in five areas, including Blackpool, Hastings, Middlesbrough, Norwich and Swansea Bay. These areas will benefit from the £28 million funding which will allow local police to ramp up activity to target local gang leaders driving the drugs trade and enable enhanced treatment and recovery services to help those people affected by drug use.

£40 million of the funding will be used to disrupt drug supply and “roll up” county lines. This will stop communities being blighted by drug-related crime. This funding, which doubles our investment from last year, will allow us to continue and enhance our response to county lines. That response is already delivering real results: since November 2019 more than 3,400 people have been arrested, more than 550 lines have been closed, and more than 770 vulnerable people have been safeguarded as a result of this work. The new funding will also allow us to take wider action against the highest harm criminals involved in trafficking drugs to the UK, including through enhanced work with international partners.

And an extra £80 million will also be invested in drug treatment services across England to give more support to people struggling with drug addiction, which we know can fuel crime. This funding will increase the number of treatment places available, including to divert offenders into tough and effective community sentences, and also to make sure that prisoners get into treatment on release. By providing treatment and saving lives, former offenders will also have the chance and support to break the cycle of crime and addiction.

Together the funding will help to drive down crime and violence in communities affected by the scourge of illegal drugs as we build back safer from the pandemic.

[HCWS725]

Ministerial Corrections

Wednesday 20 January 2021

EDUCATION

Covid-19: Educational Settings

The following is an extract from the statement on Wednesday 6 January.

Gavin Williamson: The last thing any Education Secretary wants to do is announce that schools will close...I never wanted to be in a position where we had to close schools again.

[Official Report, 6 January 2021, Vol. 686, c. 763-4.]

Letter of correction from the Secretary of State for Education, the right hon. Member for South Staffordshire (Gavin Williamson).

An error has been identified in my statement.

The correct statement should have been:

Gavin Williamson: The last thing any Education Secretary wants to do is announce that schools will close **for some**...I never wanted to be in a position where we had to close schools **for some** again.

The following is a further extract from the statement.

Robert Halfon (Harlow) (Con) [V]: I strongly welcome the Government's laptop scheme, but we know that there will still be possibly hundreds of thousands of people on the wrong side of the digital divide. Will my right hon. Friend confirm that those students who just do not have an internet connection or computers at home will be able to go to school alongside children of critical workers?...

Gavin Williamson: The reason we are rolling out and expanding our devices package is that we realise how important it is for all children, especially those from the most disadvantaged backgrounds. In the previous situation where schools had to be closed, during the months of March, April and May, children who did not have access to digital devices were able to access education in school, and I can confirm that we are issuing the same standard and the same guidance today.

[Official Report, 6 January 2021, Vol. 686, c. 768.]

Letter of correction from the Secretary of State for Education, the right hon. Member for South Staffordshire (Gavin Williamson).

An error has been identified in my response to my right hon. Friend the Member for Harlow (Robert Halfon).

The correct response should have been:

Gavin Williamson: The reason we are rolling out and expanding our devices package is that we realise how important it is for all children, especially those from the most disadvantaged backgrounds. In the previous situation where schools had to be closed, during the months of March, April and May, children who did not have access to digital devices were able to access education in school **if they were considered vulnerable by their school or local authority**, and I can confirm that we are issuing the same standard and the same guidance today.

The following is a further extract from the statement.

Ms Nusrat Ghani (Wealden) (Con): I share my right hon. Friend's concern over schools being closed, especially for children in Wealden who do not have access to technology. Can he double confirm that those children without access to tech are now seen as vulnerable, and can immediately access physical education—I mean, attend school—and will not have to jump through hoops to be able to get into school?

Gavin Williamson: I can absolutely confirm that. That was issued in our initial guidance on school closures back in March last year. We have repeated that self-same guidance all the way through where schools have been in an unfortunate position, because we have had to recognise that during the latter stages of last year, there were schools that were closed, and even during that time children who did not have access to that type of education were able to access education settings.

[Official Report, 6 January 2021, Vol. 686, c. 783.]

Letter of correction from the Secretary of State for Education, the right hon. Member for South Staffordshire (Gavin Williamson).

An error has been identified in my response to my hon. Friend the Member for Wealden (Ms Ghani).

The correct response should have been:

Gavin Williamson: I can absolutely confirm that **vulnerable children's access to school** was issued in our initial guidance on school closures back in March last year. We have repeated that self-same guidance all the way through where schools have been in an unfortunate position, because we have had to recognise that during the latter stages of last year, there were schools that were closed, and even during that time children who did not have access to that type of education were able to access education settings.

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