

Wednesday  
21 July 2021

Volume 699  
No. 38



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

Wednesday 21 July 2021

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# House of Commons

*Wednesday 21 July 2021*

*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.]

## Speaker's Statement

**Mr Speaker:** Before we come to questions, I wish to make a short statement.

I am exercising the discretion given to the Chair in respect of the resolution on sub judice matters to extend the waiver granted for last week's proceedings to allow full reference to the challenge to the Northern Ireland protocol and to allow limited reference to active legal proceedings and open inquests in relation to historic troubles-related deaths. As before, reference to those cases should be limited to the context and to the events which led to these cases. But Members should not refer to the detail of the cases nor to the names of those involved in them.

All hon. Members should also be mindful of matters that may be subject to future legal proceedings and should exercise caution in making reference to individual cases.

This waiver will also apply to the statement on the Northern Ireland protocol, which will follow.

## Oral Answers to Questions

### NORTHERN IRELAND

*The Secretary of State was asked—*

#### Legacy Issues

**Dan Jarvis** (Barnsley Central) (Lab): What plans he has to bring forward legislative proposals to address Northern Ireland legacy issues. [R] [902940]

**Mr Mark Harper** (Forest of Dean) (Con): What steps his Department is taking to address the legacy of the troubles. [902945]

**The Secretary of State for Northern Ireland (Brandon Lewis):** Last week, in this Chamber, I set out proposals for addressing the legacy of the troubles, which will focus on reconciliation, delivering better outcomes for victims, and ending the cycle of investigations that is not working for anyone. These proposals will be considered as part of the ongoing talks process with the Northern Ireland parties, the Irish Government and representatives across Northern Ireland society, further to which we will bring forward legislation.

**Dan Jarvis [V]:** The Secretary of State denies that these proposals would create a moral equivalence between our veterans and the paramilitaries, but the reality would mean a legal equivalence. Does he accept that many who served during the troubles will feel a deep unease about a blanket amnesty? Can he outline how our veterans community will be consulted over the coming months?

**Brandon Lewis:** As the hon. Gentleman rightly acknowledges, there is no moral equivalence here. Obviously there is a legal equivalence going back to the Good Friday/Belfast agreement, but there is a distinct legal difference between what he outlines and the statute of limitations that we are looking at. I assure him that not only have we been engaging with veterans groups but we will continue to do so across Northern Ireland and Great Britain, not least through the offices of the Veterans Commissioner, whom we appointed in Northern Ireland. That work will continue, as it already has been this week.

**Mr Harper:** I am sure the Secretary of State was closely following yesterday's debate on his proposals in the Northern Ireland Assembly. The motion that was passed specifically talks about the process set out in the Stormont House agreement. Could he set out for the House, in a little detail, why that process is not working either for veterans or for victims?

**Brandon Lewis:** My right hon. Friend is right. I saw some of the comments made in yesterday's debate and, as I said last week, we recognise the strength of feeling and the concerns that people have. There is, understandably, a range of views on legacy, as it is a complex and sensitive issue. We are committed to further discussions, as I have already said, and we remain committed to many of the key principles laid out in the Stormont House agreement.

To come to the core of my right hon. Friend's question, the Stormont House agreement was in 2014. We are seven years on, and it has not been deliverable in its current format. Parts of it that were to be delivered by the Executive, such as an oral history by 2016, have not been delivered. We need to move on and get those things working.

We also need to acknowledge the reality that even the investigative body, the Historical Investigations Unit that was envisaged, would take, by a conservative estimate, between 10 and 20 years to complete its workload. On that timescale, many families would be timed out of any prospect of information or justice. We need to be honest about the reality of where we are today.

**Louise Haigh** (Sheffield, Heeley) (Lab): Does the Secretary of State agree that, in order for any legacy policy proposal to be sustainable and effective, victims must be at the heart of the process? Can he outline what engagement he has had with victims across the UK, including the families of the Birmingham pub bombing victims?

**Brandon Lewis:** I agree with the hon. Lady that we want to make sure that the outcomes we come to on legacy are able to deliver for victims and the families of victims, particularly those families who want information and understanding, truth and accountability. We are working through that at the moment.

There is a wide range of engagement, both through my Department and through me personally, with a whole range of groups, not just the Northern Ireland parties but the victims' groups, too. I am always happy to engage with and meet victims' groups. We have been engaging with them this week, as we did last week and the week before, and we will continue to do so across the whole UK in the weeks ahead.

**Louise Haigh:** I am grateful for that answer, and I am grateful that the Secretary of State agrees that victims need to be at the heart of the process. Why have reports suggested that paramilitaries, the victim makers, were made aware of the Government's plans for an amnesty before the victims were?

**Brandon Lewis:** They were not. I outlined the proposals here in Parliament last week, and I have not had those kinds of conversations. I saw some reports of such conversations, but I am not sure where they have come from or what the hon. Lady is referring to.

**Richard Thomson (Gordon) (SNP) [V]:** Northern Ireland's largest cross-community victims group, WAVE, wrote to the Prime Minister opposing any de facto amnesty. Does the Secretary of State recognise that reconciliation is something for individuals and communities to achieve, rather than for the Government to try to impose, and that whatever mechanisms the Secretary of State is successful in bringing forward to promote truth and reconciliation they cannot be allowed to impede the process of justice where there is sufficient evidence and a public interest in pursuing outstanding prosecutions?

**Brandon Lewis:** WAVE is a strong body representing victims, although the hon. Gentleman's comment about it being the largest might be challenged by some of the other victims groups. I think they all have an important voice to be heard, whether we are talking about SEFF—the South East Fermanagh Foundation—WAVE or the many others out there. However, I accept his point about reconciliation. We are very keen to work with people, and we will be doing so in the weeks ahead, across civic society, victims groups and veterans groups, and wider society in Northern Ireland to ensure that we are finding a pathway through to see the society of Northern Ireland being able to fully reconcile. There are too many areas where we have not seen that developed in the years that have gone past since the Good Friday/Belfast agreement.

I have said in this House before that I think this is one of the things that unites many of us: we need to see more in areas such as integrated education. It is simply not acceptable in the modern day that so many people in Northern Ireland do not meet a Protestant or a Catholic until they go to work or university. If we want to see an area and a society coming together, education is a key area to work on.

**Claire Hanna (Belfast South) (SDLP) [V]:** No one wants to move forward more than victims and survivors, but they cannot do that until killers allow them to by telling the truth. However, these proposals protect those vested interests and not victims' interests.

Fresh forensic evidence has just been found in the investigation into the IRA murder of Tom Oliver, giving a lie to the claim that investigations cannot be advanced. For victims of state violence too, the experience is one

of information suppressed and not shared, so I ask: what steps have been taken to ensure that relevant state papers are being prepared for release? Will multi-decade papers on sensitive events be released, if the Government's aim really is to aid reconciliation through truth?

**Brandon Lewis:** Actually, the hon. Lady in a way has highlighted the point I was making last week; I think there is a way to do information recovery to get to truth and accountability. Operation Kenova, which is behind the evidence that she outlined, has shown over the past five years that, despite not having prosecutions, for many victims and families it has been able to help them understand and get to the truth. This is another example of that; they have managed to get some evidence to be able to get to what may well be the truth.

But I would just caution the hon. Lady to look carefully at the statement from Operation Kenova about exactly what it has found; Operation Kenova has not yet had any prosecutions. But it is right that we continue to get information. We are clear that we want to make sure that we are getting information to people, and potentially in a way that we have not seen before, to really be able to get to the bottom of what happened and for people to have a true understanding of what happened at that time.

**Ian Paisley (North Antrim) (DUP):** Michael Gallagher, who lost his son in the Omagh bombing, this week said, "Please don't take away the only hope victims have of ever seeing justice." I know that the Secretary of State will be struck by what has been said by the victims of terrorism—mothers, fathers, brothers, sisters who have lost loved ones through the troubles. Although I know it is not his wish to see any moral or legal equivalence between vexatious claims against our armed services and those who perpetrated terrorism in our society, he must accept that an unintended consequence of the proposals before the House now is that they will do exactly that: they will aid and abet criminals and allow many on-the-runs to continue to be free. So I ask the Secretary of State: how will he ensure that he will not extinguish the only light and hope that the victims have that they will one day see justice for their loved ones? How will he ensure that for people like Michael Gallagher that hope will not be extinguished?

**Brandon Lewis:** The hon. Gentleman gives a powerful example of the sensitivity and complexity of this issue. I have met victims with similar scenarios and some very harrowing cases, where we can see why people want to be able to get to the truth and the accountability that comes with that.

We also need to recognise, as I outlined last week, the reality of where we are today, following the decisions, which I think were correct—I am not criticising them at all; they were absolutely the right decisions—to see peace and prosperity in Northern Ireland with the Good Friday/Belfast agreement and, in particular, the Northern Ireland (Sentences) Act 1998, which came with it, let alone what then followed, particularly with decommissioning and, as we have seen recently, quite rightly, arguably in effect a statute of limitations on 40,000 crimes coming out of Stormont House. We need to understand where we are and be up front with people about the diminishing reality of the possibility of getting prosecutions and what impact that is having on the

criminal justice system and the ability to get to truth and accountability. But that is exactly what we want to be working through with groups across Northern Ireland, including victims groups, having absolutely in our heart an understanding of the trauma that people can face in these situations.

### Protecting Veterans from Prosecution

**Bob Blackman** (Harrow East) (Con): What recent discussions he has had with Cabinet colleagues on bringing forward legislative proposals to protect veterans from prosecution for actions taken during the troubles. [902941]

**The Secretary of State for Northern Ireland (Brandon Lewis)**: The Government have always been clear that they will deliver on their commitments in Northern Ireland to veterans, as part of a wider package to address legacy issues in Northern Ireland that focuses on reconciliation. As part of that work, I continue to hold regular discussions with Cabinet colleagues, including the Prime Minister, as well as with Northern Ireland parties, the Irish Government and society across Northern Ireland, with a view to bringing forward legislation.

**Bob Blackman** [V]: I thank my right hon. Friend for his answer thus far. I welcome the decision of the courts basically to discharge many of the elderly and vulnerable people, particularly the veterans, who were accused of crimes in Northern Ireland. However, many elderly and vulnerable veterans still have hanging over them the threat of prosecution, so will my right hon. Friend expedite his discussions and bring forward legislation urgently to ensure that those people who served our armed forces in Northern Ireland and risked their lives on a daily basis are not threatened with prosecution literally 50 years after the event?

**Brandon Lewis**: My hon. Friend outlines one of the challenges we see. It cannot be right that, as in the situations we have seen this year, people have to wait 50 years to get information and get to the truth. We are clear that we want to get legislation brought forward. We are working intensively across parties and with partners in Northern Ireland so that we can bring forward legislation that delivers reconciliation and information recovery for Northern Ireland and ends the cycle of investigations for our veterans across the armed forces, the majority of whom served with great honour and put themselves at risk to protect other people's lives.

**Stephen Farry** (North Down) (Alliance) [V]: I trust that the Secretary of State is aware of the immense hurt, the volume of tears that have been shed and the retraumatised victims in the wake of his statement last week, and has reflected on both its content and the way this matter has been handled so far. One issue that victims have raised is the fear that now, without the threat of justice, terrorists or former terrorists will go out and almost glorify some of the atrocities in which they have been involved, with no sanction, while the victims remain voiceless. How does the Secretary of State respond to that fear?

**Brandon Lewis**: The hon. Gentleman and his party have been and are strong supporters of the Stormont House agreement, which itself effectively created a statute of limitations on some 40,000 crimes—everything except

for murder—following the changes made in the Northern Ireland (Sentences) Act 1998 to the justice options for people after the Good Friday/Belfast agreement. The reality is that we need to ensure that, which is why it is important we are clear that there is no moral equivalence. People who went out to do harm to others were acting in a way that was unspeakably horrendous. So many people put their lives at risk to protect others throughout that period. It is important that we continue to do that, which is why it is important that we have an information-recovery process that gets the truth and gets accountability, so that we avoid the very problem the hon. Gentleman outlined. To an extent, this has been happening because of the problems of the criminal justice system not seeing justice for people in the past few years.

### Northern Ireland Protocol

**Tom Randall** (Gedling) (Con): What discussions he has had with Cabinet colleagues on the implementation of the Northern Ireland protocol. [902942]

**Alan Brown** (Kilmarnock and Loudoun) (SNP): What recent discussions he has had with Cabinet colleagues on reducing delays to trade between Northern Ireland and Great Britain during the implementation of the Northern Ireland Protocol. [902943]

**The Minister of State, Northern Ireland Office (Mr Robin Walker)**: The Secretary of State meets colleagues regularly to discuss matters related to Northern Ireland, including the implementation of the Ireland/Northern Ireland protocol. It is imperative that the protocol is operated in a pragmatic and proportionate way to ensure that it impacts as little as possible on the people of Northern Ireland. The UK is working hard and in good faith to find solutions. We need to find a way forward—a new balance of arrangements adapted to the practical reality of what we have seen since January and based on the common interests that we share.

**Tom Randall**: I am grateful to my hon. Friend for his answer. We must make the protocol work for the people of Northern Ireland, but we should not make the perfect the enemy of the good. Does my hon. Friend agree that we should press the European Union to take a more common-sense approach, so that we can find practical solutions to the issues the people of Northern Ireland face?

**Mr Walker**: I agree with my hon. Friend. The Northern Ireland protocol is a delicate balance designed to support the Belfast/Good Friday agreement and maintain Northern Ireland's place in the UK, while protecting the EU single market. It must respect the needs of all Northern Ireland's people and bear as lightly as possible on the everyday lives of people in Northern Ireland. Unfortunately, that has not been our experience since January this year, and we have seen the costs of doing business and the cost to consumers going up. That is why we want to engage with the EU on this issue.

**Alan Brown**: We warned that the protocol would create a border in the Irish sea, and now, as reality bites, six supermarket retailers, which cover three quarters of the grocery market in Northern Ireland, have written jointly to the UK Government and the European



Commission highlighting import issues, higher costs, and fewer options for consumers. Instead of the Minister and Lord Frost rubbishing the deal that they signed and blaming the EU, what will the UK Government do to resolve these trade issues?

**Mr Walker:** The UK Government have already done a great deal through the movement assistance scheme, which was introduced to support and assist traders with new requirements, including meeting the costs of more than 7,000 export health certificates and 2,000 phytosanitary certificates. There is also the Trader Support Service, with more than £200 million of funding, which educates traders on the new customs processes. We have invested in new digital assistance schemes to digitise the process for agrifood movements. I am sure that the hon. Gentleman will agree that we should engage in good faith to improve the working of the protocol and make sure that it delivers on what was intended without the implications on everyday life for people in Northern Ireland.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): Does the Minister agree that goods moving between Great Britain and Northern Ireland within the UK internal market should not be subjected to EU-imposed checks? What steps will he take to protect the economic integrity of the UK?

**Mr Walker:** I am grateful to the right hon. Gentleman for his question. It was always clear that the protocol was a delicate balance designed to support the peace process in the agreement; if it is to work, it must operate in a pragmatic and proportionate way, balancing its objective to support the peace process. It needs to respect the needs of all Northern Ireland's people—respecting the fact that Northern Ireland is an integral part of the customs territory of the United Kingdom and that it needs to bear as lightly as possible on the everyday life of Northern Ireland. That means, as he said, that goods that are not at risk of going into the European Union should not be facing checks and should not be facing that disruption. This is one of the issues in which we want to engage, but, of course, I do not want to pre-empt the Secretary of State's statement later today.

**Sir Jeffrey M. Donaldson:** I thank the Minister for that reply. Does he also agree that any new arrangements entered into with the EU that involve Northern Ireland must respect the principle of consent that is at the heart of the Belfast agreement? That means that any new arrangements must protect the constitutional integrity of the United Kingdom and Northern Ireland's place within the UK.

**Mr Walker:** Yes, I wholeheartedly agree that it is essential that we recognise that the Belfast agreement itself recognised Northern Ireland's place in the UK by the consent of its people, and that the principle of consent is absolutely central to that.

The Government are working hard and in good faith to find solutions. We have provided many papers to the EU, and we welcome indications that it is looking at further solutions. We are working to find solutions, and the Government will set out further detail on their approach to the protocol later today. I do not want to pre-empt that, but I agree with the right hon. Gentleman on the principle.

## Magdalene Laundries

**Liz Twist** (Blaydon) (Lab): What recent discussions he has had with the Northern Ireland Executive on the research report "Mother and Baby Homes and Magdalene Laundries in Northern Ireland", published in January 2021. [902944]

**Christian Matheson** (City of Chester) (Lab): What recent discussions he has had with the Northern Ireland Executive on the research report "Mother and Baby Homes and Magdalene Laundries in Northern Ireland", published in January 2021. [902956]

**The Minister of State, Northern Ireland Office (Mr Robin Walker):** The Government have enormous sympathy for those who suffered appalling abuse while resident in the institutions covered by the report published in January. Although this is a devolved issue and therefore the responsibility of the Executive, the Government understand that work on an independent investigation promised to victims is under way. We will continue to work closely with the Executive to ensure that the victims of today receive the help and support they need to address the trauma of the past.

**Liz Twist:** The report carried out by the University of Ulster and Queen's University shone a bright light on the truly heart-wrenching abuse suffered by women and girls over six decades in Northern Ireland. What confidence can the Minister give to those victims, some of whom might be watching, that politicians across these islands will do everything that we can to address the staggering injustice that they suffered?

**Mr Walker:** The hon. Lady is right to highlight the report. The UK Government understand the importance of ensuring that those individuals who suffered appalling abuse while resident in certain institutions in Northern Ireland receive the recognition and answers that they deserve. That is why, for example, in the absence of the Executive, the Government delivered the Historical Institutional Abuse (Northern Ireland) Act 2019 to help secure a redress scheme for victims of other specific institutions. We understand that work on the independent investigation promised by the Executive is under way, with an expert panel appointed in March to establish the terms of reference. While it is right that we wait for the findings of that investigation, the UK Government are committed to working closely with the Executive to help victims and their families get the help and support that they need.

**Christian Matheson:** We know that girls as young as 12 were sent to the mother and baby homes and the Magdalene Laundries in Northern Ireland and that the research report revealed the painful neglect and abuse suffered by many. While an expert panel discuss the next steps, what confidence can Ministers provide that the lived experience of victims will be heard loud and clear in the months and years ahead, and that whatever support is necessary is provided from Westminster?

**Mr Walker:** The Government acknowledge the shocking findings of the report published in January around the considerable cross-border movement of women and, as the hon. Gentleman said, children. The Government

understand that the Executive have begun work on their independent investigation, with the expert panel appointed in March. We will work with them to ensure that this issue is followed up effectively, but we want to await the outcome of their work in the devolved space.

**Jim Shannon** (Strangford) (DUP): I thank the Minister for his response. Given the long-lasting impacts that mother and baby homes have had on victims and their families, and still to this day the incredible sense of injustice, can he ensure that all investigations and examinations into the mother and baby homes will include consultation with survivors of the homes, who have experienced real hurt and trauma? Will the Minister clarify that no further action, which is truly critical for closure, should be taken without their full involvement and permission?

**Mr Walker:** The hon. Gentleman rightly recognises the importance of ensuring that victims and survivors are fully involved in any investigative or review processes in order to best ensure that they get the acknowledgement, support and answers that they deserve. Further to the points that I have made previously, I also understand that the Victims and Survivors Service is continuing to work with victims and survivors to identify the support and services they need, with a dedicated website and phone line to enable victims and survivors of the institutions to participate in the co-design process. As I said, we are prepared to work with the Executive on this issue.

**Alex Davies-Jones** (Pontypridd) (Lab): In total, more than 14,000 women in Northern Ireland went through these so-called mother and baby homes. As other colleagues have said, a recent landmark report has revealed a shocking culture of neglect and abuse suffered by those vulnerable women over six decades. We know that an expert and widely respected panel is co-designing the next stage of the inquiry into the scandal, so does the Minister agree that the inquiry must be effective, robust and, crucially, meet the needs of victims who have had to wait far too long to receive justice?

**Mr Walker:** I absolutely agree. As the hon. Lady said, a well-respected panel is working on this issue. We want to ensure that any support that we can provide is available and that the work is taken forward in the devolved space. What has been identified in the report is truly shocking. It is important that the panel makes progress swiftly, and we certainly stand ready to support it.

### UNESCO World Heritage Sites

**Alexander Stafford** (Rother Valley) (Con): What recent discussions he has had with the Secretary of State for Digital, Culture, Media and Sport on the protection of UNESCO world heritage sites in Northern Ireland. [902947]

**The Minister of State, Northern Ireland Office (Mr Robin Walker):** I speak with ministerial colleagues regularly about the great potential for Northern Ireland tourism, although not specifically about heritage sites. However, I assure my hon. Friend that the UK Government are a signatory to the world heritage convention and have committed to upholding our commitment to that. Northern Ireland is, of course, home to one of the world's most

famous world heritage sites: the Giant's Causeway and the Causeway coast, which I have had the pleasure of visiting. Those grand and impressive basalt columns are an incredible sight. I encourage all Members to see these wonders in person.

**Alexander Stafford:** Northern Ireland is a jewel in the crown of our United Kingdom, boasting stunning landscapes of great natural and ecological value, and heritage sites of cultural, historical and social significance—from the Derry walls and the Giant's Causeway to Titanic Quarter and the mountains of Mourne. What steps is my hon. Friend taking to protect and promote Northern Ireland's heritage sites and areas of outstanding natural beauty? Additionally, what support is he giving to the Northern Ireland Executive and relevant heritage bodies and organisations to do so?

**Mr Walker:** Although tourism is a devolved matter, the Government continue to use every possible opportunity to promote Northern Ireland as a world-class tourist destination, and my hon. Friend is doing an excellent job of that himself. I am delighted to say that I have visited many of the places that he mentioned. I was very pleased to be over in Northern Ireland yesterday, meeting local business owners in Bangor to hear about their High Street Heroes Northern Ireland campaign, which celebrates the local independent retailers who are another fantastic part of Northern Ireland's offer.

### Economic Support: Covid-19

**Caroline Ansell** (Eastbourne) (Con): What assessment he has made of trends in the level of economic support for businesses in Northern Ireland during the covid-19 outbreak. [902948]

**The Minister of State, Northern Ireland Office (Mr Robin Walker):** Levels of support in Northern Ireland are similar to elsewhere in the UK, reflecting the common challenge that public health restrictions have posed to businesses. Government interventions such as the job retention scheme and the enterprise scheme operate UK-wide, and have together protected around one in four jobs. Support is devolved in some areas. The Executive received an additional £5 billion of Barnett funding for covid, funding a range of interventions including business rates holidays and small business grants—all providing crucial support to businesses.

**Caroline Ansell:** I thank my hon. Friend for his answer and for his support for the tourism sector. I am pleased to say that I have been to the Giant's Causeway—and the most wonderful place it was. Of course, there is another way to support tourism in Northern Ireland. Treasury and Deloitte estimates show that over a 10-year period, VAT at 5% would deliver £4.6 billion in revenue to the Treasury. As my hon. Friend says, tourism is a key sector in Northern Ireland. In that light, does he agree that maintaining the current, very competitive 5% VAT rate for hospitality beyond the pandemic could create new jobs, add tremendous value and prove to be a powerful UK dividend for businesses in Northern Ireland?

**Mr Walker:** My hon. Friend makes a point that I have certainly heard from a number of businesses in Northern Ireland. The Government have taken unprecedented measures to support the UK economy through the pandemic, including a temporary VAT reduction to

5% for the tourism and hospitality sectors, extended until 30 September. To further help businesses to recover and transition back to the standard rate, an interim rate of 12.5% will apply until 31 March 2022. Raising £130 billion in 2019-20, VAT is an important source of revenue and vital for funding public services such as health, education and defence. The reduced rate is expensive, costing over £7 billion so far, so a permanently reduced or zero rate would further increase costs to UK taxpayers.

**Mr Speaker:** Before we move on to Prime Minister's questions, I would like to inform the House that it has been just over 60 years since the first ever PMQs, which took place on 18 July 1961. On that day, the Speaker at the time was Sir Harry Hylton-Foster, who was the last Speaker to die in post—I hope not to reintroduce that. He introduced PMQs by informing the House that the Prime Minister, Harold Macmillan, was

“willing to try this experiment for the remainder of the Session, if that be the wish of the House”.—[*Official Report*, 18 July 1961; Vol. 644, c. 1052.]

After 60 years and 12 Prime Ministers, PMQs has become one of the most high-profile events of the parliamentary week and is watched by constituents across the country and followers of UK politics all around the world. I think we can say that the experiment has been a success—depending on who was answering.

Today, as we mark its 60th anniversary, the Prime Minister will join the questions via video link, for obvious reasons, demonstrating that Prime Minister's questions—and the House—can adapt when we need to. I am sure that in this final PMQs before the summer recess we will have robust but orderly exchanges, and hopefully shortish questions and answers.

Finally, before we get under way, I would like to point out that British Sign Language interpretation of Prime Minister's questions is available to watch on [parliamentlive.tv](http://parliamentlive.tv).

Please, everyone have a good recess after tomorrow.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

**Sally-Ann Hart** (Hastings and Rye) (Con): If he will list his official engagements for Wednesday 21 July.

**The Prime Minister (Boris Johnson)** [V]: Thank you very much, Mr Speaker. I am delighted to be joining the House in the 60th anniversary edition of Prime Minister's Question Time, which, as you have rightly just pointed out, was an innovation introduced under Harold Macmillan. I look forward to answering colleagues' questions today.

Before the House rises for summer recess tomorrow, I know that everyone will want to join me in thanking parliamentary and constituency staff, and the dedicated House of Commons staff, for their hard work over the last year. I hope very much that everyone has a restful break.

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

**Sally-Ann Hart:** I echo the Prime Minister's thanks to all our staff for their hard work this last year.

I very much welcome the Government's levelling-up agenda to ensure that opportunity and economic freedoms are enjoyed by every person across our four nations. Hastings and Rye is being held back, prevented from achieving its potential largely or partly due to a lack of transport infrastructure. Will my right hon. Friend promise to consider the business case for the HS1 extension from Ashford through to Hastings, Bexhill and Eastbourne, and commit to the funding necessary?

**The Prime Minister:** My hon. Friend is a fantastic advocate for the people of Hastings and Rye, and she has made the case to me before for the improvement to transport that she recommends. I know that this particular extension is being reviewed by the Department for Transport right now, and a decision will be made in due course. I am told that I simply cannot anticipate that, but what I can say is that this is the Government and the party that is absolutely determined to level up across our country with better infrastructure, superb innovation, and better skills across the whole of the UK.

**Keir Starmer** (Holborn and St Pancras) (Lab): Thank you, Mr Speaker, and all the House of Commons staff, for everything you have done to keep Parliament open and safe.

Can I wish the Prime Minister—the Chequers one—well in his isolation? With half a million people self-isolating, I think we were all a bit surprised that the Prime Minister, the Chancellor and the Cabinet Office Minister were all randomly chosen for a “get out of isolation free” card, but it is good that the Prime Minister finally recused himself, even if it took a public outcry, for the Communities Secretary to be humiliated on live TV, and a trip to a country estate.

If someone is pinged by the NHS app, as millions will be over coming weeks, should they isolate—yes or no?

**The Prime Minister:** Yes is the answer to that, and I think that everybody understands the inconvenience of being pinged. As the right hon. and learned Gentleman rightly says, here I am—I wish I was with Members in the Commons Chamber today. I apologise to everybody in business up and down the land and in all kinds of services, public sector or otherwise, who is experiencing inconvenience. We will be switching, as the House knows, to a system based on contact testing, rather than contact isolation, but until then I must remind everybody that isolation is a vital tool in our defence against the disease. You are five times more likely to catch it if you have been in contact with someone who has it. Even if you have been vaccinated, you can still pass it on, although that risk is reduced. The overwhelming argument is for getting a jab. Everybody should get a jab.

**Keir Starmer:** The Prime Minister says that everyone understands the Government's position as to what they should do if they are pinged by the NHS app. That is a very interesting answer, because the Government are all over the place on this. Yesterday, his Business Minister, Lord Grimstone, said that the app was an “advisory tool” only. Another Government Minister—I kid you not—said yesterday that the app is just

“to allow you to make informed decisions.”



What on earth does that mean? Of course, the Prime Minister and the Chancellor spent the weekend trying to dodge isolation altogether. The British people are trying to follow the rules, but how can they do so when his Ministers keep making them up as they go along?

**The Prime Minister:** No. If I may, Mr Speaker, I will laboriously repeat the answer that I gave earlier to the right hon. and learned Gentleman, just to get it into his head yet again. Isolation is a very important part of our armoury against covid. We are going forward, as everyone knows, to a new system on 16 August based on testing, but in the meantime, when you are advised to isolate to protect others and to protect your family against the spread of disease, you should do so.

Even more important than the isolation campaign is, of course, the vaccination campaign. Some 3 million people of the 18-to-30 group are still to get one. I think the right hon. and learned Gentleman's time would be more usefully employed, if I may so, in encouraging everybody to get vaccinated.

**Keir Starmer:** Everything may be calm from the Prime Minister's country retreat, but back here the truth is that we are heading for a summer of chaos. *[Interruption.]* There is a lot of noise, Mr Speaker; I hope they have all got their NHS app on. We are heading for a summer of chaos. One million children were out of school last week—1 million—and a huge number of businesses are closing because so many staff are self-isolating.

Let me turn to the question of exemptions. Yesterday, the messages coming out of No. 10 about which businesses and workers might be exempt from isolation changed hour by hour. First, there was going to be a list, then there wasn't. Then the Prime Minister's spokesperson said:

"We're not seeking to draw lines specifically around who or who is not exempt."

I have read that, and I have reread it several times, and I haven't a clue what it means. The Road Haulage Association hit the nail on the head when it said that the plan was "thought up on the hoof without proper organisation or thought".

I know that the Prime Minister likes to govern by three-word slogans, and I think "on the hoof" might work pretty well. This is the last chance before recess. *[Interruption.]* For millions of workers, this matters.

**Mr Speaker:** Order. Mr Gullis, I do not need any help or assistance from you. The next time you point to your watch, it might be better looking at Big Ben outside, rather than here. Come on.

**Keir Starmer:** This is the last chance before recess. Can the Prime Minister just clear it up—which workers and which businesses will be exempt from isolating before 16 August?

**The Prime Minister:** I think this is pretty feeble stuff from the right hon. and learned Gentleman on what is going to be a glorious 60th anniversary edition of PMQs. I have given him the answer in a letter that he had earlier on about the businesses and the sectors of industry that we think it would be sensible now to exempt. But he cannot have it both ways. He attacks the self-isolation system, but as far as I understand the position of the right hon. and learned Gentleman when

it comes to the road map, he actually now, this week, opposes going forward with step 4, as we did on Monday. He wants to keep this country, as far as I understand his position, in lockdown. Now, which is it? He cannot have it both ways. He cannot simultaneously attack—

**Mr Speaker:** Order. Sorry, Prime Minister, just a moment. We are really struggling on the sound level. I do not know whether we can have the sound level turned up to hear the Prime Minister.

**The Prime Minister:** Oh, I am sorry.

**Mr Speaker:** Thank you, Prime Minister. You have a great stand-in, who is quite desperate, but I want to hear this Prime Minister.

**The Prime Minister:** Do you want me to have another go, Mr Speaker? Hang on a moment, is it this thing here?

**Mr Speaker:** Prime Minister, I can hear you quite well. People have decided to be quite rowdy, but I can hear you now. Continue from halfway through the answer.

**The Prime Minister:** Can you hear me, Mr Speaker?

**Mr Speaker:** I can hear you loud and clear, Prime Minister.

**The Prime Minister:** Do you want me to give that answer again, Mr Speaker? [HON. MEMBERS: "No!"]

**Mr Speaker:** No, do not worry—just complete the end bit.

**The Prime Minister:** I am very happy to. I will repeat it. I will say it as many times as you like, Mr Speaker.

I think that the right hon. and learned Gentleman the Leader of the Opposition is guilty of failing to listen to what I said just now, and it is perfectly obvious that, as I said to him in a letter earlier on, there are some businesses and some parts of our economy that of course need exemptions from the isolation regime because they need to be able to carry on, and for the most part, obviously, people will have to follow the rules. We are changing it on 16 August, by which time we will have vaccinated many more people.

I understand people's frustrations, but this is one of the few real tools that we have in our armoury against the virus. I really think that in attacking the isolation system, which is what I think the right hon. and learned Gentleman is doing, he is being totally inconsistent with his earlier announcement, which seemed to be that we should stay in lockdown. If I understand the position of the Labour party now, which is different from last week, it does not want to go ahead with step 4. I think I am right in that.

**Keir Starmer:** The Prime Minister talks about inconsistency—two hours and 38 minutes to do a massive U-turn on Sunday morning, and then what have we seen in the last few days? He says I did not listen to his answer. I did listen, and I still think he is making it up. We had a completely unclear announcement on Monday about exemptions. We had contradictory statements all day yesterday. Now we seem to be back to the confused

policy of Monday. How on earth are businesses meant to plan when the Prime Minister keeps chopping and changing like this?

I have to say that, even after 15 months of these exchanges, I cannot believe that the Prime Minister does not see the irony of him spending freedom day locked in isolation and announcing plans for a vaccine ID card. I remember when he used to say he would eat an ID card if he ever had to produce one, and now he is introducing them. When it comes to creating confusion, the Prime Minister is a super-spreader, so let me try to get some clarity. Why is it okay for someone to go to a nightclub for the next six weeks without proof of a vaccine or a test, and then from September it will only be okay to get into a nightclub if they have a vaccine ID card?

**The Prime Minister:** The Labour leader traditionally has a choice in a national crisis, and that is whether to get behind the Government and to offer constructive opposition, or to try endlessly to oppose for the sake of it and to try to score cheap political points. Everybody can see that we have to wait until the end of September—by which time, this is only fair to the younger generation, they will all have been offered two jabs—before we consider something like asking people to be double-jabbed before they go into a nightclub. That is blindingly obvious to everybody. It is common sense, and I think most people in this country understand it. Most people in this country want to see the younger generation encouraged to get vaccinations. That is what, with great respect to the right hon. and learned Gentleman, he should be doing, rather than trying endlessly to score what I think are vacuous political points.

**Keir Starmer:** The Prime Minister keeps asking me if I will support his chaos: no, and I want to bring the Prime Minister back to one of our earlier exchanges in this House. On 26 May I asked the Prime Minister if he had ever

“used the words ‘Covid is only killing 80-year-olds’ or words to that effect”.—[*Official Report*, 26 May 2021; Vol. 696, c. 367.]

On that day the Prime Minister pointedly did not deny using those words, and now we have the proof that he did. We have all now seen the Prime Minister’s text message: “The median age” of covid fatalities

“is 82...That is above life expectancy”,

and we have the Prime Minister’s conclusion in the same text:

“So get Covid and live longer.”

I remind the Prime Minister that more than 83,000 people aged 80 or over lost their lives to this virus, every one leaving behind a grieving family and loved ones. So will the Prime Minister now apologise for using those words?

**The Prime Minister:** Nothing I can say from this Dispatch Box—or this virtual Dispatch Box, I should say—and nothing I can do can make up for the loss and suffering that people have endured throughout this pandemic, and there will of course be a public inquiry into what has happened, but I would just remind the right hon. and learned Gentleman when he goes back over the decision-making processes that we had in those very difficult and dark times that there are incredibly tough balancing decisions that we have to take: we have to balance the catastrophe of the disease against the

suffering caused by lockdowns—the impacts on mental health, the loss of life chances for young people. What has changed since we were thinking in those ways is of course that we have rolled out vaccines faster than any other country in Europe: 96% of people over 50 will now have had a vaccine, and 68% of people have had two jabs. What we are trying to say to the country today—the single most important, serious message—is, “If you have not yet had your second jab, please come along and get it, and if you’re over 50 and still have not had a second jab or over 40, please come and get it as well.” And we must never forget that if we had followed the advice of the right hon. and learned Gentleman we would have stayed in the European Medicines Agency and would never have had the vaccine roll-out at all.

**Keir Starmer:** I think we might have to check that the line to Chequers is working, because the Prime Minister’s answers bear no resemblance to the questions I am asking him. He has given us a list of what he cannot do; what he can do—quite straightforwardly, virtually or otherwise—is say sorry.

The trouble is that nobody believes a word the Prime Minister says any more. He promised he had a plan for social care, but he has ducked it for two years. He promised not to raise tax, but now he is planning a jobs tax. He promised he would not cut the Army or the aid budget; he has cut both. He also promised that Monday would be freedom day; he said 18 times from the Dispatch Box that it would be irreversible, but the truth is that he has let a new variant into the country, he has let cases soar, and he has left us with the highest death toll in Europe and one of the worst-hit economies of any major economy. Last week a million kids were off school, businesses are closing, and millions will spend their summer self-isolating. But don’t worry, Mr Speaker, the Prime Minister has got it all under control, because this morning we read that he has a new three-word slogan: keep life moving—you couldn’t make it up. Isn’t it clear that there are only three words this Prime Minister needs to focus on: get a grip?

**The Prime Minister:** Let us look at the position as it was at the end of last year, and as we come to the end of this parliamentary term let us be absolutely clear that it is thanks to the vaccine roll-out—which, by the way, I never tire of repeating, would have been impossible if we had followed the right hon. and learned Gentleman’s advice—that 9 million people have now come off furlough, unemployment is 2 million lower than predicted, job vacancies are 10% higher than before the pandemic began, and business insolvencies are lower than before the pandemic began.

The right hon. and learned Gentleman wants three-word slogans; I will give him a three-word slogan. Our three-word slogan is “get a job”—and by the way, we are also helping people to get a job. We are turning jabs, jabs, jabs into jobs, jobs, jobs. That is the agenda of this Government. By taking sensible, cautious decisions and rolling out the vaccines in the way that we have, we have been able to get this country moving and to keep it moving.

I have listened to the right hon. and learned Gentleman very carefully this morning. I have absolutely no idea what he proposes to do instead, except keep us all in some sort of perpetual lockdown and limbo. He has no answer to the question, “If not now, when?” He has no

plan, he has no ideas and he has no hope, while we in this Government are getting on with getting our country through the pandemic and delivering on the people's priorities.

**Craig Williams** (Montgomeryshire) (Con): The levelling-up fund is a very welcome investment in Montgomeryshire. It is a game changer for our county council and critical investment at this critical time. Specifically, we would like to reopen the Montgomery canal—that is our levelling-up bid. Sadly, it was disconnected from the UK network some decades ago and it is being kept alive by a terrific team of volunteers. Will the Prime Minister use the weight of his office and, like the Secretary of State for Wales, jump on the boat, get this investment over the waterline and deliver this levelling-up bid in mid-Wales?

**The Prime Minister:** I congratulate my hon. Friend on the campaign he is running for what sounds like an absolutely beautiful plan to reopen the Montgomery canal. He will not have long to wait for the decision on that scheme, but I can assure him that Wales is receiving thumping quantities of the UK's levelling-up fund already; 5% of total UK allocations in the first round will be in Wales. I thank him for the lobbying that he has put in today.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): Of course, while they are talking about levelling up on the Government Benches, we in Scotland are looking at settling up for the people of Scotland.

I hope the Prime Minister will be reflecting on the judgment from the Parliamentary and Health Service Ombudsman yesterday, which judged that there was "maladministration" in dealing with the 1950s WASPI women—the Women Against State Pension Inequality. It is about time that the Government delivered justice for those involved.

Last night, we heard from the Prime Minister's former chief of staff that, on 15 October, the Prime Minister did not believe that the NHS would be overwhelmed and thought that the over-80s should be sacrificed to the whims of the deadly virus. The Prime Minister wrote those words while our NHS was facing the darkest moments in its history. While doctors and nurses were fighting to contain the pandemic, the Prime Minister was actively pushing for the virus to be allowed to run rampant through towns and cities. The Prime Minister was willing, in his own words, to allow the bodies to "pile high".

On 15 October 2020, 60,000 people had already died. How can anyone have put faith and trust in a Prime Minister who actually typed the words "get COVID and live longer"?

**The Prime Minister:** I think that the right hon. Gentleman grossly mischaracterises the substance of those discussions—what I said. I have made points in the House of Commons already—in the Chamber—about the language that I am alleged to have used. But I think what everybody in this country understands is that the decisions that we had to take at that time were incredibly difficult. Of course, this in no way detracts from the grief and suffering of those who have lost loved ones to covid and whose families have been hit by the consequences of that disease, but as I said earlier to the Labour leader, we have to balance very, very difficult harms on either

side. There are no good ways through; a lockdown also causes immense suffering and loss of life chances, and damage to health and mental health.

The right hon. Gentleman knows very well that, in due course, there will be a chance to look at all this in a full public inquiry, but I must tell the House that I am content that we followed the scientific guidance and we did whatever we could to save life and to minimise suffering, and of course to protect our wonderful NHS.

**Ian Blackford:** My goodness, is that it? Is that it, Prime Minister? The reality is that the Prime Minister wrote these words himself. The over-80s were expendable. A Prime Minister is charged with protecting society, not putting folk at risk of an early death. Such a glib attitude towards human life is indefensible. The Prime Minister is simply not fit for office.

The clear pattern throughout this pandemic is that it is one rule for them and another rule for the rest of us. The reality is that the only way to get to the full truth over the UK Government's disastrous handling of the pandemic is for this cabal to be made to answer under oath. Will the Prime Minister confirm that, in the interests of public health and confidence, the covid inquiry will begin immediately, and will he commit to appearing at the inquiry himself under oath before any general election is called?

**The Prime Minister:** I appreciate why it is so important for this country to have a full public inquiry and that is why I made the announcement to the House that we would. I also think it is right that it should go ahead as soon as is reasonable. I do not think that right now, in the middle of a third wave when we are seeing many of the key people involved in fighting the pandemic very heavily occupied, it is right to ask them to devote a lot of their time to a public inquiry of the kind that I think we would all want to see. That is why I think it is right that it should start in the spring, when I am pretty confident, and so are the rest of the scientific community, that we will really be in a much, much better position and able to go ahead. That is the time to begin the public inquiry, but that does not mean that we are not continuing to learn lessons all the time.

[903080] **Mr David Davis** (Haltemprice and Howden) (Con) [V]: Forty years ago, this country led the world in social mobility. Since then, we have fallen so far behind we are now only 21st in the world rankings. If we are to succeed at levelling up the UK, we must restore social mobility for working-class pupils right across the country. The fastest and most cost-effective way to do that is to re-engineer the classroom to capitalise on the benefits of modern technology, using artificial intelligence to provide lessons tailored to the ability of each and every child. Countries around the world are already doing this, from America to Australia, China to Estonia. Private schools in the UK, including Eton, are already doing it using world-class British technology. Will the Prime Minister undertake to use modern technologies to give every working-class child the opportunity to reach their full potential—opportunity based on their abilities, not on where they grew up or how rich their parents were?

**The Prime Minister:** Yes, and I am thankful to my right hon. Friend for the personal tutorial he gave me, using a laptop, in the opportunities provided by this



type of technology and the massive increase in the cognitive powers of kids that is now made possible by these types of technology. We are looking at supporting schools across the whole of the UK with this kind of advance as we continue to level up.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): In light of the judicial ruling in the High Court that the Northern Ireland protocol repeals article 6 of the Act of Union, which allows for unimpeded trade within the United Kingdom and between the constituent parts of the UK, what does the Prime Minister intend to do to fully restore the Act of Union for Northern Ireland and remove the Irish sea border?

**The Prime Minister:** I am grateful to the right hon. Gentleman. This is my first opportunity publicly to congratulate him on becoming leader of the Democratic Unionist party. I look forward to working with him and with the whole of the Executive in Northern Ireland for the people in Northern Ireland. As we have made clear and as we will be setting out today, we want to sort out the issues in the protocol. We think there are practical steps we can take to do that. As far as the court case is concerned, nothing in the protocol affects the territorial integrity of the United Kingdom or Northern Ireland's place within it.

**Mr Speaker:** Let us see if we can pick up the pace.

[903081] **Theo Clarke** (Stafford) (Con) [V]: Last Friday, I joined local health officials and members of the public at a consultation meeting on maternity services in Staffordshire. Maternity was temporarily suspended at Stafford's County Hospital at the height of the pandemic so that wards could be used to treat covid-19 patients. Does my right hon. Friend agree that anyone who wants to give birth at Stafford's County Hospital should be able to do so?

**The Prime Minister:** My hon. Friend raises a very important point. Many of the hospitals that I have been round recently are doing incredible work at getting back to pre-covid levels of service. I understand that NHS partners are working hard to explore options for restoring maternity services at County Hospital.

**Stephen Timms** (East Ham) (Lab): Together, the Chairs of the Committees dealing with social security in the Scottish Parliament, the Senedd and the Northern Ireland Assembly and I have made a call that the £20 a week cut in universal credit due in October should not go ahead. A new Joseph Rowntree Foundation Report shows that if it does go ahead, out-of-work families with children will have an income way below what the general public regard as the minimum necessary for an acceptable standard of living. Instead of cutting down, will the Prime Minister not follow his own policy, level up and leave the £20 a week in place?

**The Prime Minister:** What we want to do is level up across the whole of the UK by increasing access to high-wage, high-skilled jobs and by getting people off benefits and into work. That really is the big difference between the right hon. Member's party and the party that I lead. We want to help people into work, but I am afraid that, as so often, Labour wants to keep them on welfare. I do not think that is the right way forward. We

want to see higher wages, which is why we have increased the living wage by record amounts, and we are working to ensure that this is a jobs-led recovery. All the signs at the moment are that that is succeeding, but of course it depends on people getting those jobs when they are asked to.

[903086] **Alberto Costa** (South Leicestershire) (Con) [V]: I welcome the cautious move to step 4 this week, which was made possible only due to the fantastic vaccine roll-out in South Leicestershire and across our country and the fact that every adult has now been offered the vaccine. Does my right hon. Friend agree that if we do not move forward now, we risk opening up later in the autumn or winter, when the NHS is under more pressure and children have returned to school? That seems to be Labour's reckless approach.

**The Prime Minister:** That is spot on—my hon. Friend is completely right. The question for those who attack the current policy is: if not now, when? We looked at the data this morning with the chief medical officer, and he pointed out the extraordinary difference between the number of people in the older generations being hospitalised now and in previous waves. Thanks to the vaccine roll-out, we have radically changed the way the disease affects our society. It is that change that is enabling us to make the progress that we are. As he says, if not now, when?

**Rosie Cooper** (West Lancashire) (Lab) [V]: The Government claim that fires in schools are very rare and are mostly confined to one room or cause little or no damage. The fire last month at Asmall Primary School in my constituency spread far beyond the original site and severely damaged three rooms. That has had a devastating effect on the school, and the pupils now face 18 months of disruption to their education. Will the Prime Minister commit to a mandate that all new build schools and major refurbishments are installed with sprinklers so that schools do not suffer the same fate as Asmall Primary in Ormskirk?

**The Prime Minister:** I thank the hon. Lady very much and I thank the fire service for its outstanding response to the fire at Asmall Primary School. I am sorry for the disruption that children are experiencing. We cannot be complacent about fires at all, let alone fires in schools, and the Department for Education is consulting on guidance to improve fire safety in schools further. I encourage her to make representations in that consultation.

**Margaret Ferrier** (Rutherglen and Hamilton West) (Ind): One of my constituents recently attempted to sell a house, only for the surveyor and estate agent to inform him that they require an external wall system certificate. However, under the current Royal Institution of Chartered Surveyors guidance, an EWS1 form should not be expected for properties and buildings under 18 metres high, which includes my constituent's property in Cambuslang. Will the Prime Minister clarify whether the UK Government intend to take any steps to ensure that lenders and others adhere to RICS guidance on EWS1 forms and will he meet me to discuss how I can assist my constituent?

**The Prime Minister:** The hon. Lady makes an extremely important point. That is why my right hon. Friend the Housing Secretary will make a statement to the House



shortly. We must be clear that the risk from fire to life in homes is very, very low and leaseholders should not be trapped in their properties, unable to buy or sell, because their properties have been unfairly maligned in that way. Lenders and valuers should not be asking for EWS1 forms on buildings below 18 metres. The Housing Secretary will set out later more about how we propose to ensure that that does not happen.

**Mrs Natalie Elphicke (Dover) (Con):** Dame Vera Lynn did so much for our nation and now a fitting memorial is planned on the white cliffs of Dover to ensure that this national icon continues to be celebrated for decades to come. Does my right hon. Friend agree that Dame Vera was a great inspiration to women, showing the difference we can make and contributing throughout the whole of her life to our national life? Will he extend his support to this important Dame Vera Lynn national memorial project?

**Mr Speaker:** Prime Minister, I think we can all unite.

**The Prime Minister:** Yes, Mr Speaker, I think this is a pretty safe bet for everybody. We all remember and love the songs of Dame Vera Lynn. She brought the whole country together at a pretty dark time and is a great, great inspiration for many, many people. I thank my hon. Friend for the campaign that she is leading for a fitting memorial and I am very happy to support it.

[903082] **Debbie Abrahams (Oldham East and Saddleworth) (Lab):** Since July 2019, the Department for Work and Pensions has undertaken 124 internal process reviews following the deaths of 97 claimants and 27 where claimants suffered serious harm—a threefold increase since 2012. Not once was this mentioned in the health and disability Green Paper published last night. Many believe that this is just the tip of the iceberg and many also believe that the Government can no longer keep marking their own homework. We need to understand the true scale and causes of these deaths in an independent public inquiry, so will the Prime Minister meet me and the delegation of bereaved relatives to discuss this?

**The Prime Minister:** I thank the hon. Lady very much; I hope the House will forgive me if I say that I did not catch every word of what she said, but I believe that she was referring to the tragic deaths of those who were claiming benefits. I am certainly determined to make sure that she gets a full account of what we are doing to put this right and that she meets the relevant Minister as soon as that can be arranged.

**Cherilyn Mackrory (Truro and Falmouth) (Con):** Last week, I met one of Truro's daffodil farmers. There is real concern in the industry that they will not be able to have their daffodil pickers in the fields this January. I know that the DWP is working with the Duchy College and is hoping to run a local sector-based work academy, but this is a complex issue requiring a long-term solution. I wonder whether my right hon. Friend would meet me and other Cornish MPs to see how we could resolve this in the long term.

**The Prime Minister:** I am only too happy to meet my hon. Friend at any time. I can assure her that we want to find the workforce to pick the flowers—the beautiful Cornish daffodils—that should not be “born to blush

unseen”, if I remember the quote right. They should be properly picked. In addition to developing the local labour force, and making sure that we line up younger people and people across Cornwall with the opportunities that there are, she must not forget that, thanks to the EU settlement scheme, there are 6 million EU nationals still entitled to live and work in this country, who have taken advantage of that scheme. Never let it be said that we have done an injustice to that group.

[903083] **Cat Smith (Lancaster and Fleetwood) (Lab):** Local residents in Lancaster are opposing the conversion of a popular local pub, the Britannia, into a 10-bedroom student let. The Housing Secretary says that the current planning system does not give people influence over local developments, but his party's developers' charter gags local residents and hands power to a Whitehall-appointed board of developers, resulting in low quality, unaffordable housing. Is it not the case that the Prime Minister is paying back his party of developer paymasters by selling out local communities?

**The Prime Minister:** I do not think that I have heard such total coppers in all my life, except possibly from the Leader of the Opposition. That is not what the Bill does. On the contrary, it gives local people the power to protect.

If I understood the hon. Lady correctly, it was a pub called the Britannia that she wanted to protect. We are bringing forward measures to allow local people to protect such places of vital local importance. When it comes to development, the power remains vested firmly with local people, to make sure that they protect their green spaces and the green belt, and they have development only in the places where they, the local people, want it.

**Selaine Saxby (North Devon) (Con):** I am sure that my right hon. Friend is not surprised that people are keen to move to my North Devon constituency, but we, like much of the south-west, are experiencing severe housing shortages. Local government need urgent help and support now. Might he consider, as part of planning reforms, binding covenants being applied to a proportion of new-build housing, so it is used as a primary residence and not a holiday let or second home, and that existing homes must register for a change of use if they become a holiday let, to ensure vibrant coastal communities do not become winter ghost towns?

**The Prime Minister:** My hon. Friend is a massively effective advocate for the people of North Devon. She has made these points to me before, and I know that she is right. As she knows, we have put higher rates of stamp duty on the buying of additional property, such as second homes, but we also have to make sure that young people growing up around our country—contrary to the instincts of the previous Labour speaker, the hon. Member for Lancaster and Fleetwood (Cat Smith)—have the chance of home ownership in the place where they live. That is what our first home scheme will help to do, with a new discount of at least 30% prioritised for first-time buyers.

[903084] **Richard Burgon (Leeds East) (Lab):** The Prime Minister is having to self-isolate, as are hundreds of thousands of people across the country because of his reckless covid strategy. Unlike the Prime Minister, not

everybody has been able to run off to a luxury country mansion with a heated swimming pool. Also, unlike the Prime Minister, so many people across our country are having to survive on just £96 sick pay per week. Could the Prime Minister survive on £96 sick pay per week? If he could not, why does he think that it is good enough for everyone else?

**The Prime Minister:** The hon. Gentleman is quite wrong, because everybody who is self-isolating is entitled, in addition to the equivalent of the living wage at statutory sick pay, to help, in extreme circumstances, from their local councils and to a £500 payment to help them with self-isolation. It remains absolutely vital that everybody does it.

**Bill Wiggin** (North Herefordshire) (Con) [V]: Given the global pandemic, public criticism of my right hon. Friend's extraordinary leadership should be dismissed. He put the lives of my constituents first, and has had to adapt to the lessons that covid-19 has taught us. Sadly, the same cannot be said of the handling of tuberculosis by the Department for Environment, Food and Rural Affairs. Will he meet me to discuss the current TB strategy and how we can improve it?

**The Prime Minister:** I am always delighted to meet my hon. Friend. I listened to him and learned from him about bovine TB and badgers. We think that the badger cull has led to a reduction in the disease, but no one wants to continue, and I am sure that he does not, with the cull of a protected species—beautiful mammals—indeinitely, so it is a good thing that we are accelerating other elements of our strategy, particularly vaccination. I think that is the right way forward, and we should begin, if we can, to phase out badger culling in this country.

[903085] **Sarah Olney** (Richmond Park) (LD): One million children, including my daughter, were out of school last week due to the need to self-isolate when a positive test is confirmed in their bubble. May I first pay tribute to all the teachers both in my constituency and across the country who have done incredible work in keeping learning going under such difficult circumstances? I was really pleased to be able to thank my daughter's schoolteacher in person yesterday. Can the Prime Minister confirm that the Government's approach to managing the pandemic will guarantee that all children will have an uninterrupted academic year when they return to school after the summer break?

**The Prime Minister:** The hon. Lady is absolutely right to focus on the needs of children in the pandemic and the paramount importance of keeping them in school. We will do everything we can to ensure that we are able to get schools back in September—I have every

confidence that we will be able to—but that will be greatly assisted, as I never tire of repeating this afternoon, if everybody goes and gets their second jab, or first jab.

**Rehman Chishti** (Gillingham and Rainham) (Con): As chair of the all-party parliamentary group on missing children, I know that every year, 180,000 people are reported to the police as missing across our constituencies in the United Kingdom. I am sure that the Prime Minister and everyone in the House find that completely unacceptable. The Home Office's strategy on missing people has not been reviewed since 2011, so will the Prime Minister please urgently get the strategy reviewed and updated? Along with that, will he meet the Missing People charity, the Children's Society and me to look at this important issue affecting our society?

**The Prime Minister:** I thank my hon. Friend, and I would just remind him that 95% of missing person incidents are resolved without anyone coming to harm, or without the missing individual coming to harm. I thank him for the work that he does on this issue, because it matters a great deal to the remaining 5%, which is an unacceptably high level of suffering. I am certainly determined that we should continue to work with all the relevant agencies, police and social services to improve our response. I am very happy to take up his offer and ensure that he gets the meeting that he needs.

[903087] **Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): As chair of the all-party parliamentary group for disability, I hosted a Disability Confident workshop for Members of Parliament, and I am delighted that we are now approaching 25% of cross-party MPs being accredited as disability confident employers. Will the Prime Minister become a disability confident employer himself, encourage colleagues to do so, and put his support behind improved representation and inclusion in Parliament for people with disabilities?

**The Prime Minister:** I thank the hon. Lady very much for her suggestion that the Government should become a Disability Confident employer. I am sure that we already are, but I will investigate the matter and make sure that she gets an answer by letter.

**Mr Speaker:** I will now stand down your stand-in, Prime Minister. May I just say to everyone that when we get back we have to get through more questions and get back on time? Let us work for one another.

I am suspending the House for a few minutes to enable the necessary arrangements to be made for the next business.

12.49 pm

*Sitting suspended.*

## Northern Ireland Protocol

12.53 pm

**The Secretary of State for Northern Ireland (Brandon Lewis):** With permission, Mr Speaker, I will make a statement on the Government's approach to the Northern Ireland protocol. The statement is being made simultaneously in the other place by my noble Friend Lord Frost, Minister of State at the Cabinet Office.

The Northern Ireland protocol was designed to achieve a delicate balance between a number of different aims. It reflected a truly extraordinary compromise by the Government in 2019, driven by our steadfast commitment to the Belfast/Good Friday agreement in all its dimensions. Just over a year later we concluded the trade and co-operation agreement, the broadest and most far-reaching agreement of its kind that has ever been struck. Together, these offered the building blocks of a strong, constructive partnership between the UK and the EU as sovereign equals. However, we have not yet been able to unlock the potential of that new partnership in full.

The impact of the current protocol is at the heart of that. There is no doubt that we have tried to operate the protocol in good faith. We worked throughout 2020 to finalise the areas left open by the protocol text itself—without, of course, knowing what the real-world impacts on the ground would be, as is the case with negotiations. We are planning already to invest, and are in the process of investing about £500 million in delivering systems and support service. We have worked with businesses to help their preparations for the new trading arrangements.

But as we have sought to operate the protocol, it is clear that its burdens have been the source of considerable and ongoing disruption to lives and livelihoods. We have seen reductions in supermarket product lines, we have seen more than 200 suppliers decide they will no longer sell to Northern Ireland, and we have seen difficulties not just on the famous chilled meats but on medicines, pets, movement of live animals, seeds and plants.

Nowhere is this more visible than in the fact that the Northern Ireland protocol means that Northern Ireland accounts for 20% of all EU documentary checks on products of animal origin, despite a population of only 1.8 million people. What is worse, these burdens will get worse, not improve over time, as the grace periods expire, leaving businesses facing ever more unsustainable burdens.

These impacts risk being felt in the fabric of our Union, too. All dimensions of the Belfast/Good Friday agreement need to be respected, Northern Ireland's integral place in our United Kingdom just as much as the north-south dimension, yet there is a growing sense in Northern Ireland that we have not found this balance. That is seen in a difficult ongoing political climate, in protests and regrettable instances of disorder, and in strains within a power-sharing Executive already dealing with an unprecedented pandemic.

We have worked with the EU to try to address these challenges. Some avenues for progress have been identified in certain areas, but overall these discussions have not got to the heart of the problem. Put simply, we cannot go on as we are. We have therefore had to consider all our options. In particular, we have looked carefully at the safeguards provided by article 16 of the protocol. They exist to deal with significant societal and economic

difficulties, as well as trade diversion, and there has been significant disruption to east-west trade, a significant increase in trade on the island of Ireland as companies change supply chains, and considerable disruption to everyday life.

There has also been societal instability, seen most regrettably in the disorder across Northern Ireland at Easter. Indeed, what could be seen as a false but raw perception in the Unionist community of separation from the rest of the United Kingdom has had profound political consequences.

These are very serious effects, which have put people, businesses and the institutions of the Belfast/Good Friday agreement under strain. It is plainly clear that the circumstances exist to justify the use of article 16. Nevertheless, we have concluded that this is not the right moment to do so. Instead, we see an opportunity to proceed differently, to find a new path and to seek to agree with the EU, through negotiations, a new balance in our arrangements covering Northern Ireland, to the benefit of all.

It is in that spirit that today's Command Paper outlines the new balance we wish to find. It is a balance that needs to ensure goods can circulate much more freely within the UK customs territory, while ensuring that full processes are applied to goods destined for the EU. It is a balance that needs to enable all in Northern Ireland to continue to have normal access to goods from the rest of the UK by allowing goods meeting both UK and EU standards to circulate. And it is a balance that needs to normalise the basis of the protocol's governance, so that the relationship between us and the EU is no longer policed by the EU institutions and the Court of Justice. We should return to a normal treaty framework, similar to other international agreements, that is more conducive to the sense of genuine and equitable partnership that we seek.

We also recognise our share of responsibility in helping the EU protect its single market. We are willing to explore exceptional arrangements on data sharing and co-operation, and penalties in legislation to deter those looking to move non-compliant products from Northern Ireland to Ireland.

I repeat that all of this is entirely consistent with maintaining an open border, without infrastructure or checks, between Ireland and Northern Ireland. These proposals will require significant change to the Northern Ireland protocol, and we do not shy away from that. We believe such change is necessary to deal with the situation we now face. We look to open a discussion on these proposals urgently. At the same time, we must provide certainty and stability for businesses as we do so, so we believe we should also quickly agree a standstill period, including maintaining the operation of the grace periods that are in force and freezing existing legal actions and processes, to ensure there is room to negotiate and to provide a genuine signal of good intent on finding ways forward.

The difficulties that we have in operating the Northern Ireland protocol are now the main obstacle to building a relationship with the EU that reflects our strong common interests and values. Instead of that, we are seeing a relationship that has been punctuated with legal challenges and characterised by disagreement and mistrust. We do not want that pattern to be set, not least because it does not support stability in Northern Ireland. It is now time to work to establish a new balance



[Brandon Lewis]

in which both the UK and the EU can invest to provide a platform for peace and prosperity in Northern Ireland and allow us to set out on a new path of partnership with the EU. We have today set out an approach that we believe can do just that. We urge the EU to look at it with fresh eyes and work with us to seize this opportunity and put our relations on a better footing. We stand ready to deliver the brighter future that is within reach. I commend this statement to the House.

1.1 pm

**Louise Haigh** (Sheffield, Heeley) (Lab): I thank the Secretary of State for advance sight of his statement.

Almost two years ago, this Prime Minister negotiated every dot and comma of the Northern Ireland protocol. He said that it would mean no checks between Great Britain and Northern Ireland. He described it as an “ingenious solution” and that it was

“in perfect conformity with the Good Friday agreement.”—[*Official Report*, 19 October 2019; Vol. 666, c. 583.]

He was not alone. Lord Frost said that he was “pleased and proud” to secure this “excellent deal” for the UK. The Secretary of State wrote that it would allow all businesses “to trade unhindered across the UK.”

Today, not for the first time, the Secretary of State is back before Parliament to renege on those promises and to discredit the deal that his Government were authors of and cheerleaders for, claiming that they could not possibly have known what the real-world impacts on the ground would be. The country will be asking once again: is this bad faith or incompetence. Whichever it is, the shambolic approach, the dishonesty, the recklessness and the utter ineptitude have come at a real cost. It has destroyed trust in the UK Government, an essential component of the Belfast Good Friday agreement. It has fanned the flames of instability and, as ever, in the middle of this are the communities and businesses of Northern Ireland that have been repeatedly failed.

Today, ahead of another difficult summer, a resolution is further away than ever. Today, businesses and communities needed reassurance. They needed to see the Secretary of State announce to the House an agreement on a sustainable way forward that will fix the problems that the Prime Minister created. Instead, they have more political brinkmanship, and more threats to tear up the protocol with nothing to take its place. Communities are tired of these games from a Government they have totally lost trust in. They just want to see sustainable solutions. All of us want to see serious proposals that lower the barriers down the Irish sea and protect the economic integrity of the United Kingdom.

Can the Secretary of State outline whether the proposals have any hope of gaining support? Can he tell the House what conversations he has had with his counterparts that lead him to believe that this approach will be successful? How did the Taoiseach respond to his call with the Prime Minister yesterday, given that the Government’s strategy so far has left Anglo-Irish relations at an all-time low? How is he intending to bring the people of Northern Ireland and their representatives into these discussions so that they have a direct relationship with the EU? That is clearly necessary, given that this Government have demonstrated that they have no understanding of Northern Ireland and the delicate balance of identities that must be protected.

Does the Secretary of State accept that these proposals bring us right back to square one of the Brexit debates, rehashing arguments around alternative arrangements that have long been rejected, and returning the debate to the border north-south on the island of Ireland? What is the timeframe for these talks? The Command Paper is entirely silent on how they will proceed and whether there is any agreement from the EU that they should.

This ongoing stand-off is having consequences not just for Northern Ireland, but for our relationships with current and future trading partners. The eyes of many Governments around the world are on the noble Lord Frost and the Secretary of State this afternoon. President Biden and Prime Minister Ardern are among many who want to know that the UK will abide by international law, by the agreements that they signed, and be a partner that they can trust. These endless games are shredding our international reputation and undermining our ability to secure trade deals that are in the best interest of the UK.

As we have acknowledged many times in this House, peace in Northern Ireland is still fragile. Advancing the peace process has always required responsibility, honesty and leadership—qualities that are in short supply in this Government. Too often in recent years, the Prime Minister has put his own interests over and above the interests of Northern Ireland. The people of Northern Ireland are sick to death of being put in the middle of these games. Another Brexit groundhog day; another stand-off with the EU. It is time to get real, show some responsibility, and find a genuinely sustainable way forward.

**Brandon Lewis:** I was kind of waiting for the point at which the hon. Lady would actually stand up for the United Kingdom and the people of Northern Ireland in getting a solution. I remind her that she may want to think about joining the UK Government in making the point to the EU that it also has a responsibility—which it has previously accepted but needs to deliver on—in terms of the people of Northern Ireland. In January, there was an agreement to work at pace; we are now in July and the issues remain unresolved. We saw the EU’s attempt to trigger article 16 in a way that for many detrimentally affected the sense of feeling around the institutions of the Good Friday/Belfast agreement. We are still dealing with the fallout from that action—that is just a reality of where we are.

We want the EU to engage with our proposals. We have sought the EU’s engagement with our proposals in good faith in the dozen or more papers that we have put to it about ways to move forward. The reality of where we are now is that instead of having a continual, piecemeal approach to dealing with things as we go along and coming up against the grace periods that cause disruption for businesses and communities, we think it is right to take an approach that deals with the problem—not just the symptoms but the underlying problem that we need to see corrected—in the round. I suggest that the Opposition would do better to defend the people of Northern Ireland and the UK than to continue to defend the actions the EU takes to undermine the strength of the integral market of the people of the United Kingdom.

We do have good relationships, and I have good relationships, as does the Prime Minister, with our counterparts in Ireland—the Taoiseach, the Foreign



Minister and the Tánaiste—and we continue to develop on those. It is a bit rich of the hon. Lady to talk to us about understanding Northern Ireland when not only do prominent members of her own party—including the former shadow Home Secretary, the right hon. Member for Hackney North and Stoke Newington (Ms Abbott)—claim that Labour is not even a Unionist party, but Labour does not even stand candidates in Northern Ireland.

We will continue to do what is right for the United Kingdom. We want to work with our partners in the EU. When people get a chance to read through the Command Paper, they will see that we are not taking the opportunity to trigger article 16, because we want to work in partnership and find a solution to all the problems that works for people in Northern Ireland. When we even have the Chief Rabbi and the president of the Board of Deputies coming together to make clear the substantial problems of the Jewish community in Northern Ireland, that should make it clear that the protocol is a problem for communities right across Northern Ireland. We have a duty to resolve it, not play politics with it.

**Sir William Cash** (Stone) (Con) [V]: On the arrangements that have just been announced, I greatly welcome the realistic and reasonable approach of the Prime Minister, Lord Frost and my right hon. Friend the Secretary of State. Does my right hon. Friend agree, that given the unique circumstances of Northern Ireland, as set out in the protocol, the EU must understand that the UK, having recently and democratically left the EU, rejects the EU's legalistic intransigence but will continue to negotiate in the short term, on the clear understanding that our national interest requires equal reasonableness and realism from the EU, or the Government will take the necessary steps that my right hon. Friend just outlined—and that they mean what they say?

**Brandon Lewis:** My hon. Friend is absolutely right: we do want to take that approach. The reality is that in practice the outworkings of the protocol are having a detrimental effect. One of the key things in the opening part of the protocol itself is the determination that we would not disrupt the everyday lives of people in their communities. Regardless of people's constitutional view of Northern Ireland, the protocol is having an impact, which is why the First Minister has also pointed to issues in the protocol that she wants to see resolved. Obviously, people across the communities are having issues as well. We need to get this resolved for all the people of Northern Ireland, and my hon. Friend is absolutely right that we need to do so in a realistic way, recognising the challenges on the ground, and to deal with it as partners with the EU in a way that can deliver for the people of Northern Ireland, with the understanding that, of course, Northern Ireland is an integral part of the United Kingdom.

**Richard Thomson** (Gordon) (SNP) [V]: I thank the Secretary of State for advance sight of his statement.

Let us not lose sight of the fact that a protocol setting the terms of trade has only been made necessary because of an EU withdrawal agreement that the Prime Minister—irrespective of its entirely foreseeable impact on Northern Ireland—defined the parameters of himself and then signed up to freely. Everybody knows that article 16

exists, but the continued threats from the UK Government to deploy it have worn so thin as to be utterly transparent in every sense, and can be doing little to help increase the trust and confidence necessary for the Government to achieve their stated objectives.

Let us also be clear that if we move from the current agreement, there will have to be another put in place that is likely to differ in substance, to use a phrase, only in limited and specific ways from that which it will be replacing. If the UK Government wish to return to the freest possible conditions for the movement of goods between GB and Northern Ireland, consistent with their international obligations, they could sign up right now to a dynamic deal on food and animal welfare standards.

A pragmatic renegotiation of the protocol in the light of experience, and in the light of everything that has come from the nature of Brexit, would clearly be desirable in order to remove not just the barriers that exist but also the symbolism that these trade frictions are causing that are being felt so keenly in Northern Ireland at the present moment. In that regard, will the Secretary of State ensure that the Government, in contrast to their approach to Brexit to date, set the tone of all their discussions with the EU in good faith around the negotiating table, rather than through the pages of *The Telegraph* or the tabloids, and at all times in a manner that builds, rather than undermines, the trust necessary to be able to secure a better deal for the people of Northern Ireland?

**Brandon Lewis:** As I outlined in my statement, we are actually not using article 16. That is something that the EU attempted to do—I think, mistakenly—earlier this year, which has caused an issue and a sense within the Unionist community that is still an issue today. The hon. Gentleman should sometimes stand up a bit more for the people of Northern Ireland and across the UK as a spokesperson on this issue, rather than just for the EU.

The hon. Gentleman mentions talking to the media. When we are dealing with the EU, it is a bit odd for us to be told by a journalist about a plan for medicines or for chilled meats, when it could be days or weeks later that we formally hear from the EU. We do want to work with the EU, which is why we are proposing, as we have done today in our Command Paper, a way to move forward and work together to resolve the core problems, rather than continually to deal individually with the symptoms that continue to build issues of trust and frustration. Ultimately, that is the best way to get a result for the people of Northern Ireland and to have that strong, positive relationship between the UK and the EU.

**Mark Jenkinson** (Workington) (Con): As my right hon. Friend has just mentioned, the European Union's attempts to trigger article 16 earlier this year caused political reverberations that are still being felt in Northern Ireland. With communities across Northern Ireland now divided in their support for the protocol, does my right hon. Friend agree that it is no longer sustainable as it currently stands, and that an internal border that reshapes and undermines our United Kingdom is unacceptable?

**Brandon Lewis:** My hon. Friend makes an important point. I referenced earlier the First Minister's views on this. The Deputy First Minister has also been very clear

[Brandon Lewis]

that there are issues with the protocol that need to be resolved. I cannot really remember a single person in the business community or the political community in Northern Ireland whom we have spoken to who has not identified that there are at least some issues that need to be resolved, but there might be differences of opinion about how to do that and to what degree. We want to do that by agreement with the European Union and recognising the sovereignty of the integral market of the United Kingdom, and in a way that means that consumers and businesses in Northern Ireland can go about their lives, enjoying their lives in the way that they always have done as citizens of the United Kingdom.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): We welcome the acceptance by the Government that the protocol is not working, that it is causing real harm to our economy in Northern Ireland and that it is simply not sustainable. Today's statement is a welcome, significant and important first step. To be clear, tinkering around the edges simply does not work. I trust that the EU will approach new negotiations in good faith and recognise the need to enter into new arrangements that remove the Irish sea border. For our part, we will apply our seven tests against any outcome of this process.

Will the Secretary of State assure the House that these negotiations will not be dragged out, and, if unsuccessful, that the Government will invoke article 16 to introduce measures that provide for the free movement of goods from Great Britain to Northern Ireland, and which ensure that products complying with British standards are available in Northern Ireland, that the principle of consent is fully respected, and that Northern Ireland's place within the United Kingdom is properly and legally protected?

**Brandon Lewis:** The right hon. Gentleman makes a series of important points. We are very clear that, as I said earlier, we want to take this forward and negotiate these issues as a whole, rather than have a piecemeal approach, so we solve the underlying issues that are causing so much disruption for businesses and people in Northern Ireland. That would be a better way forward because we will not have to keep coming back to these things and keep having these issues and challenges around grace periods that just create cliff edges. We have to avoid that, and that is why we are suggesting a standstill period as well as we go forward.

Ultimately, we must recognise that this is an issue that affects everybody, the whole community of Northern Ireland. Wanting to see these issues resolved has united people across communities, and we think there is a realistic way to do that within the framework of the protocol. We have always recognised, and we are still clear about this, that the single epidemiological unit of the island of Ireland has been there for a very long time—and those checks in one form or another since about the 19th century—but we have got to find a way to do this, and we believe there is a way, that ensures that products moving from Great Britain to Northern Ireland to be used and consumed in Northern Ireland can flow in the way they would within any other part of the United Kingdom, while fulfilling our responsibilities to the EU in terms of helping them ensure they can protect their single market.

**Antony Higginbotham** (Burnley) (Con): I welcome the Secretary of State's statement today, which is balanced and pragmatic. The Northern Ireland protocol was always a difficult compromise but it was made in good faith to protect the Good Friday agreement, while respecting the EU's single market and our own single market and Northern Ireland's place in the United Kingdom. As this Command Paper makes clear, it has not managed to do that, so what conversations has my right hon. Friend had with the European Union, do they accept that premise and if they do not accept it and will not engage meaningfully, as the Command Paper and negotiators want, does article 16 remain on the table?

**Brandon Lewis:** We have always said that we cannot take any options off the table, but we want to work through this in a negotiated way to get a realistic solution that delivers for the people in Northern Ireland. We have been speaking consistently over this year, both Lord Frost and myself, with the Cabinet Office lead on the negotiation on the protocol and with European Commissioner Maroš Šefčovič directly. I think the European Commission does recognise that there are issues that need to be resolved. The challenge we have had is getting agreement on the resolutions.

One of the reasons we took the action we took in March to extend the grace period was that we got to a point where we needed an agreement to be able to ensure we were able to keep food products on the shelves. It was interesting at the time that the EU was complaining not about the process and the issues we were dealing with, but about the fact we had not done it by agreement. That comes back to the point the hon. Member for Sheffield, Heeley (Louise Haigh) made: to work by agreement, ultimately, we need the EU, our partner, to also come to agree things in the first place. We have not managed to achieve that yet, but I am hopeful that, given where we are now and the proposal we are putting forward, there is a realistic way to do that in the months ahead.

**Colum Eastwood** (Foyle) (SDLP): Mr Speaker,

"Northern Ireland is uniquely placed...to prosper from this deal."

That is a direct quote from the Secretary of State last Christmas eve. Then on new year's day he said:

"There is no 'Irish Sea Border'...The government and businesses...are keeping goods flowing freely...between GB and NI."

But then earlier this month he said that

"the current arrangements could corrode the link between Northern Ireland and the rest of the UK."

This statement is the second attempt in one week that this Government have made to distance themselves from agreements they have negotiated. Why does the Secretary of State think that any other country, or any person in Northern Ireland, would trust anything that this Government say from this day forward?

**Brandon Lewis:** The implications and outworkings of the protocol are a frustration and a problem for people across communities, and it would be wrong of us as a Government to not recognise that there are problems with the protocol; the way that it is being implemented on the ground is causing problems for consumers and for businesses. I cannot believe for a moment that the hon. Gentleman would want the Government to sit

back and see that continue and see his constituents be detrimentally affected by the way the EU wants this to be implemented. That is why it is important that we find a way forward to deliver this in a way that works for people across all of Northern Ireland.

**Sir Bernard Jenkin** (Harwich and North Essex) (Con) [V]: I welcome my right hon. Friend's statement and today's White Paper. Is he aware of anybody serious who now doubts that the protocol is failing in its own terms by causing, to use the words from the protocol, "serious societal and economic difficulties"

and "diversion of trade" which is a threat to the Belfast/Good Friday agreement? The answer is no. Is that what the EU intended when it signed this protocol? Of course not, and that is why all parties, including the EU, should now be able to accept, as the Government now do, that this protocol is not working. So I commend my right hon. Friend for his cautious, reasonable and responsible approach. We are absolutely right to try everything to bring the EU to the negotiating table, but how long have we got before we have to act to safeguard peace, security and political stability in Northern Ireland?

**Brandon Lewis:** My hon. Friend makes an important point and he is right. I think the EU does recognise this, wants to ensure that we get the right outcome for the people of Northern Ireland and does recognise the sensitivities there. That is why it is important that we deal with the core problem underlying all the symptoms that we are seeing. He is also absolutely right about stability in Northern Ireland. When we are seeing people who are party to the Good Friday/Belfast agreement being very clear about the disruption this causes and the threat it is to the Good Friday/Belfast agreement, it is right that we listen to that. It is also right that we get to work on this with the European Union, in a spirit of partnership, to find a solution to the core problems. We should bear in mind, as I say, that if we imagine a place where the framework of the protocol is delivering in the way that was always intended, with the free flow of goods, we really do have a huge economic opportunity for the people of Northern Ireland. We need to get to that space in order for it to be something that is sustainable and has the consent of the whole community of Northern Ireland.

**Stephen Farry** (North Down) (Alliance) [V]: This statement is full of bluster and a rewriting of history. It creates more uncertainty and instability. The Government are choosing confrontation rather than adopting the obvious solution on the table, which is a comprehensive veterinary agreement. The Secretary of State should know that the only really sustainable way forward to achieve the necessary flexibilities and mitigations is through agreement with the European Union, either within the protocol or building on the trade and co-operation agreement. Does he recognise that achieving that requires trust to be built and sustained, but all the Government's actions around the protocol this year have undermined that, including, today, the empty threat around article 16?

**Brandon Lewis:** I would gently suggest that the hon. Gentleman looks back at the statement I made and has a read of the Command Paper, which is looking to a formal agreement with the EU and to doing this in a way that is reasonable and sensible and deals with the

fundamental problems that are affecting his constituents as well. Again, perhaps he should be standing up for his constituents more than he is standing up for the EU at the moment. He seems to be forgetting that it is the EU that said that it would work at pace to resolve these issues, seven months ago; it is the EU that sought to trigger article 16, which caused so many issues for the Unionist community in Northern Ireland; and it is the EU that has not yet come to agreement on a range of issues that we need to resolve for the people of Northern Ireland. It is right, therefore, that we take this opportunity to outline a way in which we can move forward in a positive way that can rebuild the relationship with the EU and fundamentally resolve the core issues that are detrimentally affecting so many of his constituents and people across Northern Ireland.

**Wendy Chamberlain** (North East Fife) (LD): The Northern Ireland protocol was pursued and negotiated by this Government less than two years ago, and it is a reflection of the decisions made by them in relation to the nature of Brexit. In the statement, the Government suggest that they have tried to operate the protocol, but they have not yet pursued the option of making supplementary agreements with the EU that would work within the protocol, such as a veterinary agreement, which businesses such as Marks & Spencer support. Given that the Secretary of State has said that the article 16 grounds have been met, how many of the businesses he has consulted agree with him, have asked him to do that and think it is sustainable way forward?

**Brandon Lewis:** I suggest that the hon. Lady looks again at the statement and the Command Paper. I specifically said that we are not triggering article 16. We want to negotiate a solution to the problems for businesses and consumers in Northern Ireland.

**Bob Blackman** (Harrow East) (Con) [V]: I warmly welcome my right hon. Friend's statement. Will he confirm, for the benefit of the record, that Northern Ireland is an integral part of the United Kingdom and should therefore enjoy the benefits of the free trade area within the United Kingdom, as well as integrate with our friends from the European Union, ensuring that the people of Northern Ireland can have the benefits of both elements—the United Kingdom and the European Union—in doing trade deals, but also, more importantly, gain the opportunity, as we negotiate free trade deals around the world, to trade around the world as part of the United Kingdom?

**Brandon Lewis:** Yes, my hon. Friend is absolutely right. The hon. Member for Foyle (Colum Eastwood) referenced a quote of mine about the opportunities for Northern Ireland. If we just imagine the place we can get to where the protocol is working—where we can resolve the issues within the protocol—we really do have a huge economic opportunity for the people of Northern Ireland. That is the vision that we always had for the protocol and that is how it should be working. We need to get to that position.

**Hilary Benn** (Leeds Central) (Lab): There is clearly a problem here that needs fixing. As the head of Marks & Spencer made clear today, the full checks that are currently being applied on M&S goods going to the



[Hilary Benn]

Republic are resulting in some consignments being sent back because they have the wrong colour typeface on the form. Mr Norman has said that a veterinary agreement would be

“by far the best way of delivering a smooth trade flow.”

The Secretary of State just made reference to that. Given that we are, in effect, following EU food standards anyway, because they have not changed since 31 December, is that not the best way forward? I encourage the Secretary of State, if he agrees, not to be too purist about the form of such an agreement, because it would bring huge relief to so many people affected by the current fears and arrangements.

**Brandon Lewis:** The issues that companies such as Mr Norman’s have found are the very issues we want to resolve as part of the wider package. It is important to note, as we look at the Command Paper, that we want to deal with a wide range of issues. That is my point about dealing with the fundamental problems, rather than going piecemeal through the symptoms. That is why there is a range of options in there, some of which will make a veterinary agreement redundant, because it will not be required in that kind of process, potentially. That is part of the discussion we want to have with the EU to get a resolution to all these issues; it is more than just the food and chilled meats issue.

**Nigel Mills (Amber Valley) (Con) [V]:** I welcome the proposal in paragraph 48 of the Command Paper for a light-touch customs regime for goods that are staying in Northern Ireland and not moving on to the Republic, but will the Secretary of State confirm how small businesses could comply with the requirement to provide

“complete transparency of their supply chains”

to the various authorities? I can see how a large supermarket chain could do that, but how could a small trader do that?

**Brandon Lewis:** My hon. Friend highlights an important point. We are talking to small businesses and, indeed, the wholesale groups that they often work with to make sure that there is a way for them to be able to work through this, and we will continue to work with them as we go forward. There is technology now, similar to the technology that large companies use, that smaller businesses can use—the trader support service is hugely helpful in this—but my hon. Friend highlights one of the core problems: making sure that goods that are moving to Northern Ireland purely to be consumed in Northern Ireland do not have the same kind of rigmarole and checks. I think that I have mentioned before in the House a large supermarket chain that has no stores in Ireland yet has to go through the same checks. That cannot be right and needs to be resolved.

**Mr David Jones (Clwyd West) (Con) [V]:** May I, too, say how much I welcome my right hon. Friend’s statement? It is absolutely clear that the protocol is having unintended and adverse consequences for daily life in Northern Ireland and it needs to be fixed. Will he please confirm that he and his colleagues have made it clear to the EU that the UK is keen to resolve these issues and will negotiate positively, and that other, more flexible arrangements, such as mutual enforcement, can be put

in place that will respect the integrity of the internal markets of both parties without causing the difficulties that we have witnessed since January?

**Brandon Lewis:** Yes, and we are looking forward to having those very conversations with the EU in the weeks ahead.

**Tony Lloyd (Rochdale) (Lab) [V]:** The Secretary of State knows as well as I do that the bulk of commerce and industry in Northern Ireland is getting on with making the protocol work, but a veterinary agreement would solve the problems that have not yet been resolved. Does he not recognise that public diplomacy and unilateralism may please his Back Benchers, but it is dangerous in the context of Northern Ireland? Will he insist to the Prime Minister and the noble Lord Frost that they get back to the negotiating table and do that in private until they come up with an acceptable result?

**Brandon Lewis:** Again, perhaps the hon. Gentleman should have a look in detail at the statement I gave a short while ago and the Command Paper, because we are specifically setting out that we want to negotiate a solution with the European Union. I would just say to him that we are the party that has put forward a whole series of pages to the EU, which we are waiting for proper engagement on. We have not publicised them; we have not gone to the press about that. We have been doing that because we want to give space for a proper negotiation and the freedom to do that, to get a proper solution for the people of Northern Ireland. I ask the hon. Gentleman to consider getting behind the UK Government to get a positive solution for Northern Ireland.

**Mr Mark Francois (Rayleigh and Wickford) (Con):** I warmly welcome the statement for both its timeliness and its content. In the negotiations that the Secretary of State and Lord Frost are plainly keen to have with the European Union, will they look seriously at the option of mutual enforcement, as advocated by none other than the Nobel peace prize winner Lord Trimble, as a way through these challenges? As the Secretary of State reminded the House, the EU invoked article 16 back in January, not us. If the EU continues to be unreasonable despite every effort to persuade it, are we prepared, in extremis, to use article 16 and, if necessary, even to legislate domestically to maintain the integrity of the United Kingdom?

**Brandon Lewis:** On mutual enforcement, we have sought to draw from ideas such as the suggestion of penalties for moving non-compliant goods to Ireland from Northern Ireland. We think that there is a reasonable evolution from where we are now that is capable of respecting everybody’s objectives and delivering better results, exactly as my right hon. Friend outlined. He is also right that it is important to be clear that we take nothing off the table. We are determined to deliver for the people in Northern Ireland as part of the United Kingdom, and the protocol itself outlines that it will respect the sovereignty of the UK internal market.

**Ian Paisley (North Antrim) (DUP):** I refer to my entry in the Register of Members’ Financial Interests with regards to the legal action being taken against the Government on behalf of commercial entities in Northern Ireland, and I note Mr Speaker’s mention of a wavier



on commenting on such matters. Given the seriousness of what the Secretary of State has said and as a result of the Command Paper, the legal team and claimants in that case will consider staying or pausing that commercial action. That is significant and opens up an opportunity for us to get a resolution for commercial entities in Northern Ireland. I hope that the Secretary of State and Government take that in the spirit in which it is meant and understand the seriousness of that.

I must say for the record that I do not care what the Dublin Government think about this—I do not care at all. All these Pavlov dogs from academia and some political parties are salivating at supporting the EU and what it needs, but none of them has put their shoulder to the wheel to try to solve the business problems unfortunately created by the protocol. I hope they will listen carefully to people such as Archie Norman, who has called the protocol a “pettifogging enforcement” of rules that protect nobody in Northern Ireland. He has said that 40% of his business deliveries are being delayed and that a quarter of what he hopes to deliver will be frustrated. The Command Paper says at paragraph 79 that discussions will move forward “at pace”. I hope that the Secretary of State can put some meat on the bone. What does that mean in terms of the timeline? We need to know within a matter of weeks that this will be finally resolved.

**Brandon Lewis:** We are not looking to set arbitrary timelines. We want to let the EU respond and to negotiate with it, and in the weeks ahead we will all see how that negotiation works through. I note the hon. Member’s comments about the legal case. It is important that we can show people and businesses in Northern Ireland that, among the EU and the UK, diplomacy, democracy and talking can work to deliver positive outcomes. This issue affects people in commerce across Northern Ireland as well as consumers and the whole community, so it is right that we work together to find a solution.

We are clear and have always said that we do not want to see cliff edges, and we have some grace periods coming up. That is why we think it is right to have a standstill agreement so that businesses have certainty and people can see a positive way to move forward to get a result by agreement. However, as I say, we cannot take anything off the table, because we want to ensure that ultimately we get the right result for the people in Northern Ireland.

**Mr Peter Bone** (Wellingborough) (Con) [V]: I welcome the statement, not only because of its contents but because the Government have brought it forward before recess. It is of great credit to the Government that they have made a statement that we can now scrutinise. Further to the previous question, it seems to me that, to get an agreement with the EU on anything, there must be an end date for the negotiations, because the EU run negotiations until the end date and, without one, they will go on forever. Will the Secretary of State have a word with Lord Frost and announce the date on which we will not go on any further with negotiations? Otherwise, I think this will drag on and on.

**Brandon Lewis:** I take my hon. Friend’s point: this is not something that we can allow to drag on and on. I think our track record shows that we will do what we need to do when the time is right, as we did when we

took action in March to give certainty to businesses. We obviously have grace periods coming up, which is why we are recommending a standstill option to give businesses that certainty, but my hon. Friend is absolutely right: this cannot go on. That is why we need to resolve fundamentally the underlying problems, and do so soon.

**Claire Hanna** (Belfast South) (SDLP) [V]: I was interested to hear the Secretary of State say that he took heed of a party to the agreement warning of disruption. I hope that he will soon begin to listen to other parties to the agreement, as well as to businesses in Northern Ireland. A recent Northern Ireland business survey found that two thirds of companies would like to take advantage of the opportunities of the protocol. Invest Northern Ireland has reported many expressions of interest, and companies such as Arla and Dale Farm have agreed on major investment thanks to our unique dual market access.

Where there are practical issues of course they need to be resolved, but in his statement the Secretary of State referred to the potential of partnership, while in the same breath undermining it with uncertainty. This is no longer about the Government failing to capitalise on the opportunities, although they have abjectly failed to bother to do that. Why are they now actively thwarting those who want to create, privately, jobs and prosperity after decades of economic underperformance?

**Brandon Lewis:** Let me point out to the hon. Lady that there are two parties to the agreement, the UK and the EU. I can only assume from her suggestion that we should take more notice of other parties that she is joining some others in backing the EU over the people of the United Kingdom and, therefore, the people of Northern Ireland. This is a Government who have invested in Northern Ireland not only the largest financial package of city and growth deals that we have seen around the UK to deliver prosperity and growth, but £400 million in a new deal package which will also bring prosperity and growth, as well as the increase in the spending review in money for the Executive. We will continue to support that economic growth.

I agree with the hon. Lady in that, as I said earlier, I think there is a big opportunity for Northern Ireland as a fundamental, intrinsic part of the UK market with the ability to trade with the EU. That is what the protocol could bring about. There is a huge economic opportunity, but it can only deliver if it is working—if it is acceptable to the whole community of Northern Ireland—and business after business and business representative organisation after business representative organisation have made clear to us that there are problems which need to be resolved. What we are saying today is that rather than maintaining a piecemeal approach that creates continual cliff edges, we want to work with the EU to fix the underlying problems, so that we can see the economic opportunity that the hon. Lady has described delivering for Northern Ireland.

**James Sunderland** (Bracknell) (Con): The UK has the ability, the will and the right to invoke article 16, but does my right hon. Friend agree that softer politics is still the way forward, and that working alongside the EU as an equal trading partner rather than an intransigent political hegemony will offer the best outcome for the people of Northern Ireland?

**Brandon Lewis:** Yes, I hope that the EU will engage in a positive way, because I think that as equal partners and equal sovereign states we are able to conduct a proper negotiation to resolve these core issues. That is in the EU's interests, because obviously it will ensure that we can deal with its concerns about the single market, but it is also in the wider interest, to ensure that we are protecting not just the Belfast/Good Friday agreement but the sovereign integrity of the UK internal market, which I hope the EU respects as much as we respect its single market.

**Sammy Wilson** (East Antrim) (DUP)[V]: Unlike representatives of the Alliance party and the SDLP, who seem to think that their job is to be EU representatives in the House rather than to voice the concerns of their constituents who are hurt every day by the Northern Ireland protocol, I welcome the proposals that the Government have presented today, especially those relating to customs, trade barriers, checks on goods, VAT, and the ending of the jurisdiction of the European Court of Justice in Northern Ireland. However, in paragraph 71 the Secretary of State still refers to the need for EU law to apply in Northern Ireland. Does he recognise that that is undemocratic and will lead to future conflicts and future trade barriers. Does he accept that the introduction of the mutual enforcement of regulations would do away with the need for EU law to be applied in Northern Ireland and would therefore remove those problems and the undemocratic nature of the existing arrangements?

**Brandon Lewis:** I thank the right hon. Gentleman for his wider support and I share his frustration at hearing people who purport to represent UK citizens and Northern Ireland citizens in this Chamber and virtually continuing to support the EU, which is making their lives more difficult. I welcome his support for his constituents. In paragraph 71, we are clear that we think there is potential for more robust arrangements to ensure that, as the rules are developed, they take account of the implications for Northern Ireland and provide a stronger role for those in Northern Ireland. That is an important part of it and he is right to outline that. It is why the consent mechanism is so important as we move forward and why it is important that we recognise that, although the protocol is having an impact detrimentally on people across the whole community of Northern Ireland, for any form of protocol to survive it clearly has to have the consent of the whole community of Northern Ireland. At the moment, it simply does not have that. That is why, in its current format, the protocol as it is working is unsustainable.

**Rob Butler** (Aylesbury) (Con): We know that the protocol was entered into with the best intentions by both sides, but the simple truth, is it not, is that the EU's approach to its implementation has been so rigid as to risk considerable harm to Northern Ireland's economy and society? Does my right hon. Friend agree that what is required now is a far more pragmatic attitude from the EU, whose leaders should recognise that a peaceful and prosperous Northern Ireland is in the best interests of us all?

**Brandon Lewis:** My hon. Friend makes an important point. I recognise and believe that both vice-president Maroš Šefčovič and the wider EU want an outcome

that is good for the people of Northern Ireland, as well as, obviously, protecting and defending their own single market. What we are saying is that to do that let us work together to get a solution that means we can deal with the issues that are fundamentally undermining the protocol, affecting its sustainability and detrimentally affecting the people of Northern Ireland. My hon. Friend is absolutely right: for peace, prosperity and sustainability, it is in everybody's interest to get a positive outcome to the negotiations.

**Karin Smyth** (Bristol South) (Lab) [V]: Trade is the way to the peace and prosperity we need to see in Northern Ireland, and it is ready to make the best of both worlds. This issue needs to be resolved very quickly. The Secretary of State chooses his words very carefully. I think this afternoon he has told us that he respects the epidemiological unit of the island of Ireland and that, in answer to my right hon. Friend the Member for Leeds Central (Hilary Benn), the agreement being sought will avoid the need for a veterinary agreement and make it redundant. Is the agreement that the Secretary of State is now seeking a single agreement across the island of Ireland and the island of Britain?

**Brandon Lewis:** The agreement we are seeking is one that recognises that Northern Ireland is fundamentally part of the UK internal market. That means not only the goods which at the moment can move unfettered from Northern Ireland to Great Britain, but getting to a point where goods moving from Great Britain to Northern Ireland, to be used and consumed in Northern Ireland, are also able to flow freely. We fully recognise the need to deal with checks and issues for products that are moving into Ireland, and therefore the EU and the single market. We will continue to do that. We think there is a realistic, practical and pragmatic way to do that, so that we avoid all those goods, including from companies that do not even trade within Ireland, having still to go through the same checks as if they were going into the single market. That is just not sustainable. It is not right for businesses and it is not right for consumers in Northern Ireland.

**Carla Lockhart** (Upper Bann) (DUP) [V]: This is a welcome step and we await the response from the EU. Of course, its refusal to recognise the fundamental flaws of the protocol and the intransigent approach of the Dublin Government must change if this process is to succeed. We will wait and see if they have the capability to be flexible. The Prime Minister, in his foreword to the Command Paper, references the protection of the peace process and the Belfast agreement in all its parts as the rationale for the protocol. Does the Secretary of State agree that a fundamental building block is the principle of cross-community consent? Does he agree that whatever the outcome of the negotiations it must have the consent of the Unionist community, which is entirely absent from the current arrangements?

**Brandon Lewis:** The hon. Lady makes a very important point. The issues with the protocol and the problems it has created for consumers and businesses affect all communities in Northern Ireland, but she is absolutely right that there is a fundamental problem that the Northern Ireland protocol, as it is currently working, does not have the consent of all, in all communities. It has to have that to have stability and the ability to deliver

peace and prosperity. That is why it is important to enter the negotiations with the absolute aim of ensuring an outcome that resolves those underlying problems and works for people of all communities in Northern Ireland. She is absolutely right: it has to have the consent of all of them, including, obviously, the Unionist community.

**Robin Millar** (Aberconwy) (Con): The Act of Union has long been the foundation for Great Britain and Northern Ireland, and of course the Good Friday/Belfast agreement has secured consensus on peace within Northern Ireland. By contrast, the protocol has challenged the integrity of the UK. It has seen tensions increase between communities within Northern Ireland, and it has been used to introduce barriers to trade.

I welcome the Command Paper and this statement as a timely and pragmatic response, but can my right hon. Friend confirm that he sees the integrity of the UK as the foundation for our pursuit of opportunities and for a peaceful and prosperous future?

**Brandon Lewis:** My hon. Friend's comment is absolutely spot on. The Command Paper is clear that we seek an agreed new balance to meet the commitments in the protocol in a way that fully respects Northern Ireland's place in the UK market. Obviously, we understand that we have a duty to help maintain the integrity of the EU market, and we take that seriously. We think we can deliver on that, but we also have to be clear about the fundamental integrity of the UK market.

**Gavin Robinson** (Belfast East) (DUP) [V]: The Secretary of State will know that aerospace is a key industry in my constituency. If we needed a good example of the flaws of the piecemeal approach, the resolution on steel is a great example. When we raised aluminium, the European Union was of the view that we needed a separate and bespoke negotiation to resolve those issues. That crystallises the conundrum that has led to this White Paper.

My right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson), my hon. Friend the Member for North Antrim (Ian Paisley) and the hon. Member for Wellingborough (Mr Bone) have all raised the timescales. I understand the Secretary of State's reluctance to give arbitrary timescales, but there will be two choices: the European Union will either indicate very quickly that it has no interest in engaging with this process, or it will start to engage.

Will the Secretary of State at least commit not only to put his best efforts into achieving the right outcomes but that he will come to the House, when we return in September, to update us on progress or on the steps that may be necessary at that stage?

**Brandon Lewis:** The hon. Gentleman perfectly outlines the reason why it is important that we deal with the underlying problem, rather than looking separately at all these different symptoms. Many hon. Members have talked about a veterinary agreement and, as he has outlined, that will not solve the overall problems. He has given a very good example of that, which is why we want to take this approach to find a fundamental resolution to the underlying problems.

On the timeframe, as I have said, we want to work positively with the European Union. We are looking to agree a standstill so that we avoid any cliff edges that the grace periods may create, and that would also give us the space to have these negotiations to get a permanent, fixed, long-term solution. It would be wrong of me to put timeframes on that at the moment.

The hon. Gentleman is right that we will have to see how things work over the next few weeks, and I have no doubt that the opportunities in this House will be abundant for him and others to raise these questions and make these points to me on our return after the recess.

**Jim Shannon** (Strangford) (DUP): It is always a pleasure to ask the Secretary of State a question, but I am very pleased to have heard today's statement. I thank him for proposing a possible solution to where we are.

I have been in this Chamber all too often to discuss the Northern Ireland protocol, and here we are again, still trying to find some sort of solution. It has been said that the protocol was put in place to prevent Brexit from disrupting the peace process. However, the enforcement of the protocol in Northern Ireland has done the exact same. The protocol is not sustainable.

I believe very sincerely that there seems to be little willingness from the EU to find a way forward or to find a solution. What steps can the Secretary of State take to ensure an agreement is made to get rid of the protocol? Can he provide an assurance that all options will be considered, including invoking article 16, as he mentioned earlier?

**Brandon Lewis:** The hon. Gentleman is right. As other colleagues have said today, it is important, and we are very clear, that we are not taking any options off the table. We need to ensure that we have the ability to do what is right for the people of the United Kingdom, and particularly, in the instance of the protocol, for the people of Northern Ireland. We think this is the right way to move forward, in order to find a way to resolve these underlying issues within the protocol, which we are fundamentally implementing for Northern Ireland and for the EU. These are fundamental issues that need to be resolved.

I have always been very clear, as have the Prime Minister and my right hon. Friend the noble Lord Frost, about our determination to deliver an outcome that is right for the people of Northern Ireland and that is sustainable and has the consent of the entire community of Northern Ireland. That is the only way that this can work in a positive way. We will then get to the stage where Northern Ireland has real opportunity to deliver huge economic growth and jobs in the future, as part of the UK internal market but also working with our friends and partners in the EU, with access to their market as well.

**Madam Deputy Speaker (Dame Eleanor Laing):** Thank you. I will now briefly suspend the House for three minutes in order that arrangements can be made for the next item of business.

1.50 pm

*Sitting suspended.*



## NHS Update

1.54 pm

**The Minister for Care (Helen Whately):** I apologise to you, Madam Deputy Speaker, and to the Opposition spokesperson, the hon. Member for Tooting (Dr Allin-Khan), for the late sight of this statement.

Before I start my remarks, I would like to take the opportunity to pay tribute to the noble Lord Stevens, who will shortly be standing down as chief executive of the NHS. I thank him for his dedicated service over the past seven years, especially his stewardship during our battle against this virus and his huge contribution to this nation's vaccination programme. I am sure that the whole House will join me in thanking him and giving him our best wishes for the future.

With permission, Madam Deputy Speaker, I would like to make a statement on our support for the NHS. In the NHS's proud 73-year history, no year has been as tough as the last. Everyone working across the NHS has achieved incredible things in the face of great difficulty—from building the Nightingale hospitals in just a matter of days to rolling out our life-saving vaccination programme. They have been there for us at the best of times and at the worst of times. As a Government, we have sought to give them what they need at every stage of the pandemic.

Today, I would like to set out for the House some of the support we have been giving. Throughout the pandemic, we have worked to deliver manifesto commitments—50,000 nurses, 40 new hospitals and 50 million more GP appointments—and we are taking every opportunity to invest in our NHS to make sure that patients feel the benefits of the latest treatments and technologies.

Only this week, we announced a new innovative medicines fund to fast-track promising new drugs. This builds on the amazing work of the cancer drugs fund, which has already helped tens of thousands of patients access promising cancer treatments, while we use the data to make sure that they represent good value for the wider NHS. It is estimated that one in 17 people will be affected by a rare disease in their lifetime, and this fund will support the NHS to fast-track access to treatments that could have clinical promise. This new £340 million initiative takes our dedicated funding for fast-tracking promising drugs to £680 million, showing that we will do everything in our power to give patients access to the most cutting-edge therapies.

Doing right by the NHS means making sure that colleagues have the right team around them. This was true when we made our manifesto commitment for 50,000 more nurses by March 2024, and it remains especially true in the face of the challenges brought by the pandemic. I am pleased to report that we have almost 1.2 million staff working in NHS trusts, an increase of over 45,300 compared with a year ago. This includes over 4,000 more doctors and almost 9,000 more nurses, taking us to over 303,000 nurses in total, and we are on track to deliver on our 2024 commitment.

We recognise that, with so much being asked of our NHS staff, many will not yet be feeling the difference of these extra colleagues on the frontline, but I can assure those hardworking nurses that you will feel it soon. Yesterday, I heard from NHS Employers that, for the first time, Hull University Teaching Hospitals NHS Trust will have a full complement of nursing staff when

the intake of new nursing graduates begins work in September. I know that we all look forward to hearing that kind of news from more and more places across the country.

Finally, I want to update the House on our autism strategy. Our NHS long-term plan set out our commitment to improving the lives of autistic people. Today, we have launched our new autism strategy, which sets out how we will tackle the inequalities and barriers faced by autistic people so that they can live independent and fulfilling lives. I am truly grateful to everyone who has contributed to shaping this strategy, including autistic people and their families, and the all-party parliamentary group on autism in particular. I would like to take a moment to recognise the contribution of Dame Cheryl Gillan, the former Member for Chesham and Amersham, for her incredible advocacy of autistic people, including the inquiries she led in 2017 and 2019. She left an incredible legacy, and we are all so grateful to her for her work.

Today's strategy builds on our previous strategy, "Think Autism", and we have made so much progress since then. We now have diagnostic services in every area of the country and a much better understanding and awareness of autism, but there is much more to do. The life expectancy gap for autistic people is still about 16 years on average compared with the general population, and almost 80% of autistic adults experience mental health problems during their lifetime. The coronavirus pandemic has been tough for many autistic people. Far too many autistic people face unacceptable barriers in every aspect of their lives—in health, employment and also education—so we have worked together with colleagues in the Department for Education to extend the strategy to children and young people as well as adults, reflecting the importance of supporting people all through their lives, from the early years of childhood and through adulthood.

The strategy is fully funded for the first year, and it contains a series of big commitments, including getting down the covid backlog; investing in reducing diagnosis waiting times for children and young people; preventing autistic people from avoidably ending up in in-patient mental health services; improving the quality of in-patient care for autistic people when they are receiving it; funding the development of an autism public understanding initiative so that autistic people can be part of communities without fear or judgment; funding to train education staff so that children and young people can reach their potential; and many more commitments. This landmark strategy will help to give autistic people equal opportunities to flourish in their communities, as well as better access to the support that they need throughout their lives, so that all autistic people have the opportunity to lead fuller and happier lives, as they deserve.

We owe so much to our NHS and the incredible people who work there. They have done so much to support us at this time of national need. As a Government, we will give them what they need, not just through this pandemic but to face the challenges that lie ahead. I commend the statement to the House.

2 pm

**Dr Rosena Allin-Khan (Tooting) (Lab):** I declare an interest as an A&E frontline doctor who is working in our NHS.



The contempt that the Government have for the House is unacceptable. I had advance sight of the statement only a few minutes ago. Once again, the Government have had to row back on a shoddy, ill-thought-through position, with their 1% pay rise—a real-terms pay cut—rejected by the independent pay body. What do they do? Nothing. Less than an hour ago, there were competing briefings on what the deal was going to be, but it turned out to be nothing. Our NHS staff deserve better than this. They have worked incredibly hard throughout the pandemic, and their personal sacrifice is astounding. Their hard work never stops, and that is not without consequences. Work-related stress has increased by nearly 10%, and mental health is consistently the most reported reason for staff absence in the NHS, accounting for approximately half a million days lost every single month.

Those issues preceded the pandemic, but the increased pressure, intensity and trauma experienced by staff has taken its toll. Reports published in January found that nearly half of frontline NHS staff were suffering with post-traumatic stress disorder symptoms and severe depression, with many drinking to numb the pain. It is hardly a surprise that a third of staff are considering leaving their job. With vacancies throughout the health service, retaining staff is absolutely vital, especially when the NHS is embarking on a vaccine booster campaign, tackling the coming wave of coronavirus hospitalisations, treating the growing number of long covid cases, and dealing with the ever-mounting backlog.

That is why a fair pay rise and conditions are important. It is not just a moral imperative—it is also about the future functioning of our NHS. By refusing to offer a pay rise, the Government risk workers leaving the health service, creating more vacancies, shortfalls in shifts and increased workloads for the staff who remain. It makes recruitment much harder, with huge gaps in crucial areas such as nursing. It makes the Government's already insufficient pledge to recruit 50,000 more nurses by 2024 simply impossible. Healthcare staff are rightly angry that they have been treated in this way. We recognise that unions want to consult their members on all proposals, and we support them in that. The fact that even the unions have been kept in the dark is utterly unacceptable.

After the year we have had, there should not be so many unanswered questions, so I ask the Minister: is this really fair on NHS staff who have had to bury their colleagues, as well as their families? Is this really fair on NHS staff who have been sent like “lamb to the slaughter”, without appropriate personal protective equipment for work throughout the pandemic—I am using their words. Is this really fair on NHS staff who are sent to support us and our families, ill-equipped and with inappropriate PPE? Is this fair, when NHS staff nursed our loved ones when they died alone? Is this fair, when staff are exhausted and there is still no end in sight. Minister, this is quite simply an insult of the highest order. After everything our NHS staff have done for us, when will the Government finally make them feel valued and offer them something more than claps?

A statement on the NHS should have concrete plans on how the Government will support the NHS in tackling the summer crisis. If the Minister is so sure that she understands NHS staff and their pressures and workloads, I invite her to do a shift with me on the A&E frontline—she can shadow me for once.

**Madam Deputy Speaker (Dame Eleanor Laing):** Just before the Minister responds, I will say that Mr Speaker will be annoyed, to say the least, that the hon. Member for Tooting (Dr Allin-Khan) did not receive the statement from the Minister in time. The Minister did apologise at the beginning of her remarks, so I have noted that apology and we do not have to go any further on that, but I have also noted what the hon. Lady has said.

**Helen Whately:** Thank you, Madam Deputy Speaker. I reiterate my apology to the hon. Lady for the late sight of the statement and thank her for her invitation to join her, but I will say that I am shocked by some of the language that she uses. I would just say—[*Interruption.*]

**Madam Deputy Speaker:** Order. The hon. Member for Tooting must not shout at the Minister across the Dispatch Box. She was heard, and the Minister must be heard.

**Helen Whately:** What we say in this Chamber is clearly important and it has ripples beyond the Chamber, so I for one consider the tone of what we say to be extremely important. The hon. Lady spoke about pay for NHS staff. As she knows, the Government asked for recommendations from the NHS pay review bodies. The Government are rightly seriously considering those recommendations, and we will be responding as soon as we possibly can. She also knows that last year the Chancellor committed to NHS staff receiving a pay rise at a time when there is a wider freeze on public sector pay, recognising the extraordinary lengths that NHS staff have gone to during the pandemic.

The hon. Lady talked about the pressures on NHS staff, which she and I know go back a long way, but yes, of course they have been so much greater during the pandemic. We know that NHS staff have gone above and beyond, time and again, during the pandemic to care for patients. Recognising that, and knowing that that has been happening throughout the pandemic, I have worked with NHS England, and particularly the people team there, to put in place all possible support for staff during these difficult times. That includes practical support with some of the day-to-day challenges of working shifts and the extra disruption to people's lives and home lives during the pandemic, as well as mental health support, including setting up 40 new mental health hubs for staff, which I have heard from staff on the frontline are really making a difference. In fact, some of these things are making the NHS a better place to work for the future, and we should try to continue some of the improvements to mental health support for staff, recognising the importance of this to people who are doing extremely challenging jobs.

I also say to the hon. Lady that we now have record numbers of staff in our NHS. We have over 300,000 nurses, as I said earlier—around 9,000 more nurses than a year ago—and record numbers of doctors, so we have more staff in our NHS. We are also seeing a huge interest in NHS careers. For instance, we have seen a 21% rise in applications to UCAS for nursing degrees this year, which comes on top of a rise last year as well. I welcome the fact that so many people now want to join our NHS to support it, and I am determined that we as a Government will continue to support our NHS workforce in the weeks and months ahead.

**Jeremy Hunt** (South West Surrey) (Con): May I start by echoing the Minister's thanks to Lord Stevens, who is about to step down as chief executive of the NHS? One of my proudest achievements as Health Secretary was to secure a £20 billion annual rise in the NHS budget, and that would not have been possible without a close partnership with Lord Stevens. Indeed, he taught me a number of things about how to negotiate with the Treasury. He is someone who believes in the NHS to his fingertips, and he will be missed in all parts of the House, both on the Opposition Benches, but also on this side, where we have long forgiven him for his new Labour origins. We wish him well for the future.

This statement is about the NHS. The biggest pressure facing the NHS, apart from covid patients themselves, is the covid backlog, and I draw to the Minister's attention the concerns that I and a number of people have as we face these enormous waiting lists. The previous Labour Government had considerable success in bringing down waiting lists, to their credit. They would also say that there were unintended consequences in terms of lapses in parts of the system with the safety and quality of care. Will the Minister, as we once again try to bring down waiting lists, agree that the Government will redouble their focus on safety and quality of care so that we do not have to relearn the lessons of Mid Staffs, Morecambe Bay and a number of other sad tragedies?

**Helen Whately:** I thank my right hon. Friend for his question. I know that in his time as Health Secretary, he did a huge amount to raise the standards of safety and have a greater focus on patient safety in the NHS. That is still clearly making a difference today. He is absolutely right that we need to ensure that we focus on that as we work to bring down the backlogs from the pandemic. It is not only that; I am mindful of making sure that we continue to support our NHS workforce as they, on the one hand, look after patients with covid and, on the other, work to reduce the backlog. That pressure is continuing, but I am determined that as we bring down the backlog, staff will continue to be supported and will, in fact, continue to have time off, annual leave, the breaks they need and the wider support so that we look after our workforce as well as providing the care that patients need.

**Martyn Day** (Linlithgow and East Falkirk) (SNP) [V]: I have listened to what has been said in the statement, and I was surprised that it did not cover the subject of NHS pay, which had been well trailed in advance. I would have hoped that the UK Government would match the 4% that the Scottish Government have offered NHS workers, backdated to December 2020. The Scottish Government have also secured agreement for a real living wage for social care staff at £9.50 an hour and underwritten the promise with £64.5 million in support. Why is it that this UK Government are unable to match the Scottish Government's commitments to give NHS and social care staff the pay that they deserve and need?

**Helen Whately:** I thank the hon. Member for outlining the approach in Scotland towards pay. Pay is a devolved matter. As I said earlier to the shadow Minister, the hon. Member for Tooting (Dr Allin-Khan), we are reviewing the recommendations from the pay review bodies, and we will be making an announcement for pay in England in due course.

**Simon Jupp** (East Devon) (Con): I thank the Minister for her updates. On another matter, I am receiving emails from East Devon constituents concerned that their first, second or both jabs have not been registered properly and do not appear on the NHS app. It is putting their holiday plans in doubt. From September, they may not be able to access some venues when covid passports could be introduced, although not with my support. The papers are filled with similar stories from across the country. Not only will covid passports create a two-tier society but it also appears to be a system that is based on sometimes inaccurate data. Is this really a good idea, Minister?

**Helen Whately:** Well, I welcome the fact that so many of my hon. Friend's constituents have received their vaccination. Where there are problems with the data, I am sure he will know that the vaccines Minister, my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi) is very assiduous on these specific matters. I will raise with him the examples. It may well be that the Minister will get directly in touch with my hon. Friend and resolve the situation.

**Munira Wilson** (Twickenham) (LD): I start by echoing the remarks of the Minister and the right hon. Member for South West Surrey (Jeremy Hunt) regarding Lord Stevens. He happens to be a constituent of mine, but he has also been a phenomenal chief executive of the NHS and I hope he will be making some well-informed interventions on the Health and Care Bill in the other place.

The statement rightly applauds our NHS staff and says how much we owe them. It says that the Government will give them all that they need. Words and clapping are cheap. Where on earth is the widely reported and trailed pay deal announcement that was expected today? Does the Minister really believe that the 1% pay rise, which is actually a pay cut, is giving NHS doctors and nurses what they need? Is that really a just reward for their sacrifices of the last 18 months?

**Helen Whately:** I agree that pay for our NHS workforce is clearly very important. That is why we are considering the recommendations of the pay review body and we will make an announcement on pay in due course.

**Paul Bristow** (Peterborough) (Con) [V]: I hugely welcome the Minister's statement today, particularly the news about the autism strategy, but as we look beyond the pandemic, there is real concern from charities and patient groups that many patients have missed being diagnosed with some very serious conditions due to lockdown and covid restrictions. GPs have a crucial role in dealing with this issue. Will the Minister set out the steps that her Department is taking to provide an extra 50 million GP appointments a year?

**Helen Whately:** My hon. Friend makes a really important point. We have seen people not come forward for treatment during the pandemic and it is worth reiterating that if anyone is worried about their health, it is really important to seek that help and get a diagnosis or seek treatment. We are working to increase the number of appointments available in primary care. One thing we have also seen during the pandemic is that GPs have increased remote working and virtual appointments. We know that many

people need to be able to see a GP in person, but there are also opportunities to combine GPs being able to offer services in person and virtually in a way that is good, hopefully, for GPs and patients.

**Jim Shannon** (Strangford) (DUP): I thank the Minister for the statement and what she spoke about earlier. I want to ask about the NHS wage increase, which is on my mind. On the TV screens this morning, a nurse gave her story—it was very heartfelt, for those who had the opportunity to hear it—about the difficulties of retaining staff and ensuring that they were able to cope through the process. There is a real need to respond positively on the wage increase. A petition on that has also been handed into Government. I believe in my heart that NHS staff should receive the 3% increase. Does the Minister agree that 3% is enough, given their tireless and admirable efforts in tackling covid-19, and can she confirm that NHS staff will receive the wage increase and that it will be a priority for her and the Government?

**Helen Whately:** The hon. Gentleman is asking me to pre-empt the Government's response to the recommendations of the pay review body and I am afraid that I am not able to do that at the Dispatch Box today. What I can say is that we are considering its recommendations and we will make an announcement on pay for NHS staff as soon as we can.

**Mrs Flick Drummond** (Meon Valley) (Con): I thank the Minister for her update and the announcement on the autism strategy, which is much welcomed. It has been a very tough 16 months for every single worker in the NHS and I salute every one of them around the country, particularly in the Meon Valley, of course. I also praise every volunteer in the vaccine centres that have played such a successful role. I have been keeping in touch with the local NHS bodies and patients about progress towards a new hospital in Hampshire, one of the 40 in our plan. Can my hon. Friend confirm that her Department is engaging with the Hampshire Hospitals NHS Foundation Trust to move this project forward as soon as possible, as it will benefit my Meon Valley constituents?

**Helen Whately:** I join my hon. Friend in thanking NHS staff in the Meon Valley and also, as she says, the many volunteers in her area and across the country who have been so invaluable in their support during the vaccination roll-out. She asked about her new hospital in Hampshire. She will know that the Government are going full steam ahead with bringing forward new hospitals, and I will take up her specific question with my hon. Friend the Minister with responsibility for hospitals.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): First, let me associate myself with the Minister's comments about Lord Stevens and Dame Cheryl Gillan. Both contributed massively to the Public Accounts Committee, albeit from different sides of the witness table.

This statement is disappointing. It is great to hear about the autism strategy, but that was already a written statement today. Why have we not heard about the backlog, social care or NHS pay? The Minister has talked about recruiting more people. I could go to town on how many failed targets there have been, and we are still not

sure whether the Government will meet this one. The key issue in NHS staffing is retention of staff. If she cannot tell us about NHS pay now, when, Minister?

**Helen Whately:** The hon. Lady is absolutely right that retention is vital to us for maintaining the staff that we have in the NHS. For instance, to achieve our 50,000 more nurses for the NHS, there will be a combination of new domestic recruitment, staff training to become nurses, international recruitment, but also retaining the nurses that we have, which is a really important part of it. That is why we worked so hard during the pandemic to support NHS staff to stay with the NHS. What we have seen—I am truly grateful to many staff for this—is people sticking with the NHS during this time. Some staff have even delayed their retirement in order to help the NHS through the pandemic. Looking ahead, we must be ready to continue supporting staff, including, for instance, staff who are nearing the end of their careers, making sure that, if they want to work a bit differently—more flexibly for instance—that should be available. That is one thing among a whole host of things that we are doing in order to support the retention of staff.

**Madam Deputy Speaker (Dame Eleanor Laing):** I must just say to the House that the hon. Member for Hackney South and Shoreditch (Meg Hillier) is not the only Member this week and in recent weeks who has addressed the Minister as “Minister”. I am sorry to pull up the hon. Lady. I am doing it to her because I know that she can take it and will not be upset by my criticising her. I am rather more gentle with the new Members, so I thank the hon. Lady for helping me in this by allowing me to use her as an example. When a Member asks a question, you do not say, “Minister, are you going to do this?” You say, “Madam Deputy Speaker, or Mr Speaker, does the Minister understand that she must do this?” We must not lose sight of that because it changes the way in which dialogue occurs in this place. Just because it is hot, the end of term and we have covid problems does not mean that we let our standards fall.

**Mr Steve Baker** (Wycombe) (Con): On Monday, Sky News was among those who reported that frontline health workers in England are to be spared self-isolation rules in an emergency move to tackle the pingdemic that has triggered an NHS staffing crisis. I am very pleased, because, of course, the NHS has a special place in all our hearts and in all our constituents' hearts, but so, too, does food in the supermarkets and on our tables, and the capacity of businesses to recover, particularly theatres, which have been in the news. What will my hon. Friend do to ensure that everyone is freed from this great curse of the pingdemic, which is keeping us from our recovery?

**Helen Whately:** Isolation is an important part of our defence against the pandemic. We know that those who are contacts are around five times more likely to be infectious. That is why isolation is so important. My hon. Friend is correct to say that there has been a very specific policy for a limited number of NHS and social care staff in exceptional circumstances and subject to a risk assessment. The conditions for someone to work if they are a contact are: they are double vaccinated; they receive regular PCR testing; and the decision is subject to the approval of the director of public health, or an appropriate public health individual. As I say, the conditions



[*Helen Whately*]

are very limited and specific. The Prime Minister also said that we will make sure that crucial services will be able to continue to operate, even while recognising that many people are currently isolating; that that goes beyond health and social care; and that in mid-August we will introduce a new system.

**Rachael Maskell** (York Central) (Lab/Co-op) [V]: I spent 20 years working in the NHS, but I have never known the NHS to be under such extreme pressure.

Mental health needs are unmet; NHS waiting lists are going through the roof; GPs are completely overrun and unable to cope; and there is no solution to our social care crisis. The Tories have achieved what I did not believe was possible: they have broken the NHS and care service and they have broken the NHS and care staff. In that shadow, the Minister should be ashamed to bring such a vacuous statement to the House today. Will she now immediately enter into urgent cross-party talks on how we can rescue this disastrous mess before staff and patients bear further sacrifice.

**Helen Whately**: I do not agree with the hon. Lady's description of the situation. It is clearly absolutely true to say that our NHS staff and social care staff have done tremendous things during the pandemic, and clearly they are still doing so as covid is still so much with us. They have gone above and beyond time and again. It has been important that we have put in place extra support and we will continue to make sure that there is extra support for staff. We will announce our decision on NHS pay in due course.

**Mary Robinson** (Cheadle) (Con): I thank my hon. Friend for her statement. I take this opportunity to thank all the staff who work at Stepping Hill Hospital in my constituency for their tireless efforts throughout this pandemic.

The past 16 months have reinforced the importance of the Government's goal of getting 50,000 more nurses in the NHS by the end of this Parliament. I am encouraged by the progress that has already been made in that respect. Will my hon. Friend confirm that her Department will also continue to work hard to improve the recruitment and retention that we will need to meet that crucial target?

**Helen Whately**: I, too, thank the NHS and social care staff in my hon. Friend's constituency and her local hospital for all that they are doing. I welcome her acknowledgement of the progress we are making towards our target of 50,000 more nurses. We are absolutely going to continue with our strong domestic recruitment, in respect of which we are in a really good position because of the increased number of applications for nursing courses. Even in the face of the pandemic, international recruitment is still really strong. Trusts are doing a great job in bringing and supporting international recruits into their organisations and, of course, supporting staff who were already in the NHS. Retention is so important—we must keep those we already have.

**Charlotte Nichols** (Warrington North) (Lab) [V]: I send solidarity to my fellow gingers in the Chamber and beyond who will no doubt be struggling with the heat today, as I am.

NHS staff are justifiably angry. The Minister can tone police my hon. Friend the Member for Tooting (Dr Allin-Khan) all she likes, but frankly she will get shorter shrift if she speaks to the exhausted, demoralised and underpaid NHS staff in my area. Rather than clutching her pearls, will the Minister please turn her attention to delivering the much-trailed pay rise that she has failed to announce today—one that fairly reflects the contributions of NHS staff, redresses years of real-terms pay cuts, and addresses the number of NHS key workers who are still shamefully paid below the real living wage?

**Helen Whately**: The hon. Lady has clearly been speaking to NHS staff in her constituency, and I am glad to hear that. As the Minister responsible for the NHS workforce, I speak to NHS staff all the time to make sure that I understand the things that are most on their minds. Pay is of course on staff's minds at the moment, but so is the importance of having full teams, so I am glad that we are making progress on increasing the number of staff in the NHS more broadly and the number of nurses specifically. We are also putting in place other support, such as the mental health support that I know is so im-

**Jacob Young** (Redcar) (Con): The Minister will be aware that Redcar and Cleveland currently has the highest rate of covid in the country, but thankfully this is not leading to a huge increase in hospitalisations and deaths because we are also one of the most vaccinated parts of the country, with 71.2% of people having received both doses. What additional support can the Department give to Redcar and Cleveland to ensure that everyone is able to access the jab and protect themselves and our local NHS?

**Helen Whately**: May I say how good it is to hear that my hon. Friend's area has taken up the jab so strongly, so that so many people are having the protection of both doses of the vaccination? We know that it does not mean that they definitely will not get covid at all, but we know that their risk of hospitalisation, serious consequences and indeed death is that much lower from being vaccinated. Of course, it is important that those who have yet to be vaccinated but who are eligible still come forward; there are more people still to come forward. If my hon. Friend thinks that there is anything specific that we could do further in his constituency, I hope that he will let me or the Minister for Covid Vaccine Deployment know.

**Florence Eshalomi** (Vauxhall) (Lab/Co-op) [V]: I join my hon. Friends the Members for Tooting (Dr Allin-Khan), for Hackney South and Shoreditch (Meg Hillier), for York Central (Rachael Maskell) and for Warrington North (Charlotte Nichols) in expressing my dismay at the Minister's statement, which outlines nothing for the many NHS staff—including the hard-working staff across the bridge from this House, at St Thomas' Hospital in my constituency—who still have not seen the pay rise that they deserve. Our NHS staff have been working tirelessly for more than a year on the frontline; they are exhausted. They have experienced exceptional levels of trauma and crisis for a prolonged period. Recent research by King's College London found that intensive care staff reported PTSD, severe depression and anxiety. They need support over the coming years. Will the Minister outline what steps the Government are taking to work with our NHS staff in order to support them to deal with the mental health fallout from the pandemic?

**Helen Whately:** I join the hon. Lady in thanking NHS staff in her constituency, particularly in St Thomas' Hospital, just across the river from where we are now, where I had one of my three children and was extremely well looked after. She asks about mental health support for staff. We recognise the pressure and mental health challenges that staff have been facing, particularly during the pandemic. That is why the NHS is putting in place 40 mental health hubs to provide specific mental health support to NHS and social care staff. That is one of a range of things that we are doing to support the mental health of staff through this time.

**Selaine Saxby** (North Devon) (Con): I welcome the Government's commitment to our NHS through the delivery of the biggest hospital building programme in a generation. Will my hon. Friend set out the progress that her Department has made towards identifying and progressing the 40 future hospitals that it will be building and significantly enhancing, such as North Devon District Hospital in my constituency?

**Helen Whately:** We have indeed committed to build 40 new hospitals by 2030. Together with eight existing schemes, that will mean 48 new hospitals by the end of the decade—as my hon. Friend says, the biggest hospital building programme in a generation. The programme is absolutely on track, but I will have to take up the specific hospital in her constituency with the Minister for Health, my hon. Friend the Member for Charnwood (Edward Argar), who is the hospitals Minister.

**Barry Gardiner** (Brent North) (Lab) [V]: In order to ensure that the Minister is damned if she says no and damned if she says yes, can she confirm whether she believes that pushing the Government response to the pay review into the long grass or sneaking it out during the recess, when Parliament is not sitting, is an adequate and fair reflection of the sacrifices that NHS staff have made to keep our country safe during the pandemic?

**Helen Whately:** As I have said, we are considering the recommendations of the NHS pay review body. This is an extremely important decision for the Government; it clearly has consequences for a very large number of NHS staff. We will be announcing our decision on pay as soon as we can.

**Andrew Gwynne** (Denton and Reddish) (Lab): Let me start by commiserating with the Minister, who is clearly grabbing a short straw at the moment. I am not sure what the point of this statement actually is. It seems as though pages 2 to 4 have been torn out at the last minute, and she has just read out the preamble and the end, with nothing in between. However, as this is an opportunity to raise NHS issues with her, may I draw her attention to a growing concern for my constituents, which is the difficulty in getting a GP appointment? Is she aware of that growing issue across parts of Greater Manchester and, no doubt, the rest of England? What is she doing about it?

**Helen Whately:** I thank the hon. Gentleman for taking the opportunity to raise that point. I am well aware of it, as my constituents in Kent raise the issue of that challenge in my area, and I know others do the same in many other parts of the country. That is why we are working to increase the number of primary care

appointments available to people, knowing that demand is going up and that we must make sure that people's need for local healthcare, which is so important, is met.

**Jonathan Gullis** (Stoke-on-Trent North) (Con): Madam Deputy Speaker, it is good to know that you only tick off MPs who can take it; I would not wear a jacket on one occasion on Zoom, so I am appropriately dressed for you on this occasion.

I wish to thank the Minister and the Department of Health and Social Care, because under this Government the Royal Stoke University Hospital has received more than £40 million of investment. Sadly, however, Labour's legacy in Stoke-on-Trent at the Royal Stoke is Andy Burnham's disastrous private finance initiative deal, which means that £20 million a year is being stolen from the frontline and going on a hospital PFI debt, meaning that we have had fewer beds than we had before. Does the Minister agree that one way we can help our local NHS is by freeing it of this usuary, so that money can instead go on funding more beds, doctors, nurses and equipment for our fantastic frontline NHS staff?

**Helen Whately:** I agree wholeheartedly with my hon. Friend on that; I am glad that we are able to focus our funding for the NHS on the things that really matter—building new hospitals and supporting the workforce, and, at the moment and in the months ahead, supporting the elective recovery and all the extra work that needs to happen to give people the treatment they need.

**Alison McGovern** (Wirral South) (Lab): Before I ask my question, may I say to the Minister that she might want to think again about coming to this House and ticking off my hon. Friend the Member for Tooting (Dr Allin-Khan) for her tone and language on NHS pay when she has come to this House to say absolutely nothing at all? Worse still, we hear from the media that the social care announcement is now being pushed to September. Let me give the Minister a second chance: can she confirm at the Dispatch Box right now that when we get that social care plan it will match Wirral Council's priority of getting every social care worker in this country the real living wage—yes or no?

**Helen Whately:** It is very good to hear that Wirral Council is supporting social care workers in its area. Local authorities are a crucial part of our work in social care reform and they have so many of the direct relationships with the care providers who are providing that social care. We are absolutely committed to bold, ambitious reforms for social care. As the hon. Lady knows very well, we will be bringing those forward during this year.

**Madam Deputy Speaker (Dame Eleanor Laing):** I ought to conclude the statement here, because we are running way behind time. However, I appreciate that Members have important questions to ask and that the Minister will want to answer them. But I ask for much greater speed and brevity, because otherwise it is not fair to people who are waiting for us to come on to the next item of business. I call Dr Ben Spencer.

**Dr Ben Spencer** (Runnymede and Weybridge) (Con): Thank you, Madam Deputy Speaker. Before I ask my question, may I declare an interest, in that my wife works in the NHS?

[Dr Ben Spencer]

I thank the Minister for her statement, particularly on supporting our workforce. When I speak to local health leaders they tell me that the workforce are tired—they have been dealing with covid for the past 18 months, and they are worried that they will have to lurch from covid into tackling 150% of the covid backlog. What reassurance can the Minister give health staff working in my constituency that there will be a sustainable transition from dealing with the pandemic to dealing with all the backlog and consequences as a result of it?

**Helen Whately:** My hon. Friend makes an important point, and it is why I am working closely with my hon. Friend the Minister for Health, who is leading oversight of the elective recovery work. We are very much discussing how we can make sure that, with the pressure of looking after people with covid, with winter approaching and with elective recovery, we are looking after our workforce through this period. Of course, looking ahead to the winter, it is important that people get not only the covid vaccination, if they are eligible, but the flu vaccination, so we can try to have as little flu as possible in what may be a challenging winter ahead.

**Barbara Keeley (Worsley and Eccles South) (Lab) [V]:** Although it is welcome that the Government have launched their new autism strategy, they will need to do more than that to ensure that the 2,000 autistic people and people with learning disabilities currently detained in inappropriate in-patient units can move back into the community. For 10 years since the Winterbourne View scandal, the Government have failed to invest in the high-quality community services needed, and they have done nothing to stop the flow of people into in-patient units from the community.

Will the Minister commit to the funding needed to support all current in-patients in the community? Can she say when the Government will finally bring forward reforms to our social care system so that it provides the support autistic people and people with learning disabilities need?

**Helen Whately:** The hon. Lady refers to the importance of making sure that only those who really benefit from in-patient treatment should be in in-patient units. We know that is often not the case for autistic people, and sometimes those with learning disabilities, who are in-patients. We are working through our “building the right support” programme to reduce the number of in-patients, and we will continue to do so.

**Jason McCartney (Colne Valley) (Con) [V]:** Local services, businesses and schools across my Colne Valley constituency have been severely impacted by absences as a result of staff being pinged. We already know that, from mid-August, those who have been double jabbed will not have to isolate when pinged, but with such a successful roll-out of vaccinations in my part of Yorkshire, why can it not happen now?

**Helen Whately:** I appreciate my hon. Friend’s point, but the fact is that isolation is an important part of our defences against this virus. At the moment, therefore, we have to ask people who are pinged by the Test and Trace app to isolate in order to break the chains of infection.

**Jon Trickett (Hemsworth) (Lab):** The whole country wants to see a proper pay rise for NHS staff, and we await the Government’s announcement. The central ethos of healthcare through generations and centuries has been the Hippocratic oath, which gives equal value to the lives and health of every single human being, including those over 80 years of age. Will the Minister stand up for the NHS and its core principle of rejecting the Prime Minister’s brutal philosophy of abandoning our older neighbours, friends and relatives?

**Helen Whately:** I do not accept what the hon. Gentleman says. From my position during the pandemic, I can say that we have tried, at every step of the way, to protect those who have been most vulnerable to this virus. It is a cruel virus, and it is particularly cruel to those who have weaker immune systems and those who are older. We have done all we possibly can, including putting over £2 billion of funding, PPE, testing and vaccinations into social care to do our utmost to protect those who are most at risk.

**Anne Marie Morris (Newton Abbot) (Con) [V]:** The pandemic has shown the vital need for effective collaboration across health and social care, and the need for individuals, such as nurses, to be able to work flexibly across both systems. What steps have the Government taken to ensure that parity of esteem is achieved across the health and social care workforce, in their training—preferably together—in their work opportunities and in their pay, which should be comparable?

**Helen Whately:** My hon. Friend makes an important point, and we have seen some really effective collaboration across health and social care during the pandemic. We want to continue to build on that. One of the things I am doing is working with Health Education England, which is launching a review looking ahead at how we can go further in bringing together our healthcare workforce and registered staff in the social care workforce.

**Tony Lloyd (Rochdale) (Lab) [V]:** The Minister is quite rightly embarrassed because she can say nothing about NHS pay, but she should be equally embarrassed that she cannot answer the question about parity of esteem for care workers. Over 100,000 care worker vacancies exist in this country. What are the Government going to do to make sure not only that the care workers in post are not exhausted but that people who need care get the care workers that they need?

**Helen Whately:** It is true that the social care sector does face a challenge and has faced a challenge in recruiting people. We are supporting the sector and we have supported the sector during the pandemic. As part of our work on social care reform, we are looking at the workforce to see, for instance, how we can make sure that social care is an attractive place to work, particularly for people coming into the workplace for the first time, and then provide career progression opportunities so that they stick with social care for a long time.

**Antony Higginbotham (Burnley) (Con):** Access to a GP is now very patchy. Some of my constituents have no difficulty in getting a face-to-face appointment; others find it almost impossible. We all accept that there are new ways of working and some GP appointments can



be virtual, but that is not appropriate in all cases. Over the coming months, if not years, if access to appointments does not improve, we will see that tackling the backlog, and keeping pressure off A&E and our ambulance services, will only get worse. What steps can the Department of Health and Social Care take to support and encourage GPs to get back to operating as normal and get patients through the door?

**Helen Whately:** My hon. Friend is absolutely right about the importance of people being able to access GPs and to get healthcare close to home. NHS England has been clear to GPs that they must ensure that they are offering face-to-face appointments as well as remote appointments. In general, practices are taking this approach, and we will continue to support GPs to provide that access over the months ahead.

**Margaret Greenwood** (Wirral West) (Lab) [V]: Last week, the Minister for Health, the hon. Member for Charnwood (Edward Argar), said in response to a question from my hon. Friend the Member for York Central (Rachael Maskell) that

“it is not the intention that ICBs”—  
integrated care boards—

“depart from “Agenda for Change”.—[*Official Report*, 14 July 2021; Vol. 699, c. 474.]

However, given that the Health and Care Bill will revoke the national tariff and places a clear emphasis on a move to tariffs varying by area and other factors, coupled with strict financial controls for ICBs, is it not inevitable that it will undermine “Agenda for Change” and the pay and terms of conditions of over 1 million NHS workers in England?

**Helen Whately:** No, I do not think that is the case.

**Madam Deputy Speaker (Dame Eleanor Laing):** Finally, we go by video link to Peter Bone.

**Mr Peter Bone** (Wellingborough) (Con) [V]: Thank you, Madam Deputy Speaker; we much appreciate you extending this session.

Before any major change is made in the NHS, there is a full impact assessment done to see how it affects wider society. Would the Care Minister be able to say when last week, when the statutory instrument on compulsory vaccination of care staff was put before the House, she had the opportunity to read the SI, the explanatory notes and the full impact assessment? If there was no full impact assessment, why did the Government proceed in laying it before Parliament?

**Helen Whately:** I was asked about this at the time and during the debate, and I did apologise for the fact that there was an error in the explanatory notes. We have since published an impact statement, and a full impact assessment is going through the formal approval process.

## Points of Order

2.48 pm

**Sir Mike Penning** (Hemel Hempstead) (Con): On a point of order, Madam Deputy Speaker. Thank you for allowing me to make this point of order, of which I gave Mr Speaker notice.

Today, the Government and the Department of Health and Social Care have issued a written ministerial statement on their review of the scandal of Primodos, sodium valproate and pelvic mesh. On average, the recommendations were given three to four paragraphs in the document. This affects every single constituency and it is an insult to this House—and, more importantly, to the victims of the conditions brought on them by the NHS—that we are not here listening to a Minister and questioning them. Is there any indication of why, in this short time—I am sure that is why the statement was issued so late today—we have not got a Minister before us today and why, for such an important issue to so many victims in this country, and one that has been going on for years, the Government’s own review gives only four paragraphs per recommendation and no compensation? I know the Minister is listening and she may like to pass this message on.

**Madam Deputy Speaker (Dame Eleanor Laing):** I thank the right hon. Gentleman for having given me notice that he intended to raise a point of order. As he knows very well, I cannot answer for what the Government do. It is not for the Chair to decide which statements are made here and which are made as written statements. To be fair to the Government, we already have three statements today.

**Sir Mike Penning:** It should be four.

**Madam Deputy Speaker:** Well, if it had been four, I would have had people complaining that they did not have time to speak on the important Bill that is also before us. I fully appreciate the right hon. Gentleman’s points about the importance of the subject matter of the written statement and I am sure he will seek advice from the Table Office as to how he could take this matter further. I am also certain that Ministers have heard his concerns.

**Andrew Gwynne** (Denton and Reddish) (Lab): On a point of order, Madam Deputy Speaker. Yesterday, the Parliamentary and Health Service Ombudsman published the long-awaited report on the state pension changes affecting 1950s-born women, which found maladministration on the part of successive Governments. Has there been any indication of Department for Work and Pensions Ministers coming to the House to make a statement on this important matter that affects 3.8 million women across the United Kingdom? If not, how can we get them here to scrutinise them, given that the recess begins tomorrow?

**Madam Deputy Speaker:** Again, I am grateful to the hon. Gentleman for having given me notice of his intended point of order, which is similar to that of the right hon. Member for Hemel Hempstead (Sir Mike Penning). My answer is, of course—consistent as I am—the same. It is not for the Chair to decide which statements come here to the House and which are written. I am sure that the hon. Gentleman will seek advice from the Table Office as to how he might take his point further. However, having made his point here in the Chamber, the relevant

[Madam Deputy Speaker]

Ministers will be aware of his concerns, which I suspect are shared by a great many hon. Members in all parts of the House.

**Richard Burgon** (Leeds East) (Lab): On a point of order, Madam Deputy Speaker. In Prime Minister's Question Time today, in response to my question about whether the Prime Minister could live on £96 statutory sick pay per week, he said,

"The hon. Gentleman is quite wrong, because everybody who is self-isolating is entitled, in addition to the equivalent of the living wage".

That is inaccurate. Not everyone who is self-isolating is entitled to the £500 test and trace support payment, as the Government's own website makes clear. Can you advise me, Madam Deputy Speaker, as to whether the Prime Minister has corrected the record or notified you of any intention to correct the record? If not, what steps can be taken to ensure that the Prime Minister does correct the record on this very important matter?

**Madam Deputy Speaker:** I thank the hon. Gentleman for having given me notice of his intention to raise this point of order. As Mr Speaker has said from the Chair many times, and as I have said myself, we are not responsible for what Ministers say at the Dispatch Box—that is up to the Minister—and of course one person's interpretation of statistics can often be different from another person's interpretation of statistics; indeed, there can be as many interpretations as there are statistics.

The hon. Gentleman clearly disagrees with the answer that the Prime Minister gave, and I am sure that he will find a way of asking the question again. As with any other Minister, if the Prime Minister has been mistaken in the facts that he laid before the House, then I am sure that, by my saying this now, those around him will be aware that the suggestion of a mistake in fact has been made and he will take the earliest opportunity to correct it, which of course would be the honourable thing to do. But if the Prime Minister does not believe that he is mistaken in fact, the hon. Gentleman will have to await the next opportunity that he has to raise the matter again, which I am sure he will do.

## BILLS PRESENTED

### JUDICIAL REVIEW AND COURTS BILL

*Presentation and First Reading (Standing Order No. 57)*

Secretary Robert Buckland, supported by Secretary Priti Patel, Michael Gove, Secretary Kwasi Kwarteng, Secretary Thérèse Coffey, Secretary Gavin Williamson, Secretary Robert Jenrick, Mr Jacob Rees-Mogg and Chris Philp, presented a Bill to make provision about the provision that may be made by, and the effects of, quashing orders; to make provision restricting judicial review of certain decisions of the Upper Tribunal; to make provision about the use of written and electronic procedures in courts and tribunals; to make other provision about procedure in, and the organisation of, courts and tribunals; and for connected purposes.

*Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 152) with explanatory notes (Bill 152-EN).*

### BUTTON BATTERIES (SAFETY) BILL

*Presentation and First Reading (Standing Order No. 57)*

Jo Gideon, supported by Sir John Hayes, Robert Halfon, Edward Timpson, Dr Caroline Johnson, Holly Mumby-Croft, Andrew Selous, Munira Wilson, Siobhan Baillie, Dr Kieran Mullan, Dr Luke Evans and Dame Andrea Leadsom, presented a Bill to make provision about the safety of button batteries; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 10 September, and to be printed (Bill 153).*

### LOCAL ELECTRICITY BILL

*Presentation and First Reading (Standing Order No. 57)*

David Johnston, supported by Peter Aldous, Hilary Benn, Sir Graham Brady, Simon Fell, Patrick Grady, Wera Hobhouse, Ben Lake, Clive Lewis, Selaine Saxby, Mick Whitley and Jeremy Wright, presented a Bill to enable electricity generators to become local electricity suppliers; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 10 December, and to be printed (Bill 154).*

## United Kingdom Atomic Energy Authority Pension Transfers (Parliamentary And Health Service Ombudsman Investigation)

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

2.56 pm

**David Johnston** (Wantage) (Con): I beg to move,

That leave be given to bring in a Bill to make provision to enable the Parliamentary and Health Service Ombudsman to investigate advice and information given by the Secretary of State and the Government Actuary relating to transfers of pensions from the United Kingdom Atomic Energy Authority pension schemes to the AEA Technology pension scheme; and for connected purposes.

In rising to present this Bill, I build on the work of my predecessor, now in the other place as Lord Vaizey of Didcot, who introduced the same Bill five months before he stood down. I am grateful to him and to other Members who supported him, as they have me, such as my hon. Friends the Members for Mole Valley (Sir Paul Beresford) and for Henley (John Howell). I am particularly grateful to the AEA Technology Pensions Campaign. There are too many of them to mention, but I will just mention Tony Reading, a constituent of mine, who chairs the campaign and has worked with me closely on getting to this point.

In 1996, the commercial activities of the UK Atomic Energy Authority were privatised, and a company called AEA Technology was created. As part of the transfer of staff to that new company, there was a decision to be made about what would happen to people's pensions. The employees were presented with what they were told was a time-limited offer, under which they would have 40 days to transfer to the new defined-benefit scheme. They were told that they would get identical, or very close to identical, benefits to those that they were already getting, and that it was unlikely that that benefit promise would ever be broken, so 90% of them opted to transfer.

So far, so routine—except in 2012, less than two decades after the company was created, it went into pre-pack administration and the pensions went into the Pension Protection Fund. At this point, Members may think, “Well, that’s sad for the pensioners, but there have been a lot of problems with pensions turning out to be a lot less valuable than was originally expected, and at least they were in the Pension Protection Fund, which some schemes did not get into.” However, there are two aspects of this case that make it unique.

The first is the promise that was given to the pensioners, including by the Government. They were told that they were going to get identical, or close to identical terms. They were told that it was very unlikely that the benefit promise would ever be broken. They were told they would get a scheme that was no less favourable than the one they were in. They were assured from the Dispatch Box, in fact, by the Minister of the time, 25 years ago, that their terms and conditions and their pension benefits would be fully protected. In fact, on average, their pensions are worth around 35% less than they used to be—some of them 20% less, but some of them 40% or 50% less.

The second aspect of this case that is unique is the role that the Government Actuary's Department played at that time. It drafted guidance for the employees to help them to decide whether to transfer their pensions,

but AEA Technology, the company that had been created, did not like the look of that guidance. It wrote to the Government Actuary's Department, saying:

“We believe the general tone of this note is likely to discourage people from transferring to the AEAT scheme...and have suggested a few places where the tone could be modified.”

What the company meant by “modified”, of course, was a strengthening of the encouragement being given to the pensioners to transfer, which is where the various promises that they were given come in. That is why 90% of them opted to transfer. The Government Actuary's Department produced its guidance having conducted no risk assessment of the new pension scheme that was being created. This was a completely unproven company, and in the light of what happened, the pensioners would have been better with a more cautious note telling them about the possible risks. It is only thanks to dogged work by the pension campaign group that they have managed to obtain the documents—through freedom of information requests—which show exactly what happened in the process leading to much stronger encouragement to them all not to worry about what was going to happen to their pensions if they transferred.

The majority of these pensioners are in my constituency, but they are spread across the country. Ordinarily, in a situation like this, I—along with the other Members whose constituents are affected—would be signing an application to the Parliamentary and Health Service Ombudsman, so that the information and advice given by the Government Actuary's Department could be looked into. However, when my predecessor and other Members wrote to the ombudsman, and when I wrote to the ombudsman along with other Members, on both occasions the response was that it was not within the ombudsman's remit to look at that information and advice, although the pensioners were told for a number of years that their means of obtaining redress was to go to the ombudsman.

Now we come to the point of this Bill. We will have an ombudsman Bill at some point, but it is not coming in the near future. I have discussed with the Chair of the Work and Pensions Committee, the right hon. Member for East Ham (Stephen Timms), whether there could be an inquiry or investigation into the case, but he has said, quite understandably, that because of the unique nature of the case—because it does not involve a group of pensions being affected in the same way—it is not the kind of case that the Committee would look into. As I say, I completely understand why that is.

The purpose of the Bill is to enable the Parliamentary and Health Service Ombudsman to look at the information and advice that was given in this case. It is not asking for a large amount of money in compensation, and it is not condemning the Government Actuary's Department. It is a very specifically targeted Bill, which, while it may seem small and technical, will finally, I trust, give these pensioners the redress that they have been seeking in the hope that we might honour the promise that was made to them.

*Question put and agreed to.*

*Ordered.*

That David Johnston, Andy Carter, Laura Farris, John Howell, Layla Moran, Stephen Crabb, Sir Paul Beresford, Patrick Grady, Chris Loder, Charlotte Nichols, Sir Geoffrey Clifton-Brown and Chris Green present the Bill.



**Hon. Members:** Hear, hear!

**Madam Deputy Speaker (Dame Eleanor Laing):** The House is, with amazement, commending the hon. Member for Wantage (David Johnston) for reading out that entire list from memory. I hope he has not left anyone out!

David Johnston accordingly presented the Bill.

*Bill read the First time; to be read a Second time on Friday 10 December, and to be printed (Bill 155).*

**Madam Deputy Speaker:** I shall suspend the House briefly for two minutes to prepare for the next item of business.

3.4 pm

*Sitting suspended.*

## Building Safety Bill

*[Relevant documents: Seventh Report of the Housing, Communities and Local Government Committee, Session 2019-21, Cladding remediation—Follow-up, HC 1249, Fifth Report of the Housing, Communities and Local Government Committee, Session 2019-21, Pre-legislative scrutiny of the Building Safety Bill, HC 466, and the Government Response, CP 473, Second Report of the Housing, Communities and Local Government Committee, Session 2019-21, Cladding: progress of remediation, HC 172, and the Government Response, CP 281, Letter from the Chair of the Housing, Communities and Local Government Committee to the Minister for Building Safety and Communities regarding the Government's response to the Committee's pre-legislative scrutiny of the Building Safety Bill, dated 19 July 2021.]*

*Second Reading*

**Madam Deputy Speaker (Dame Eleanor Laing):** Before I call the Secretary of State to move the Second Reading motion, the House will not be surprised to hear that there will be an initial time limit on Back-Bench speeches of four minutes, which is likely to reduce later in the day. I say that so that Members can cut out the middle pages of their speeches. I call Secretary of State Robert Jenrick.

3.7 pm

**The Secretary of State for Housing, Communities and Local Government (Robert Jenrick):** I beg to move, That the Bill be now read a Second time.

Today marks the next significant step on our path to a robust but proportionate building safety regime that delivers high standards of safety for people's homes, particularly those that are high rise, while providing reassurance to leaseholders, residents and the market that the vast majority of homes in this country are safe. In February, I announced our five-point plan to support leaseholders and address building safety issues: a plan to remove unsafe cladding where it is necessary and proportionate to do so; to provide certainty to leaseholders in the significant minority of buildings that require works; to make industry pay its fair share for its failures and poor practices and ensure a change in the broader culture and attitude of the industry to quality and safety; to create a world-class building safety regime; and to inject confidence and certainty into this part of the housing market, which has been suffering from market failure, with significant detrimental effects for many homeowners across the land.

**Dr Liam Fox** (North Somerset) (Con) *rose*—

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): Will the Secretary of State give way?

**Robert Jenrick:** I will do so in a moment, and I will also give way to my right hon. Friend the Member for North Somerset (Dr Fox).

The Bill delivers on our promise to create that world-class building safety regime, but one that is sensible and proportionate, reflecting the true level of risk that living in these buildings poses and thereby safeguarding the broader interests of homeowners and residents.

Today I will set out the key measures in the Bill and update the House on the progress of our plan, including providing further detail on a written ministerial statement that I have just published, representing a significant intervention by the Government and lenders in response to expert advice on building safety in medium and low-rise blocks of flats and the use of EWS1 forms that I commissioned earlier in the year.

**Dr Fox:** Does my right hon. Friend accept that we have to get away from the term “cladding” as a generic issue and start to focus on genuine fire risk? There is a real danger of us creating unnecessary anxiety and cost where there is little or no increase in fire risk and, what is worse, using taxpayers’ money to remedy non-fire risks that should be the responsibility of the building industry.

**Robert Jenrick:** I could not agree more with my right hon. Friend. That is exactly the approach that we now need to follow as a country. I hope that the written ministerial statement, which I will come on to explain in a moment, will provide further reassurance to him.

**Stephen Doughty:** I note the provisions in the Bill for working with the Welsh Government on the levy, the charges and so on, but it is my understanding—I have checked with them today—that the Secretary of State and the Treasury have yet to confirm to the Welsh Government, despite repeated requests, what the consequential will be of the funding announcement that he made many months ago? My residents are deeply concerned, and until the Welsh Government have clarity on the money they are going to get from the UK Government, they cannot proceed with their own building safety fund to deal with these many issues.

**Robert Jenrick:** I understand the important point that the hon. Gentleman raises. That is really a matter to be directed to my right hon Friends the Chancellor and the Chief Secretary to the Treasury, which is responsible for the management of the Barnett consequentials. I would just point out—this is not a criticism of the hon. Gentleman, who is understandably standing up for his constituents—that the Welsh Government have yet to bring forward a scheme that would use the funding they have already been given by the United Kingdom Government. I appreciate that they would always like to have further funding, but they have not yet spent the money that the Government have already given them.

After the tragic fire at Grenfell Tower, the Government appointed Dame Judith Hackitt to review the current building safety regime and to recommend reform. Her findings were clear. Too often, regulations and guidance were misunderstood or misinterpreted. There was ambiguity around who is actually responsible for the safety of buildings, with insufficient oversight and enforcement. She called for an overhaul of the system, and her recommendations underpin the Bill before this House. We have tested these measures through consultation with industry, with regulators, with local government and with the public, and we have also taken on board many of the recommendations made following scrutiny of the Bill by the Housing, Communities and Local Government Committee. I am grateful to the Select Committee for the work that—

**Several hon. Members** *rose*—

**Lucy Powell** (Manchester Central) (Lab/Co-op): On a point of order, Madam Deputy Speaker—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. We suddenly have a flurry of activity. Interventions: hold for a moment. Secretary of State: pause for a moment. I call the shadow Secretary of State, Lucy Powell, to make her point of order.

**Lucy Powell:** On a point of order, Madam Deputy Speaker. I just wondered if I could get your advice. Is it normal practice that, moments before an important debate with dozens of Members down to speak, the Minister lays a ministerial statement about the matter before us that is not yet online so none of us is able to see it, therefore avoiding any scrutiny of the said ministerial statement? Is that in order, Madam Deputy Speaker?

**Madam Deputy Speaker:** I am sure that it is in order, and that is the question that the hon. Lady is asking me as the Chair. It is in order for the Minister to lay a written statement when he decides it is the right time to do that, but if there is a question of information that the hon. Lady is suggesting ought to be before the House in order to inform Members about the Bill that is before us now, I cannot make a judgment because I do not know what is in that statement. However, if the Secretary of State would care to answer that point, it might help the House.

**Sir Mike Penning** (Hemel Hempstead) (Con): Further to that point of order, Madam Deputy Speaker. All the documents that are relevant to this debate on Second Reading of the Bill are on the Table except the written ministerial statement that the Secretary of State has just referred to. For some of us who have been in the Chamber for some hours now, I am sorry, Secretary of State, but that is not acceptable.

**Madam Deputy Speaker:** The right hon. Gentleman is not speaking to the Secretary of State; he is speaking to me. I cannot see what is on the Table, and the Clerk is not telling me that the right hon. Gentleman is wrong. Let us just clear up this matter.

**Stephen Doughty:** Further to that point of order, Madam Deputy Speaker. I have just been out to the Table Office and they have no copy of the statement. There is a notice of a statement coming entitled “Housing Update”, but it is yet to be provided to them or online, so Members are unable to get hold of the important information the Secretary of State has just referred to.

**Madam Deputy Speaker:** I thank the hon. Gentleman for that point of order. Would the Secretary of State care to clarify the matter?

**Robert Jenrick:** I would be delighted to, Madam Deputy Speaker. A written ministerial statement will be laid shortly, which is market-sensitive. It is difficult to suggest that there is no scrutiny, because I am here before the House to explain that statement in the context of the wider debate. [*Interruption.*] If the hon. Member for Manchester Central (Lucy Powell) will give me a few moments, I will be very happy to set out, in the remarks I am about to make, exactly what we have agreed with lenders and the position we have come to.

**Several hon. Members** *rose*—

**Madam Deputy Speaker:** Order. The Secretary of State has explained that the reason for the specific timing of the laying of the statement is that it is market-sensitive. If the Secretary of State says it is market-sensitive then I accept that it is market-sensitive. I trust that it will be available very shortly?

**Robert Jenrick** *indicated assent*.

**Madam Deputy Speaker:** Very shortly. I am quite sure that we will be able to facilitate Members holding the Secretary of State to account for the contents of that written statement when it becomes available, because he is here in the Chamber. I trust that it will become available before the Secretary of State concludes his opening remarks.

**Robert Jenrick:** Absolutely. Thank you, Madam Deputy Speaker. I chose to make the statement directly to the House of Commons and I will come on in a moment to set out the contents of it. The written ministerial statement merely summarises that.

In the actions we have taken and those we take today, we have always prioritised public safety. As I said earlier, the Bill before us will create a strong regulatory regime for all new high-rise buildings. However, it is also important that we put the risk of a fire, and in particular the risk of a fatal fire, into context. It is very low for all buildings of all heights. Dwelling fires have reduced by more than a quarter over the last decade and are now at an all-time low. It is right that we address safety issues where they exist and are a threat to life, but we must do so in a proportionate way guided by expert advice. That is why, through the Bill, we are drawing a very clear line at 18 metres for the enhanced regulatory regime. That is on the advice of building and fire experts that those are the buildings that pose the greatest safety risks in the event of fire spread or structural failure, albeit even there the risk should not be overstated given the low occurrence of fires and the even lower occurrence of fatalities. We are also including hospitals and care homes that meet the height threshold during their design and construction.

**Chris Stephens** (Glasgow South West) (SNP): The Secretary of State mentioned discussions with the industry. What can he say to companies in the Glasgow South West constituency, such as Bell Building Projects Ltd, that cannot get the appropriate indemnity insurance because insurance companies will not provide it? That company specialises in cladding. What discussions has the Secretary of State had with insurance companies to enable that company to do cladding across the UK?

**Robert Jenrick:** I have been working intensively with those in the insurance sector and it is incumbent on them to bring forward products. We do not believe that it is the role of the state to step in and correct the market failure in its totality, but we are bringing forward a product—I will say something more about this later in my remarks—with particular reference to professional indemnity insurance for those assessors who are conducting EWS1 forms or equivalent. That is designed to give them the confidence to take the most proportionate risk-based approach to those assessments, which some are not able to do today.

**Jim Shannon** (Strangford) (DUP): I spoke to the Secretary of State beforehand. The charity Electrical Safety First, which promotes sustainable electrical safety, was brought to my attention, and probably to that of a few others in this House. It states that 54% of electrical fires are caused by an electrical source of ignition. Has the Secretary of State had the chance to speak to the Electrical Safety First charity to ensure safety is paramount in the Bill? If not, could he come back to me on that, please?

**Robert Jenrick:** I would be happy to speak to the organisation the hon. Member refers to or ensure that my officials do so if they have not done so already. Of course, we take the risk of electrical fires very seriously, and the Government have taken a number of steps, particularly in the private rental sector, to ensure higher standards than there are today.

**Hilary Benn** (Leeds Central) (Lab): Will the Secretary of State give way?

**Robert Jenrick:** I will give way to the right hon. Gentleman, and then I must make some progress.

**Hilary Benn:** I am extremely grateful to the Secretary of State for giving way. He made the point a moment ago that the risk of a fatal fire is very low. Can he therefore explain why thousands and thousands of leaseholders are paying for expensive waking watches, having been told by their local fire services that, unless there is a waking watch, the building will be closed down and all of them will have to leave? There is a clear contradiction between those two positions.

**Robert Jenrick:** I think the right hon. Gentleman makes an important point, and that is one element of the market failure we are seeing today. Waking watches are being used excessively. They can be rip-offs and, in many cases, they can be replaced by modern fire alarms. That is why I created the waking watch relief fund last year, which is assisting with the issue, but has not closed it down entirely. The National Fire Chiefs Council has now produced further guidance, which essentially says that waking watches should be used only in the most exceptional of circumstances, and where they are used, they should be used only for short periods. My right hon. Friend the Home Secretary is taking forward that work with fire and rescue services, and I would like to see most waking watches, barring the most exceptional of circumstances, brought to a close as quickly as possible.

The Bill will deliver improvements across the entire built environment. It will strengthen oversight and protections for residents in high-rise buildings. It will give those residents a greater say and will toughen sanctions against those who threaten safety. Its focus on risk will help owners to manage their buildings better, while giving the home building industry the clear, proportionate framework it needs to deliver more high-quality homes.

**Ms Karen Buck** (Westminster North) (Lab): Will the Secretary of State give way?

**Robert Jenrick:** I will make some progress, if I may, but I will return to the hon. Lady.



While strengthening fire safety requirements in all premises regulated by the Regulatory Reform (Fire Safety) Order 2005 and improving competence and oversight generally, the Bill rightly focuses the new more stringent requirements on those buildings and those issues that pose the greatest risk. It provides a framework to ensure that, during design and construction, defined duty holders have clear responsibilities and that compliance with building regulations occurs. They will have to clear a series of hard stops through the new gateway system for in-scope buildings. In occupation, every building in scope will have an identified accountable person with clear responsibility for safety matters. Importantly, it will be a criminal offence not to carry out these duties effectively, punishable by an unlimited fine and up to two years in prison.

If we are truly to build a world-class regime, then residents must be at its heart. That is why, as well as championing social housing residents through the social housing charter that I created last year, we are giving residents a stronger voice in the system through the Bill, making it easier for them to seek redress and to have their voices heard. The Bill will require an accountable person for a high-rise residential building to engage with their residents and establish a formal complaints process for residents to raise concerns.

These measures are strong, but fair, and they will be overseen by the new building safety regulator within the Health and Safety Executive. The regulator will be equipped with robust powers to crack down on substandard practices, and as I said earlier, it will ensure that proportionality is embedded within its operations.

Dame Judith's review pointed to an industry that needed significant culture and regulatory change to be fit for purpose, and I am sure I am not the only Member who has been shocked by the recent testimony at the Grenfell inquiry. This has exposed a corrosive culture of corner cutting and at times a cavalier attitude to building safety. We await the findings of the inquiry, and indeed whether criminal proceedings will follow.

The Bill creates powers to strengthen regulatory oversight for firms that manufacture and sell construction products, overseen by the new national regulator for construction products. Crucially, the Bill will have powers to remove unsafe construction products from the market swiftly and to take action against those who break the rules.

Our new regime will help those living in high-rise residential buildings to raise these issues, but we need to expand legal safeguards for everybody, regardless of the type of property they live in. We are strengthening redress for people buying a new build home, through provisions for the new homes ombudsman, which will provide dispute resolution and resolve complaints involving buyers and developers. As Members of Parliament, we all know of examples of shoddy workmanship by developers and of cases where complaints about things ranging from snagging to much more serious issues have not been properly addressed. There will now be a forum where these issues can be settled and consumers provided with the outcome they deserve when making the biggest investment in their lives.

**Mr Clive Betts** (Sheffield South East) (Lab): I thank the Secretary of State for the kind words he said about the Select Committee's scrutiny of the legislation. On the new homes ombudsman, many of us have been shocked by what we have seen from developers of new housing

and the cavalier attitude they have towards their developments. Will he confirm that the new homes ombudsman will have the powers to deal with the appalling practice of non-disclosure agreements which some people have been asked to sign in order to get builders who have not built their homes properly to put that right? Will he consider going a step further and requiring the builders of new homes which have faults to put right all similar faults in other homes, just as a car manufacturer would have to do?

**Robert Jenrick:** Those are two important points. I would like to see the new homes ombudsman be able to take the kind of action that the hon. Gentleman describes. I will have to revert to him on whether the powers exactly allow that. If they do not, that is the kind of issue we should progress during the passage of the Bill. I give way to the hon. Member for Westminster North (Ms Buck) and apologise for keeping her waiting.

**Ms Buck:** Returning to the issue of waking watch and risk, London now has 900 waking watches, with the number having risen significantly. The London Fire Brigade says that there remain a number of buildings under 18 metres, or seven storeys, that in its view present equal or greater risks than those currently in scope. Will the Secretary of State tell us whether he believes that the LFB is wrong?

**Robert Jenrick:** As I understand it—I stand to be corrected if I have the wrong information—the 900 figure that the hon. Lady cites was a misinterpretation of the figures that were released earlier. None the less, the actual number is significant, albeit fewer than 900. We want to see waking watches used only in cases where they are absolutely necessary. The recent statement from the National Fire Chiefs Council has suggested that they are being used too often and that they can be reduced significantly. If she has constituents in that situation, as I am sure she does, in the first instance I would recommend that they make use of the waking watch relief fund to install a fire alarm, which can cut the costs very considerably.

This Bill takes an unusual step of retrospectively extending the period during which compensation for defective premises can be claimed—it more than doubles the current period, from six to 15 years. This significant step forward was requested and campaigned for by groups impacted by the cladding issue. We are going further, expanding the scope of the work for which compensation can be claimed also to include future major renovation work to buildings. These measures will not help everyone, but they do provide a step change in redress for raising issues. I hope that, in time, builders will extend their warranties to cover this period and provide the maximum amount of confidence to house purchasers.

**Sir Peter Bottomley** (Worthing West) (Con): While my right hon. Friend is considering this point about the extension, will he please consider the point made by Robert Ayling, at Grosvenor Waterside, that the Building Act 1984 provision should be extended to six years after the plaintiff is aware of the defect? I am not asking for an instant answer, but such a measure would help to deal with the current situation very well.

**Robert Jenrick:** I will give that further thought and revert to my hon. Friend on it.

[Robert Jenrick]

It was clear after the fire at Grenfell Tower that action was required to address safety concerns with respect to existing buildings, and my predecessors rightly took a safety-first approach, as I have also tried to do. We have provided expert advice and accelerated inspections of all high-rise buildings, and that work continues, with substantial progress having been made by the National Fire Chiefs Council on the building risk review, which is likely to be concluded by the end of the year. We have provided £5 billion in grant funding to carry out vital remediation work targeted at the buildings we know to be at the greatest risk from fire spread—those over 18 metres—and we have banned the use of combustible materials on the external walls of high-rise residential buildings, providing industry with a clear standard for the construction of new builds.

Some 474 buildings have been identified as having Grenfell-type ACM—aluminium composite material—cladding. We are now well on the way to remediating all of those buildings. Over 95% of the buildings identified at the beginning of last year have either completed or started remediation work; 70% of those have now been fully remediated, and that is rising every week. That means that around 16,000 homes have been fully remediated of unsafe ACM cladding, an increase of around 4,000 since the end of last year. Despite many building owners failing to provide adequate basic information, almost 700 buildings with other types of unsafe cladding are proceeding with a full application to the building safety fund. We have already allocated £540 million, which means that owners of 60,000 homes within high-rise blocks can be reassured that their remediation will be fully funded.

We currently forecast that over 1,000 buildings with non-ACM unsafe cladding will receive support of the same form through the building safety fund, providing a guide to the cohort of high-rise buildings where remediation is actually required. That is being progressed by a dedicated team in my Department and our two delivery partners, Homes England and the Greater London Authority. The Government have played their part: the unprecedented £5.1 billion we are providing gives assurance to leaseholders in eligible buildings that unsafe cladding on their blocks will be replaced at no cost to them.

I know that there will be strong feelings across the House about industry needing to fix and pay its fair share for problems that it has helped to cause. I recognise that some house builders have stepped up, too, thus far committing over £500 million for remediation since my statement in February. But some have not stepped up, or at least not in the way I expect them to. Ballymore, for example, has yet to commit to fully funding the remediation of its buildings.

The industry needs to go further. That is why we are introducing a new levy on high-rise residential buildings. We have published today a consultation document on the levy and I welcome views from all interested parties on its design. The levy will sit alongside a tax being developed by the Chancellor to raise at least £2 billion to contribute to the costs of historical remediation. This Bill also introduces the building safety charge to provide residents with clarity and certainty on the costs of building works, and we have listened and ensured that that charge only includes the cost of management of building safety in their building.

As I said at the outset, in bringing forward this new building safety regime we need to take a sensible, proportionate approach driven by expert advice. The Bill ensures that the building safety regulator will regulate in line with best practice principles, be proportionate and transparent, and ensure that the interests of leaseholders are protected. In 2020, only 9% of fires were in flats of four storeys or more. In 2019-20, only 7% of fires spread beyond the room of origin in such buildings. And, while every death is of course tragic, thankfully only 10 people died in 2020 as a result of a dwelling fire in flats of four storeys or more. We strongly believe that our proportionate approach is in line with these facts, ensuring that remediation works are undertaken only where absolutely required, and leaseholders should not be landed with bills for unnecessary work.

Unfortunately, that is not the position today and we need a significant reset. Too many people living in lower and medium-rise buildings have told us of feeling trapped in their properties, held back from selling their homes because of excessive caution in the lending, surveying, insurance and fire risk assessment markets. Understandably, this has caused residents to worry over safety and has led to unnecessary costs. I want to be clear that the vast majority of residents in all homes in this country, including blocks of flats, should not feel unsafe. Driven by these concerns, earlier this year I asked a small group of experts on fire safety to consider the evidence and advise me on the steps that should be taken to ensure a proportionate, risk-based approach to fire safety in blocks of flats. I thank them for their time and their expert advice, which I will publish later today.

The key finding of the experts' advice is clear: we cannot and should not presume systemic risk of fire in blocks of flats. I quoted some of the statistics earlier, but let me repeat them. Dwelling fires are at the lowest point that they have been since we started to collect comparable statistics in 1981, despite the fact that in 2020 people spent significantly greater amounts of time in their homes as a result of covid restrictions. On that basis, the expert advice includes five significant recommendations to correct the disproportionate reaction that we have seen in some parts of the market. First, EWS1 forms should not be a requirement on buildings of less than 18 metres.

**Margaret Ferrier** (Rutherglen and Hamilton West)  
(Ind): Will the Secretary of State give way?

**Robert Jenrick:** If I may, I will finish this point. I am also conscious of time, as many Members want to contribute to the debate.

Secondly, in the small number of cases where there are known to be concerns, these should be addressed primarily through risk management and mitigation.

Thirdly, there should be a clear route for residents and leaseholders to challenge costly remediation work, and to seek assurance that proposals are indeed proportionate and cost-effective.

Fourthly, the Government should work with the shadow building safety regulator to consider how to implement an audit process to check that fire risk assessments are following guidelines and not perpetuating the risk aversion that we are witnessing and which in some instances are taking unnecessary costs to leaseholders.

Finally, fire risk assessors and lenders should not presume that there is significant risk to life unless there is credible evidence to support that. This will ensure that they only respond to the evidence and adopt a far more proportionate and balanced approach.

This advice is supported by the National Fire Chiefs Council and the Institution of Fire Engineers. The Government support and will act on the recommendations. Delivering real change for leaseholders requires a concerted effort from all those actively involved in the market. The Government have in recent weeks been working intensively with lenders, valuers and fire experts in this regard. We welcome the expert advice and support the position that EWS1s should not be needed for buildings of less than 18 metres.

I am pleased that all major lenders have today welcomed this advice, with Barclays, HSBC, Lloyds and others agreeing that the expert advice and Government statement should pave the way for EWS1 forms no longer to be required for buildings below 18 metres, which will further unlock the housing market.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): Will the Secretary of State give way?

**Robert Jenrick:** I will not.

I am extremely grateful to those in industry who have already engaged and shown the necessary leadership. This is a highly complex issue, but the Prime Minister and I expect that the appropriate next steps will be taken expediently. The market is shaped not only by the Government but by lenders, the Royal Institution of Chartered Surveyors, the fire and rescue service, and fire experts. All of us need to act to achieve a market correction and relieve the pressure on homeowners. There can be no bystanders in this action. I am hopeful that other lenders will follow soon, and that RICS will rapidly reflect on the expert advice and update its guidance accordingly. This concerted cross-market approach will open up the housing market for the remaining affected leaseholders.

**Stephen Doughty:** Will the Secretary of State give way?

**Robert Jenrick:** I will not because I need to conclude my remarks now.

With the Health and Safety Executive, we will explore ways to deliver a fire risk assessment—

**Stephen Doughty:** On a point of order, Madam Deputy Speaker. I regret to have to raise this matter as a point of order, but the written statement that the Secretary of State has laid makes no clarification about whether this approach applies to England only, to England and Wales, or indeed to the whole UK. Given that it is UK-wide and market-sensitive—there are many leaseholders who will be concerned in all parts of the UK—and given that it applies to UK-wide lenders, with significant financial implications, how can I get an answer from the Secretary of State for the leaseholders who will be watching this debate in other parts of the United Kingdom? It would be very helpful if the Secretary of State could just confirm that point or if he would take a simple intervention to clarify it.

**Madam Deputy Speaker (Dame Eleanor Laing):** I thank the hon. Gentleman for what I consider to be properly a point of order. The Secretary of State has

most courteously explained to the House that the statement that is now forthcoming is market sensitive. I have had a chance to glance at it and I understand that it is indeed market sensitive, so I can understand, and I think the whole House will now understand, why the Secretary of State issued it at the point that he did.

I have to say to the House that there seems to have been some delay in the Vote Office and in the workings of the House, and for that, on behalf of the House authorities, I apologise to Members and to the Secretary of State. I thank the Opposition Whips for giving me a copy, since nobody else did—

**Sir Peter Bottomley** *rose*—

**Madam Deputy Speaker:** I am still finishing my response to the point of order, Sir Peter.

I think there are some points in the statement that the Secretary of State will wish to clarify. I am not putting a time constraint on him, as I normally would, for finishing his Second Reading speech, because in addition to that speech it would be appropriate for him to take two or three questions on his written statement.

**Sir Peter Bottomley:** Further to that point of order, Madam Deputy Speaker. The written statement has the number HCWS228; an online search brings up one with a similar number from January 2015. Could the House authorities see whether they can get the statement online so that those Members who are participating virtually also have the chance to read it?

**Madam Deputy Speaker:** I thank the hon. Gentleman for that point of order and I reiterate it. I wonder whether the House authorities have done that—I do not know but I ask them to do so immediately.

**Robert Jenrick:** Thank you, Madam Deputy Speaker—

**Mr Betts** *rose*—

**Robert Jenrick:** I shall come to the hon. Gentleman, but in answer to the question posed by the hon. Member for Cardiff South and Penarth (Stephen Doughty), my domain as Secretary of State on these matters is within England, but of course the lenders will apply practices at their discretion throughout the whole United Kingdom, so I think his question is probably better directed to the lenders who, following this announcement, will no doubt set out in the coming days how they intend to amend their lending practices in different parts of the United Kingdom. I do not think it is for me to explain the lending practices that they choose to adopt, other than in respect of the quotations that the lenders have given, which I believe will be published later today.

I shall take an intervention from the hon. Member for Sheffield South East (Mr Betts) and then, if I may, I will conclude my remarks.

**Mr Betts:** This is a very significant statement, and it is difficult to read it quickly and grasp it, but it says that EWS1 forms

“should not be needed for buildings less than 18m. This position is a significant step and one supported by the National Fire Chiefs Council and the Institute of Fire Engineers.”



[Mr Betts]

That is a significant step, so will the Secretary of State explain, if the form is not necessary for those buildings, whether he is saying that, in effect, apart from cladding removal, significant remediation works are not necessary on buildings below 18 metres? Is that what the Government are saying? Because that is a major step in this debate and the House needs a lot more explanation.

**Robert Jenrick:** The expert advice that I commissioned has concluded that there is no systemic risk to life from purpose-built flats in this country and in particular—this was the question that I asked of the experts—from those flats that are low and medium-rise, meaning those of 11 to 18 metres. The experts' advice, following on from that, is that they do not see a need for lenders to ask for EWS1 forms in the ordinary course of business. They also recommend that fire risk assessments are conducted in the usual compliance cycle, rather than on demand, in order to satisfy a market transaction such as purchasing or remortgaging a property. They do not conclude—as one would not expect them to do—that all buildings below 18 metres are safe. One can never say that, and there will be buildings that need remediation below that level, but because there is no systemic risk and the number of buildings is likely to be very small, it is not appropriate, in their opinion, which the Government have accepted, that lenders and other parties in the market should act as if there was a widespread and systemic issue. That is a subtle but important change of tone and one that I hope will lead—the initial support of the lenders suggests that this will happen—to a significantly different housing market.

**Meg Hillier:** Will the Secretary of State give way?

**Robert Jenrick:** I will, and then I would like to conclude my remarks.

**Meg Hillier:** On first reading, there are bits of this written ministerial statement that are very welcome, but it raises many questions. I put on record my regret that we have only had this chance to digest it. The Public Accounts Committee and our sister Committee, the Housing, Communities and Local Government Committee, have been looking at this issue, along with hon. Members in this House for several years. We have been making recommendations along these lines. Our constituents have been paying for safety works and dealing with the fear and anguish created by the very issues that our Committees have raised as problems. What the Secretary of State has come to the House with is a start, but why so late, when this issue has been raised by Members of this House and the Select Committee corridor for some time? I am just puzzled by the late timing.

**Robert Jenrick:** I do not agree with the hon. Lady in this regard. In the immediate aftermath of the Grenfell tragedy, advice was published by Government that sought to provide information to the market where there was a significant absence of expert opinion. The market in the years since then has reacted and taken what I have described as a safety-first approach.

In more recent times we have seen—Dame Judith Hackitt, our expert adviser, has used these words herself recently—extreme risk aversion, and that is leading to fear and anxiety above all for members of the public

who have a sense of risk with respect to their homes that is not borne out by the evidence in terms of the number of fires or the likelihood of dying in a fire in a high-rise or a purpose-built flat. Secondly, that risk aversion is leading to other market participants, whether lenders, insurers, surveyors or assessors, seeking remediation of those buildings over and above what might seem to be absolutely necessary to achieve an acceptable level of life safety.

Earlier this year, as I have set out in my remarks today—Members will see this in the written ministerial statement, which merely summarises what I have already said to the House directly in somewhat more detail, which is why I chose to say it to the House directly, rather than simply via written ministerial statement—I asked a series of experts to conduct a serious review and analysis of this issue and to present their findings to me. That is what they have done today, and we are publishing them later. We have chosen to accept those and have worked very closely with as many market participants as we could, bearing in mind the market sensitivity of the issue.

I am pleased that a large number of those organisations have welcomed this step and have chosen in one form or another to support it. I do not want to overstate that, because this is a highly complex market and the Government are merely one player within it. It will now require all market participants to think carefully about what the consequences are for their own practices and organisations. I hope that in time they will strongly support the Government's position, and that this will lead to a significant market correction to the benefit of all our constituents and the whole country.

I will conclude my remarks simply by noting a few other points within the written ministerial statement. With the Health and Safety Executive, we will explore ways to deliver a fire risk assessment audit process that ensures assessments are carried out in a risk-proportionate way, avoiding unnecessary and costly remediation works where they are absolutely not needed. We will explore options to provide a clear route for residents and leaseholders to challenge costly remediation work. That will be progressed alongside the steps we are taking to ensure a proportionate response to risk is embedded in the market, including: developing guidelines for fire risk assessors, such as, and principally, PAS 9980 and the withdrawal of the consolidated advice note; and launching a Government-backed professional indemnity insurance scheme for qualified professionals conducting external wall system fire risk assessments to help ensure there is sufficient capacity in the market to allow EWS1 forms to be completed in a timely manner, where they are necessary, and that those conducting them feel the confidence and security to be able to do so in the most sensible and proportionate manner.

Taken together, all these measures should provide a measure of reassurance to the market and to those living in blocks of flats of any height. I am hopeful that they will have a significant impact, but of course much depends on the willingness of the other market participants to show leadership and commitment and to work together through these complex challenges.

The fire at Grenfell tower was a terrible tragedy, and those who lost loved ones remain in our thoughts. The issues that became clear following the tragedy are multifaceted, and so our response must be as well. It is clear that the actions we have taken and will continue to

take, and the world-class building safety regime delivered by this Bill, should deliver a robust but proportionate regime, meaning that people in this country should never feel unsafe in their home.

I commend this Bill to the House.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** Before I call the shadow Secretary of State, and further to the point of order from the hon. Member for Worthing West (Sir Peter Bottomley), the written ministerial statement is now available on the House papers app, and it will very shortly be available on the Parliament website. I hope that means Members who are participating virtually will be able to access it. Again, I apologise on behalf of the House authorities for the shambles after the statement was put in the Vote Office, because it was not then distributed properly here in the Chamber. We cannot blame the Secretary of State for that, as I appreciate the timing was because of market sensitivity.

As I requested that the Secretary of State stay at the Dispatch Box rather longer in order to take points specifically on the statement, he has, of course, made a much longer speech than one would have anticipated and, therefore, the time limit for Back-Bench speeches will be not four minutes but three minutes. I hope Members feel that many of them have already had a chance to ask pertinent questions of the Secretary of State.

3.51 pm

**Lucy Powell (Manchester Central) (Lab/Co-op):** I do not think the shambles lies with the House authorities. I am afraid the shambles lies with the Secretary of State. It is just not acceptable. I think it is a contempt of this place that we are given a ministerial statement and a new announcement in his speech that are totally relevant to this Bill and the topics we are discussing today.

Members on both sides of the House have spent weeks scrutinising the Bill, scrutinising what it means and preparing what they are going to say in response, and then they are given this piece of paper halfway through the Secretary of State's speech. Madam Deputy Speaker says that this is market sensitive. Maybe I am naive about these things, but I do not understand what is market sensitive at 3.10 pm or 2.30 pm that is not market sensitive at 3.30 pm. I thought the markets closed at 4.30 pm, but maybe I have that wrong.

I will come on to some of the things in the Secretary of State's statement shortly, but I will make some progress because, not only has his shambles now made it hard for Members to properly scrutinise the Bill, but it has cut their time. He has probably lost a lot of friends on both sides of the House in the process.

The starting point of this Bill and of our debate today is the awful tragedy at Grenfell tower. Again, we remember the 72 lives lost and stand with the families, friends and community of Grenfell who are campaigning for change. I also put on record my admiration and awe, as homeowners and tenants across the country are dealing every day with the building safety scandal that engulfs our towns and cities. Their tireless campaigning under such very difficult circumstances is beyond impressive.

Of course, people had been ringing the bell about building safety long before Grenfell, including the residents themselves. By 2017, the Government already had two coroners' reports on previous fires that called for reform,

yet they did not act. In the wake of Grenfell, the Government commissioned a review of building regulations, the Hackitt review, and this Bill implements her recommendations. Given that her final report was published more than three years ago, why has it taken so long for this Bill to reach us?

The Hackitt report is damning, finding that the entire system is not fit for purpose. She concludes:

"The ultimate test of this new framework will be the rebuilding of...confidence in the system. The people who matter most in all of this are the residents of these buildings."

Dame Judith's conclusion is the test against which the Bill, and now the new ministerial statement, must be set.

It is far too simple and wrong to say that all this is the fault of "shoddy developers", as the Government have recently asserted. The tragedy at Grenfell, the fires before and the near misses since have happened as a result of many years of deregulation, lack of enforcement and accountability, and a culture where sign-off and inspection can be bought. These issues have been brought to light in the shocking evidence heard by the Grenfell inquiry, which is ongoing.

We support the majority of what is in this Bill, which at last strengthens regulation of high-rise buildings, although it could go further. However, we have serious concerns about what is not in the Bill. It abandons those leaseholders already trapped in the building safety crisis and we will seek every avenue to provide the cast-iron legal guarantees that have long been promised.

**Seema Malhotra (Feltham and Heston) (Lab/Co-op):** Does my hon. Friend agree that the situation that leaseholders find themselves in compounds their ongoing and awful situation? They find themselves without leverage, with service charges that are often unjustified and with difficulty getting resolution for them. This has created much more uncertainty, stress and anxiety for hundreds of thousands of families across the country.

**Lucy Powell:** My hon. Friend makes an excellent point. Leaseholders have very little recourse and, from the announcements today, their passage of recourse remains incredibly uncertain.

Let me start with what is in the Bill. The first major change sets up the building safety regulator, a key recommendation of the Hackitt report. The regulator will oversee "higher risk buildings," which have been defined as essentially over 18 metres. The Select Committee raised questions about whether the scope should be extended. The Fire Brigades Union says that 11 metres or four storeys would be a safer threshold, as that is the threshold that firefighters can reach with their ladders. The Secretary of State himself said last year that we should not rely on

"crude height limits with binary consequences,"

that do not

"reflect the complexity of the challenge at hand."—[*Official Report*, 20 January 2020; Vol. 670, c. 24.]

The two-tiered system this Bill creates is particularly stark when we look at privatised building control, which will continue to operate below 18 metres. The Hackitt report recognised that choice over building control inspection is a major weakness in the current system, allowing cosy relationships to flourish between developers and the private inspectors they pay handsomely.

[Lucy Powell]

The regulator will be the building control body for taller buildings, but not for those under 18 metres, even where other risks could remain. The Government should think again about their arbitrary definition of high-risk buildings.

Secondly, this Bill establishes clear responsibilities for building safety throughout a building's life, in a golden thread of information. Lack of transparency was a key issue identified in the Hackitt report. The Grenfell inquiry has exposed how some building owners belittled residents as troublemakers rather than keeping them informed about the safety of their homes. The new system must be fully open and transparent to residents and leaseholders.

The need for transparency extends to the testing regime, which the Hackitt report found to be opaque and insufficient. While the Bill sets a framework for the regulation of construction products, the Government have kicked the issue of product testing down the road. This must be re-examined.

Thirdly, the Bill sets up limited mechanisms to recoup costs from developers, through legal action and a levy. The principle of the polluter must pay should apply to the building safety scandal. Labour has long been calling on the Government to take stronger action against developers who cut dangerous corners.

Extending the period in which a developer can be sued is welcome, but residents in many buildings will not be able to take advantage. The relationship of leaseholders and developers is like David and Goliath. Legal action is uncertain, expensive and risky, requiring money that leaseholders simply do not have. It also requires that a company still exists to sue, yet many have disappeared. What is more, given what we know from the Hackitt report and elsewhere, in how many cases can all the blame be legally pinned on a developer, given the failures of the regulatory regime at the time? Very few, I would imagine.

Finally, the Bill makes some changes around the new homes and social housing ombudsmen. After significant delay, some social housing reforms have finally come through, but how will the Secretary of State ensure that the social housing regulator has real teeth?

Although there are things we welcome in the Bill that will improve building safety into the future, there are, as I am sure we will hear from Members across the House, serious concerns about what is missing and the way in which ruinous costs for remediation works will still fall on leaseholders. What began as a cladding scandal after Grenfell has now led to a total breakdown in confidence in most tall and multi-storey buildings. This has now become a building safety crisis affecting hundreds of thousands of people. Young, first-time buyers have gone bankrupt. Couples have put having children on hold. Marriages have broken down. Life savings and assets have gone. Retirements have been ruined. The mental health and financial toll is incalculable.

Fundamentally, the Bill betrays leaseholders who will still face life-changing costs for problems that they did not create and who are trapped in unsellable, uninsurable and unmortgageable homes, notwithstanding some of the Secretary of State's announcements today, which I fear will do little to resolve the situation. Two Prime Ministers, his two immediate predecessors and the Secretary

of State himself have all said that leaseholders should not pay. I agree—I think we all agree in here—so why does the Bill not say it? On at least 17 different occasions in this House, they promised, even to their own Back Benchers, that they would protect leaseholders. We heard during the passage of the Fire Safety Act 2021 that the Building Safety Bill was the place to do so, so where is it? It is not in there.

What is more, legal advice on what is in the Bill says that the betrayal of leaseholders is even worse. As drafted, the Bill bakes in leaseholders' potential liability. Our legal advice is that clause 124 provides very little additional protections. Their legal opinion is that this Bill in its totality, including clause 99, makes it "more certain that remediation costs will fall under service charges"—and be passed on. So on the Government's fundamental promise to leaseholders, the Bill fails. No wonder they are furious, and bereft.

Of course, I welcome the building safety fund; it is a good thing, and it could provide a solution for many buildings. I have to commend the Secretary of State on getting £5.1 billion out of the Chancellor—he seems to have better negotiating skills than his boss, the Prime Minister. It is a lot of money and it could go some way to resolving the situation if it is properly used, but I do not understand why his financial commitment is not being met with the same zeal and determination to give it proper effect. His approach has so far been blighted by inertia and indifference and is now beset by increasing costs, relying on those in the industry who have created much of this mess to get us out of it. I have to tell him that it is just not working. Even his own Back Benchers accused him of "shocking incompetence", and I feel that that view might be spreading after today's shenanigans with his statement.

Let me explain: the scope of the fund is way too narrow and the deadlines for applying too tight, and yet it is being administered far too slowly, with just 12p in every pound of the fund allocated. At its current pace, it will be 2027 before the fund is even allocated. And because there is no grip on the wider issues, as we have been discussing today—such as risk, cost, work quality, accountability and sign-off—nearly all multi-storey buildings are now affected. Even when cladding is removed, a new, ever-growing list of additional seemingly necessary works are added. This means that innocent and drained leaseholders are constantly at the mercy of a system, with no accountability and no confidence in it, with an industry unable to take on risk, cornering a broken market for works, arguing over responsibility and unwilling to insure, mortgage or step up, all the while leaving leaseholders carrying the can. That is why this crisis is now affecting so many and costs keep going up. The truth is that all sense of appropriate risk has gone out of the system. The Secretary of State has talked about that today, and I have heard him say it many times before, but I am not sure what he is doing about it. Notwithstanding what is in his statement today, I still do not know whether this will provide the transparency, the recourse, or the scrutiny that leaseholders need. He says that there should be a clear route for residents to challenge. What would that route be? How would it work? What teeth would it have? He said that there will be more guidelines. What are they? When will they be published? Can we see them? Will this really have the effect that leaseholders need it to have, because time is a luxury that these homeowners simply do not have.



This is not just about the one-off high remediation costs that homeowners are facing today; it is that insurance premiums have gone through the roof, service charges are rocketing, and the waking watch, which we have heard so much about, and other costs are leaving leaseholders paying hundreds of pounds a month extra already.

Recent Government guidance has made the situation worse. Their advice note from January 2020 effectively brought all buildings of any height into scope of the dreaded EWS1 form. After today's announcement, is that now scrapped? Does that guidance note still exist? *[Interruption.]* I do not know whether it is in the statement. I did not read it in there. The Secretary of State is pointing to it from a sedentary position. If it is in there, people need to know that now so that we can discuss it, and we should have known it before this debate; it is a very important thing to know. If he wants to come to the Dispatch Box to tell us whether that January 2020 advice note is now effectively scrapped, he can do so, because it is essential that people know that.

**Joy Morrissey** (Beaconsfield) (Con): Will the hon. Lady give way?

**Lucy Powell:** If the hon. Lady knows the answer, I will happily give way.

**Joy Morrissey:** I am not completely positive, but it did say in the statement that the EWS1 form should not be required in buildings of 18 metres, which is a welcome change. Common sense seems to be prevailing in this debate now. I welcome that announcement. Does the hon. Lady agree that this is something that we have been campaigning on for quite some time and that it is a welcome change to the legislation.

**Lucy Powell:** Well, it is not actually legislation. The hon. Lady is wrong about that. Yes, of course, we would welcome that. The crucial words that she said there were "should not", not would not, and that is a different thing entirely. We still need to know on what terms that will be enforced, what recourse would a leaseholder have, and to whom, and what teeth will they have in order to put that into effect. Is it legislation? *[Interruption.]* I think the Secretary of State is trying to tell me that it is going to be legislation. *[Interruption.]* Oh, it is just down to the lenders. I will give way to the right hon. Gentleman if he wants to explain.

**Robert Jenrick:** The hon. Lady seems to misunderstand what an EWS1 form is. An EWS1 form is a product of the lenders and the Royal Institute of Chartered Surveyors. It is not the law and neither is it a product created by the Government.

**Lucy Powell:** I am fully aware what an EWS1 form is, thank you. Its scope and its effect came about from the advice note that the Government issued in January 2020. If it is a matter for the lenders, what recourse do leaseholders have? There is nothing in the Secretary of State's statement about recourse and accountability and where the buck stops. That is my central argument here. In the vacuum of leadership, everybody from insurers to mortgage lenders, risk assessors and others are too concerned about their liability, leaving thousands of buildings with endless fire safety requirements, some of which are potentially life threatening, but others are an

unnecessary symptom of this crisis in confidence. Who is it that says which is which? Where does that sit? With whom does that lie? The Government cannot leave this to industry and the private sector to sort out. The market cannot sort this, because it is completely broken—the Secretary of State said today that the market was completely broken as if this was news to him. Yet he says that he will not intervene in that broken market. The power is with him to intervene if he wanted to. That is why we have been calling for a building works agency. I am talking about a crack team of engineers and experts appointed by the Government, going block by block, assessing the real fire risk and what remediation works are absolutely necessary; commissioning and funding those works from the building safety fund; and then, crucially, certifying the building as safe and sellable. This rigorous approach would also keep costs down, and the agency can then go after those responsible for costs. It has been done before in Australia and it can be done again here—if the Secretary of State was prepared to step up, lead and intervene rather than leave it to the broken market he describes.

**Mr Betts:** I keep reading this statement and I am not sure I am any clearer than I was at the beginning. The Secretary of State said that EWS1 forms are not needed on properties below 18 metres because there is no systemic risk across those sorts of buildings. What I am not clear about is whether the lack of systemic risk applies to cladding that is of limited combustibility. Is he now saying that there is no need to remove combustible cladding from buildings below 18 metres, or that there is a need? If there is, is not an EWS1 form needed as part of that process? If it is not, we still do not know who is going to pay for the work.

**Lucy Powell:** My hon. Friend makes a good point. Of course, there are also many buildings over 18 metres that do not have cladding and are still facing the issues of fire remediation works, some of which may not be necessary. I am not clear whose job it is to decide whether they are necessary, and therefore whether a building can be mortgageable and insurable once again and people can move on with their lives. I am still not sure of that and I still do not feel that the Government are really providing the leadership and intervention that is necessary.

There is huge strength of feeling on these issues, as we can see from the number of Members wanting to speak in this debate. The toll of this crisis is immeasurable. Innocent homeowners want us to work together, and I will work with anyone to protect them from these costs. I am not interested in party political point-scoring, as it happens, but the Government have to step up on these issues.

Returning to the Hackitt test, her ultimate test of this new framework is the rebuilding of public confidence in the system. She says that the people who matter most in all this are the residents of these buildings. The honest truth is that, through the omission of cast-iron protections for today's leaseholders, this test will not be met. It is not enough to simply will the ends; the means need real determination and focus too. We will work with all sides to protect leaseholders and meet the Hackitt test.

**Madam Deputy Speaker (Judith Cummins):** I call Sir Peter Bottomley.

4.13 pm

**Sir Peter Bottomley** (Worthing West) (Con): Thank you, Madam Deputy Speaker, and welcome.

Paragraph 19 of the National Audit Office report says:

“The Department has acknowledged that only in a minority of cases would it be financially justifiable for building owners to bring legal action to recover money.”

But the building owners will only make a claim if they are indemnified by the residential leaseholders, who do not have the money, so it is not going to happen, and the sums that the Department has reclaimed are very low. What is clearly obvious is that they will not get money from leaseholders. That follows on from the report of a working party set up two weeks after the Grenfell fire by Ted Baillieu, the former Premier of Victoria in Australia, and an architect. It reported within two years. He gave a presentation to the all-party fire safety group and the all-party leasehold and commonhold reform group. As they will not get money from leaseholders, they have to find the problems, fix the problems, fund the problems and then see how to get the money back. We know that the Ministry of Housing has got just over £5 billion from the Treasury. It expects to get perhaps £2 billion back in tax and £2 billion back in levy. If £15 billion is spent, there will be £3 billion back in VAT. So the Treasury seems to make money out of this, and who is left with the £10 billion of funding? The residential leaseholders, who cannot afford it.

It is quite clear that the Government have to do two things: first, as I said to the Secretary of State during his speech, extend the Building Act 1984 so that people can make a claim within six years of knowing that there is a problem; and secondly, make sure that the insurance industry knows that it is ultimately liable for what the architects, designers, component suppliers, builders, regulators and building control groups have done and must get most of the money back by agreement. There is no point in having individual leaseholders, or groups of them, taking legal action; it will not work. I say to the Secretary of State: in this case, please listen to those who know and try to make sure that no examination takes place without leaseholders being part of the committee. They could have told the Secretary of State four years ago that his approach was not working.

We are grateful for some progress, but we need much more.

4.14 pm

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I want to come on to the written statement by the Secretary of State, which was delivered with breathtaking speed. Before I do so, I remind the House that my husband owns a property that might be affected by the cladding issue.

I want to focus on part 5, which includes provision to establish a new housing ombudsman scheme, with parts 1 to 4 focusing on matters applicable to England and Wales only. While housing is a devolved responsibility, consumer affairs are not, which creates challenges for the housing ombudsman scheme. There are benefits in delivering that scheme on a UK-wide basis, because there are concerns about the fact that 90% of new homes have defects and a quarter of those who move into a new home are unhappy with aspects of the property.

The existing new homes standards code is industry-led and voluntary, so it is welcome that it will be replaced with a mandatory, statutory code to ensure similar standards to those that developers are obligated to meet, topped by an ombudsman, which we hope will have teeth, with powers to require builders to resolve issues or face fines, which will give the code authority and credibility. It is important that the system is established on a UK-wide basis, because builders operate across the UK, so it makes sense to have a single body of rules and standards to ensure improvement across the board.

Because that uniformity across the board will benefit consumers across the UK it is important that Governments across the UK, and in all parts of the UK, are at the table and that their voices are heard. We all want a raising of standards in the building of new homes, so that is an eminently sensible way forward, and we expect that legislative consent would be requested from the Scottish Government. That consent would be granted if it were in the interests of the people of Scotland. Consent and dialogue with the Scottish Government must not be a box-ticking exercise—it must be genuine.

I want to say a few words about the written statement that was delivered breathtakingly quickly today. The Secretary of State said in his statement that addressing the risk in the cladding of properties should focus on “management and mitigation” instead of “costly remediation work”. We do not know what he means by “costly”, because people in some properties below 18 metres face costs for the stripping of cladding that are more expensive than the properties themselves. We are told in the statement that costly remediation work can be challenged, but there is no detail about how that can be done, so the content of the statement is quite vague. We are told that lenders have welcomed this advice, but we do not know how quickly those affected by the cladding issues will see a change in the behaviour of lenders and insurers.

Has the Secretary of State had specific talks with the insurance industry? Has he had discussions with the Association of British Insurers? We simply do not know, as the statement does not tell us. In February this year, the Secretary of State said:

“Insurers should be pricing that risk correctly and not passing on those costs or even profiteering”.—[*Official Report*, 10 February 2021; Vol. 689, c. 342.]

However, having read the written statement, it is not clear whether he had any dialogue with insurers before publishing it.

The statement says that there will still be repayment costs not exceeding £50 a month, so there is still no cap and we do not know what the final bill will be for those affected. I wonder whether the Secretary of State has actually been looking at or taking an interest in what is happening in Scotland. The Scottish Government have moved towards a single building assessment for properties that may be affected by the cladding issue, which will provide clear evidence of the total need for remediation. That allows the Scottish Government to identify the buildings that are at risk and inform their owners exactly what measures need to be taken.

That could release people from safety and mortgage lending concerns. It may, in the end, save homeowners hundreds of thousands of pounds that they might otherwise have had to pay for individual external wall fire review forms. The cost of the single building assessment is to be met by the Scottish Government, and once it

has been established, remediation will be targeted to the buildings most at risk. That is an important innovation. I see echoes of it in what the Secretary of State has said today, but it was too vague for me to be sure.

It is interesting that today's statement focuses on buildings below 18 metres. When we debated this very issue at the end of June, I challenged the Secretary of State, because *The Sunday Times* reported that a key civil servant was recorded telling fire engineers that 18 metres was the cut-off point in the first place because the Government

"haven't got time to come up with a better number".

I wonder whether the randomness of 18 metres is behind much of what we have heard today, but of course no one in the House, except the Secretary of State, has had time to properly digest it.

The new housing ombudsman in the Bill is welcome, provided that it is implemented in a way that is respectful of devolution and, in the future, prevents some of the shocking problems we have seen in the cladding scandal, which has turned so many lives upside down. It is important that we understand that the powers of the housing ombudsman will not be retrospective, so it offers very cold comfort for those living through the cladding and fire safety nightmare right now. I fear that the Secretary of State's statement today has done nothing to properly address that.

For all those reasons, it is clear that more needs to be done to address the current safety scandal, which the Bill does not do. This scandal continues to blight the lives of those living in flats that they have been told are dangerous, but we are told today, "Well, do you know what? That might not really be the case. We'll need to think about it a wee bit more and talk to the banks." That is not good enough.

People are living in flats that cause them concern, we still do not have any answers on insurance, and we still do not have any proper insight into how the scandal will be resolved fully. The £5.1 billion that the Secretary of State likes to trumpet does not even touch the sides, and whatever else the Bill offers, it offers nothing to the people currently living in homes that are making them lose sleep and that they cannot sell.

4.22 pm

**Stephen McPartland** (Stevenage) (Con) [V]: Once again, I am here to ask the Secretary of State to provide support to protect leaseholders from the devastating mental and financial costs of historical fire safety defects. Leaseholders are drowning under mountains of debt in properties they cannot sell or remortgage, and they are going bankrupt right now, with devastating interim costs mounting up, insurance premiums up thousands of per cent., and waking watches that are not even regulated by the local fire service—and we are four years on from the tragic events of Grenfell.

Leaseholders have done nothing wrong, but in January 2020 the Secretary of State created a market failure, and we have a responsibility to clean it up. His written ministerial statement today could reverse some of the damage he did, but, as speakers have already suggested, it will need to be put into legislation to provide real, practical support to leaseholders and not just rhetoric. Today's statement could be a huge victory for leaseholders in buildings under 18 metres, but only if it means that the Secretary of State is withdrawing the January 2020

consolidated advice note for building owners of multi-storey, multi-occupied residential buildings; otherwise, it is just weasel words.

I want to believe the Secretary of State, and I hope that the written statement has just reactivated the value of hundreds of thousands of properties that had no value earlier today. However, leaseholders need to know today whether it means that buildings under 18 metres are no longer required to undergo extensive remediation costs. What about buildings that have already had EWS1 inspections and are currently facing huge bills?

The Bill runs to over 200 pages, but only clause 124, totalling two pages, deals with remediation costs for leaseholders. That single clause is so weak that it is pretty much pointless—it could be considered to have been complied with by an email having been sent. We cannot continue to abandon leaseholders. We must support them, but the Bill does not do that, so I will seek to amend it with colleagues.

I repeat once again my desire for the Government to work with me and colleagues to help get this right. I would like nothing more than to see Government amendments to protect leaseholders on Report that I can support and bang the drum for. I do not want taxpayers to pick up the bill, nor do leaseholders or responsible freeholders want taxpayers to pay. We all want those who are responsible to pay. To help leaseholders, I will table amendments to apply the Housing Defects Act 1984 to cladding and fire safety defects. That would empower the Government and local authorities to help leaseholders and provide the funds.

Clause 57 sets out a mechanism for collecting levies. We could try to amend that so that the Government could set a separate levy on new house building, with that money redirected to fire safety defect remediation for existing buildings. I will table amendments that would provide for recovery of VAT on remedial works so that they are VAT-free and ensure that the Government create an indemnity scheme like Flood Re or the Motor Insurers' Bureau.

4.26 pm

**Mr Clive Betts** (Sheffield South East) (Lab): Welcome to the Chair, Madam Deputy Speaker. It is good to see you there.

The Housing, Communities and Local Government Committee did pre-legislative scrutiny on the Bill—it is a technical Bill, which we went through line by line and made recommendations—and I think that shows how the House should operate. I thank the Government, and the Minister for Building Safety and Communities in particular, for taking it seriously, responding to all our points in great detail and talking to us about it.

The Committee still have some concerns and wrote again to the Minister the other day about what we think is missing. One thing, of course, is building control. Developers should not be able to appoint their own building control inspectors, because that is a conflict of interest.

On risk, it is not height alone that makes buildings risky. A one-storey care home is potentially risky, and that must be taken into account in the role of the building safety regulator.

The Government are to come forward with proposals on the qualifications and training of everyone working on high-rise buildings. That is really important, because



[Mr Clive Betts]

currently an electrician rewiring a flat in a high-rise development does not have to be qualified. Their employer must be part of a competent person scheme, but the individual does not have to be qualified anywhere in the building industry. Those matters need addressing now in the Bill.

**Seema Malhotra:** I thank my hon. Friend for all the work he does on his Committee. He made an important point about the independence of building control. Does he agree that it causes a considerable lack of confidence when people who have bought properties find they have no recourse and that there is a real question about the role of local authorities in building control?

**Mr Betts:** There are major issues about the independence of building control not just on the highest-rise buildings but right throughout the building industry. The Select Committee report drew attention to that.

On product testing, we await the Government's proposals. Hackitt identified that the product testing regime is broken and needs fixing, and the Committee stands by its view that if a product that has gone to testing and failed a test comes commercially to the market, that information should be made available publicly. That is important information. The Government rejected that recommendation, but I hope they might consider it further.

It is very difficult to make comprehensive sense of the statement published today. I hope that the Secretary of State will accept an invitation to come to the Select Committee after the summer recess and discuss the matter with us in more detail. Whatever the statement says, it still leaves out buildings over 18 metres that have defects that are not just about cladding. Even when cladding defects have been put right, people are facing bills of £50,000 that they cannot afford. Where is the help for those leaseholders? It is not anywhere in the Bill.

I turn to buildings between 11 and 18 metres. I do not understand how the Secretary of State can say that systemic defects were not found in those buildings. Where does cladding fit into that? Will the removal of combustible cladding from buildings between 11 and 18 metres no longer be required? If it is still required, who will pay for it? The Government floated the idea of a loan scheme, but there is no reference to that in the Bill. Has the loan scheme been ditched? We need clarification on these important issues because leaseholders need certainty that they are not going to have to face these bills.

There are important issues in the Bill. It is generally to be welcomed. There are still issues that we want the Government to go further on, but the explanation in this statement of who is going to pay for some of the costs that the building safety fund does not cover is still an essential matter that the Government need to think again about.

**Madam Deputy Speaker (Judith Cummins):** I call Sir Mike Penning.

4.30 pm

**Sir Mike Penning (Hemel Hempstead) (Con):** Welcome to the Chair, Madam Deputy Speaker, and perhaps I should declare an interest as a former firefighter and a former fire Minister.

I took the promise of the Housing Minister, who is a good friend and an honourable Gentleman, that the previous Bill, the fire Bill, was not the vehicle in which to bring forward measures to protect the leaseholders in my constituency. I tabled or signed some amendments as probing amendments, but then withdrew them, and I took a lot of flak from leaseholders in my constituency, who said I had let them down. I am not going to let them down with this Bill, because it was supposed to address their concerns.

Thousands of my leaseholders are trapped within their properties. Thousands of them have already paid unbelievably large amounts of money which they cannot afford, and even if they could afford to pay it is morally wrong in the first place.

**Royston Smith (Southampton, Itchen) (Con):** While I understand that the ministerial statement was late in being shown to us, does my right hon. Friend agree that there is much in it to be optimistic about?

**Sir Mike Penning:** I agree. There is a lot in it that is good. I did not have a chance to read it while the Secretary of State was still making his speech because I am not that brilliant at doing such things, but I have read it since the Secretary of State sat down and there are some good things in there. There are questions about it and I hope to serve on the Bill Committee; I hope those on the Treasury Bench listen to me on that, although that might be slightly difficult for Ministers.

I completely agree with my hon. Friend the Member for Stevenage (Stephen McPartland), I agree with the Chairman of the Select Committee, the hon. Member for Sheffield South East (Mr Betts), and I agree with much that was said from the Opposition Front Bench as well. This should not be party politics; this should be about what is right and what is wrong. This is a homeowners nation, and that includes freeholders and leaseholders, and the party I am proud to be a member of is a homeowners party.

On Grenfell, I pay huge respect to the families who lost loved ones or whose loved ones were injured, and to my former colleagues who went in the right direction with their paramedic friends and the police when the rest of the public quite rightly got out of the way—the bravery of the firefighters at that incident is to be commended.

However, there are issues that are not addressed in the Bill. This is not all about cladding. It is about the remedial works people are being charged for and the fire watch. I have heard of situations where residents in one block—a fairly low-rise block, actually—were told they could not have any mats outside their front doors. As a former firefighter, I think that is bonkers. They were told to take pictures of the wall in the communal areas. That is not what went wrong at Grenfell; what went wrong at Grenfell was a systematic failure across the picture—including within the fire service, to be fair. I was trained on high rise and in high-rise fires we told residents to stay in their flats. We told them they were safe in the stairwell, but often they would not be.

There is one area that fascinates me. We have heard about insurance and keep talking about insurance premiums, but where are the insurance companies paying out on premiums paid by the developers and contractors? When I was a builder I could not walk on to a building site without having liability insurance.

We can do this; we did this as a Government when the mesothelioma Bill went through this House and we compensated people dying from asbestos who could not find an insurer or a contract. The Government intervened to compensate those families and loved ones, and that is what we will have to do here, too.

I will be joining my colleagues on amendments that we have signed, and if I cannot serve on the Bill Committee what a great opportunity there will be for me on Report, not because I want to be difficult, but because I want to get this right for leaseholders. I was promised the previous Bill was not the answer. This has to be the answer to put things right.

4.34 pm

**Matthew Pennycook** (Greenwich and Woolwich) (Lab): I very much welcome the fact that this House is acting to address the systemic problems identified in the Hackitt review. I also welcome a number of specific measures in the Bill—for example, the new standards proposed for product safety and for professionals involved in the design and construction of buildings.

What I cannot welcome and what I find particularly objectionable, given what so many have faced over recent years, is the financial cost this Bill will impose on leaseholders if left unamended. That imposition will be felt in part as a result of provisions set out on the face of the Bill. Whether it is the direct cost of the proposed building safety charge or the costs of duties imposed on principal accountable persons that will inevitably be passed on, this Bill will see leaseholders pay out billions of pounds over the coming years to finance the new regime it establishes. Imposing charges of that magnitude on already hard-pressed leaseholders cannot be right, and the Bill in my view needs to be amended to ensure a more equitable apportionment of the costs of the new regime.

This Bill will also impose costs on leaseholders as a result of what it does not contain. In his opening remarks, the Secretary of State cited the extension of the Defective Premises Act 1972, the limitation period changes and the provisions in the Bill that require landlords to take reasonable steps to recover remediation costs, but he knows as well as I do that these measures will only offer limited protection at best.

What the Bill singularly fails to do, despite, as others have said, the perfectly clear indications given by Ministers during the passage of the Fire Safety Bill that this was the legislative vehicle by which to do it, is to meaningfully protect all affected leaseholders from the costs of remediating historical cladding and non-cladding defects and associated secondary costs, irrespective of circumstance. It must be overhauled so that it does, because if not now, then when do we act to protect all those caught up in this crisis, and if not by this piece of legislation, then what other?

I have no intention of voting against the principle of the Bill today. We need a version of it on the statute book as soon as possible. But I say to the Secretary of State very plainly that without amendments to guarantee that all leaseholders are fully protected, he will not get this Bill through without a fight.

The very fact that we are legislating for a radical overhaul of building regulations and fire safety highlights just how flawed the present regime is. We cannot surely, in good conscience, ask any blameless leaseholder to pay to make good what is, after all, a failure of

Government-designed regulation and of industry practice. So I urge the Government to work with Members from across the House to ensure that, come Third Reading, this Bill does right by each and every one of the victims of the building safety scandal.

4.36 pm

**Royston Smith** (Southampton, Itchen) (Con): For the avoidance of doubt, I refer the House to my declaration in the Register of Members' Financial Interests; I do not think this does affect me, but just in case and for the avoidance of doubt.

I really hoped that we would have resolved the awful situation for leaseholders during the passage of the Fire Safety Bill, but of course we all know that did not happen. During those many debates, the Government told us that the McPartland-Smith amendments to the Fire Safety Bill were defective and the Fire Safety Bill was not the place to deal with who pays for remediation. The Government said that the Building Safety Bill was the Bill to address those issues. We now know that the Building Safety Bill in its current form does nothing to address the fundamental issue: leaseholders should not and will not have to pay.

Too many issues have been deemed fire safety defects when they are not. The Secretary of State and his statement have referred to it, but it cannot be repeated often enough. Most people in high and low-rise apartments are safe. Most buildings are not dangerous. Not all cladding is flammable. I am not sure, Madam Deputy Speaker, what you would have to do to ignite a wooden balcony, for example. But people living in properties with those features cannot sell and have extortionate insurance bills. Some simple changes such as smoke alarms and fire alarms and a realistic reinspection would make the properties that are currently dangerous safe again. I hope that the written statement becomes legislation and will go some way to address that. If we look at the properties that should not be failing EWS1 and we remove them from the process, the remaining buildings could be remediated far more quickly. Most properties would then see their values restored and the market will again operate successfully.

There are of course other issues, and in summing up, I hope the Minister will explain why insurers have apparently been let off the hook. Every development has professional indemnity insurance. It is the law. As soon as there is a complaint, the insurers are informed. As soon as they are informed, they should start the process of settling any claims. Why are they allowed to remain in the shadows while innocent leaseholders pick up the tab? Is it not time for us to name and shame the insurers that covered the risk of development, but have not offered to put right the defects?

One solution is a levy, as house builders now accept. They know, as I know and everyone else knows, that that is the only way out, and they want out of this nightmare as quickly as everyone else. They are suffering reputational damage for issues that were no more their fault than the fault of the leaseholders; it was down to regulation and legislation, and the failure of the insurance companies, which have some way to go on that. Taxpayers should not pick up the tab, but they can underwrite the remediation not covered by insurance. The levy can then pay back the underwriting and everyone can go back to living in a safe property, which is what they deserve to do.

4.39 pm

**Ms Karen Buck** (Westminster North) (Lab): As others have said, the Bill represents progress in implementing the recommendations of the Hackitt review, but it will not come into effect until a full five years after the Grenfell tragedy. In those five years, hundreds of thousands of leaseholders have lived their lives under the fear of fire, under a threat to their own personal safety and under the fear of being trapped in unsellable, non-mortgageable properties and bearing costs that they are completely unable to fund. In a number of cases, those costs exceed the value of the property when they purchased it.

What we know—we will obviously be digesting the contents of the written statement as well—is that the Bill will not do enough to overcome the damage that has been done to leaseholders or to compensate them for the costs they have already borne and will continue to bear, and that further amendments will be essential before the Bill passes into law. I was particularly struck, during the Secretary of State's opening speech, that the waking watch has now been dismissed, in many cases, as a scam and as being unnecessary. It is a bit rich of the Government to say that, when the waking watch has been the principal means of protection that has been relied on to ensure the safety of those living in high-rise properties. People who have been paying for such waking watches over these last years will listen with amazement to what the Government are now saying and to their glib dismissal of a scheme that they themselves have been relying on.

Even five years after Grenfell, there is still clear evidence that the necessary culture changes in the building industry have not taken place. As the London Fire Brigade says, there are still developers who are gaming the system and cutting corners, and there is clearly still not a level playing field to protect the interests of the only people—the tenants and the leaseholders—who are entirely blameless in this.

I want to make a particular point that does not get covered enough. Although the fire safety and building safety problems have been a catastrophe in terms of their personal impact on leaseholders, there are also significant implications for the social housing sector. Housing associations have faced remediation costs of £10 billion, and the consequence of that is a dramatic fall in the house building programme and in the investment that is necessary to deal with other safety, repair and maintenance issues in that sector. Those tenants and those people in housing need should not also be the victims of a crisis that they had no part in, and the social housing sector must be fully compensated for its actual costs in the months and years to come.

**Madam Deputy Speaker (Judith Cummins):** I call Paul Maynard, by video link.

4.42 pm

**Paul Maynard** (Blackpool North and Cleveleys) (Con) [V]: Thank you, Madam Deputy Speaker, and welcome to the hot seat.

I want to highlight just one aspect of building safety that I do not believe has been covered either in the Bill or in the debate so far today. Safety on stairs might seem to be rather a niche issue compared with the many issues around fire safety that we are discussing, but it

has to be more than just a case of “watch where you're going”. As the Royal Society for the Prevention of Accidents has discovered, falling on stairs is a significant cause of death, stretching into many hundreds per year. For every one hospital admission caused by a burn, there are 235 caused by falls.

The impact of these falls is felt disproportionately by older people, and even when a fall is not fatal, it is often the first stage of a persistent decline. Falls create fear, they impact on confidence and wellbeing, and they lead to people being moved out of their own homes and into care homes, in many cases never to return. I represent a predominantly elderly constituency and I am in no doubt about the importance of stair safety to maintaining independence in the home for as long as possible, but I am also someone with cerebral palsy, and I know that it is not just the elderly but people like me who have to be exceedingly careful when navigating staircases.

There is an existing industry standard, British standard 5395-1, regarding how stairs should be constructed, including rules on the dimensions of stairs and handrails. Stairs built to the British Standard lead to 60% fewer falls. Although it has been the standard since 2010, it has not, as yet, been enshrined in law, and is therefore often not used by builders. I have written to the building safety Minister asking for the Bill to include a mandate for the British standard to be applied in all new build homes, and I plan to propose such an amendment should he not give me sufficient satisfaction.

It is worth noting that this cause is backed by both private and social housing providers. It will create a level playing field in house building, but, more importantly, it will massively reduce the number of falls on stairs in the future, easing the burden on A&E and ambulances, and saving many families from unnecessary and premature tragedy.

**Madam Deputy Speaker (Judith Cummins):** I call Meg Hillier.

4.45 pm

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): Thank you, Madam Deputy Speaker, and I welcome you to your position.

I must declare an interest in that I am a leaseholder in an affected block, although, happily for me and for my neighbours, the developer who built the block is footing the bill for everything. I am surrounded by scaffolding, and cladding is being removed at this moment.

The Bill is welcome, but it has taken a long time to get here, and, as others have said, it does not solve the problem completely. I want, in my brief remarks, to acknowledge and reflect everything that was said by my hon. Friend the Member for Manchester Central (Lucy Powell). She summed up the challenges, while making it clear that for us this is not about scoring cheap party political points: we need to resolve the situation for all our constituents throughout the country. We recognise that legislation is one step along the way, four years on from the Grenfell disaster, but there is nevertheless a long gap—a long time lag—between legislation and action.

Let me give a recent example. The Public Accounts Committee, which I have the privilege of chairing, recently examined the work of the Office for Product Safety and Standards, which has only just assumed



responsibility for product safety in this sphere and has not yet developed a methodology for its delivery. I am making no criticism of the OPSS, which has a job to do, but it has only just taken it on—and this is 2021, four years since the Grenfell disaster. That is an example of how a small delay in the Government can mean a very long delay for the thousands of our constituents who are really suffering.

The Government delay has further compounded the situation. From the beginning, a number of us have been talking about there being too few fire safety surveyors, and there has been confusion over the EWS1 forms. I have not enough time to go into the written ministerial statement, but I concur with what was said about that by my hon. Friend the Member for Sheffield South East (Mr Betts). The insurance and mortgage industries are adding to the costs and uncertainty by doing what they do, with no recognition from the Government that some of the statements they themselves have made have caused those problems, which they should have been better at predicting.

The pots of money are welcome, but they are smaller than what is needed. I think that the Father of the House, the hon. Member for Worthing West (Sir Peter Bottomley), summed it up very well: we must get leaseholders off the hook, and then the Government must be very canny—and all of us will support them—in trying to secure the money from developers. We must also look at social housing. Support for today's leasehold victims is at the cost of future housing for tenants and future leaseholders, at a time when housing supply is a Cinderella to the Government's policy of fuelling demand.

Today's extraordinary written statement came so late that I hope the Secretary of State will agree to appear before our sister Committee, the Housing, Communities and Local Government Committee. There are important questions to be asked, and I think that all our inboxes will be flooded over the next few days. We still need skills to do this work, and I urge the Minister to look at delivering that as well as this legislation. We also need clarity on the levy, and on legal action, which is out of the price bracket of most of our constituents on top of the bills that they are already paying.

This situation needs to be tackled. The Bill is a start, but there are many people still living in limbo.

4.48 pm

**Dr Matthew Offord** (Hendon) (Con) [V]: There are measures to be welcomed in the Bill, but a great deal more is required. I am pleased that the Government have listened to the Housing, Communities and Local Government Committee, which recommended that the Bill be amended

“to explicitly exclude historical costs from the building safety charge.”

However, it appears that the Government do not believe that the Bill will completely protect leaseholders from remediation costs. The explanatory note states:

“The Building Safety Bill does not make leaseholders liable for the cost of undertaking capital works, for example removing unsafe cladding.

However, where existing leases allow for these remediation costs to be passed on, the Building Safety Bill will bring forward measures to protect leaseholders, by placing additional duties on the building owner to explore alternative cost recovery routes before passing costs to leaseholders.”

Costs can still be passed on if building owners can show that all other avenues have been exhausted. Consequently, the Bill is focused on constructing and maintaining new buildings, rather than fixing safety issues in existing blocks.

I welcome the Government's decision to extend the limitation period of the Defective Premises Act 1972 to protect future leaseholders, but it is not particularly viable for others given the inherent difficulties of taking legal action against well funded developers who are likely to continue to argue that buildings met regulatory approval at the time of their construction. The Government are fully aware that potential defendants in some cases no longer exist or are insolvent, and that the legal costs of taking action are likely to outweigh the costs for remediation works. That is in addition to the stress and time it would take for legal action to conclude.

The Bill contains no detail on the forced loan scheme for leaseholders in medium-rise buildings and no help whatever for those in low-rise buildings. I understood that details of the cladding tax loan scheme would be forthcoming in the March Budget. However, now the guidance is that we will have to wait until September for an idea of how the scheme will work. Finally, there has been no real movement on the urgent and expensive issue of building insurance premiums and the unaffordable costs people are being forced to pay right now for interim measures.

However, the Minister will be pleased to learn that I will be voting for the Bill today on Second Reading, as it is the only lifeline available to my constituents who are facing financial despondency, but I will be looking for amendments in Committee and on Report. Many people have bought these properties, whether as their first property or as subsequent later properties, and have invested not only their lives but their savings and their financial future on the basis of bricks and mortar. We cannot allow demands to be sought against them that will fundamentally bankrupt many of them. It is a Conservative principle that we encourage people to buy their own homes. Now these people need our help and support, we must not leave them failing.

4.51 pm

**Barry Gardiner** (Brent North) (Lab) [V]: I am not sure what is worse for leaseholders: the fact that they are in constant fear because their homes are not safe, the fact that they cannot afford to make them safe and are being harassed by greedy managing agents, or the fact that they are trapped in their flats without any easy option to sell and move on with their lives. Today's statement and the Bill do not fundamentally change that for all the reasons the Father of the House, the hon. Member for Worthing West (Sir Peter Bottomley), set out in his brief but excellent speech.

During the passage of the Fire Safety Bill, Ministers promised that these issues would be addressed in the Building Safety Bill. Lord Greenhalgh said:

“it is unacceptable for leaseholders to have to worry about costs of fixing historic safety defects in their buildings that they did not cause”

and that

“building owners are responsible for ensuring the safety of residents”, and he said that they should

“protect leaseholders from the costs of remediating historic building defects.”

[Barry Gardiner]

I do not know what the correct term in Parliament is for someone who make promises that they do not keep, but I know what they call them on the streets of Brent North: they call them a Government Minister.

Extending the scope and duration of the Defective Premises Act 1972 in the Building Safety Bill shows that the Government do not understand the extent of the problem. I ask the Minister to explain to my constituents who live in the Wembley Central development how it will help them. The original developer of their homes, St Modwen, has washed its hands of these defective properties. It sold them to an offshore company in Jersey in 2018, following the introduction of the new building regulations. It was in partnership with Sowcrest, which is now in a very convenient liquidation. So who exactly does the Minister think my constituents can chase here? What are the Government prepared to do about buildings with obscure corporate ownership?

I first contacted St Modwen in 2017, immediately after the Grenfell tragedy. It repeatedly assured me that the buildings were safe and in 2018 confirmed in writing that no fire safety defects had been identified. I am now told that the cladding on this building is the same as that used in Grenfell Tower and the fire safety report has identified fire stopping defects throughout the construction process. In May this year, St Modwen agreed to a takeover bid of £1.2 billion from Blackstone. Can the Minister tell me how this Bill will make them accountable for their actions? It was not the leaseholders who decided to use flammable cladding or to leave out fire stopping in voids or cut corners—developers made those decisions. My constituents have neither the deep pockets nor the legal expertise to fight these corporate chameleons, who start off in London and end up in Jersey as a different company. This Bill shows that the Government either do not understand or do not care. The companies can afford lengthy litigation; leaseholders cannot.

Finally, the Minister must explain why there is so little progress on the building safety fund. I wrote to St Modwen on 23 June. I still await a response. I have written to Fidum, the new managing agent for the new owners. I asked it about its application to the building safety fund for the removal of unsafe cladding. I have received no response, but Fidum now tells residents that it missed the closing date of 30 June for the second application because it is still waiting to have eligibility—

**Madam Deputy Speaker (Judith Cummins):** Order. I call Joy Morrissey.

4.55 pm

**Joy Morrissey (Beaconsfield) (Con):** I welcome the Secretary of State's statement that the EWS1 forms should not be required for buildings below 18 metres; lenders were insisting on EWS1 forms, despite buildings not meeting the proper criteria in the new guidance, so it is a welcome announcement. I also welcome the announcements in the written statement on working towards market correction with regard to the total risk aversion that we are seeing in the market from lenders and surveyors, and the absolute stagnation in the market.

However, I echo the concerns raised by my hon. Friend the Member for Stevenage (Stephen McPartland) and by the Father of the House, my hon. Friend the

Member for Worthing West (Sir Peter Bottomley), regarding leaseholders and the issue of clause 124. I would like to see much greater levels of legislation to support leaseholders. I am speaking on behalf not just of the leaseholders, but of the parents of leaseholders in my constituency—parents in Beaconsfield, Marlow, Flackwell Heath and Iver who have given their life savings to help support their child to buy their first home, usually in London. The children of my constituents are now stuck in homes that they cannot afford to move out of because of the spiralling cost of insurance and the cost to the leaseholder that has been incurred because of the building safety regulations.

I ask that we consider how to help leaseholders. These are Conservative voters and the children of Conservative voters, who are now frustrated and angry that they cannot move up the housing ladder. We need to consider a way forward for them and remember that they have done what we Conservatives say that we always want to do: enable people to buy a home and get on the housing ladder. We are blocking them from moving forward. I ask the Secretary of State please to consider further action to help and support leaseholders.

**Madam Deputy Speaker (Judith Cummins):** I call Matt Rodda.

4.57 pm

**Matt Rodda (Reading East) (Lab):** I welcome you to your place, Madam Deputy Speaker. It is a pleasure to speak in this important debate and to follow colleagues from across the House.

The Bill is a step forward. However, I have very serious reservations. I will build on the points made by my hon. Friend the Member for Manchester Central (Lucy Powell) and other colleagues across the House, including the Father of the House, the hon. Member for Worthing West (Sir Peter Bottomley).

First, it is important to focus on the single most important weakness of the Bill, which is that many thousands of existing leaseholders will not benefit from it. They are going to be penalised with exorbitant costs—far above what they could possibly pay off—due to the way in which the Government are tackling this deep crisis and the insufficient funding to make good the very serious problems with leasehold properties around the country that have become more and more apparent in the four years following the Grenfell disaster. It is simply deeply unfair that people who bought properties in good faith, in Reading and across the country, should have to pay enormous sums of money to make those properties fire-safe and to deal not only with cladding, but with a range of other issues that I will address in my short speech.

There is also the serious issue of properties under 18 metres. In my area, many blocks are under 18 metres high. I am sure that colleagues across the House will have the same issues in their constituencies. The residents in those blocks deserve to be treated much better by the Government and the industry. Let me give colleagues a small example by describing a desirable, beautifully designed block with an attractive foyer that is central to the town and next to one of the rivers in Reading—a great place to live in many ways, but in the case of a fire potentially a dangerous rabbit warren of small corridors, from which it would be difficult to escape. The block

contains a huge amount of fire safety problems and residents may have to pay £150,000 each to get them put right. The problems include: issues with fire doors and with the doors into flats; a lack of internal partitions, meaning that a fire could rip through a block that contains more than 100 separate flats; and a whole range of other difficult problems. Those issues are not addressed by the Bill and they need to be.

I wish briefly to mention the confusion about the EWS1 form and lack of information until the very last minute. There are serious issues with getting the forms and it is right that the Government look into them, but it surely cannot be right to present that information as a written statement on the eve of the debate. I ask the Secretary of State and his colleagues to reflect on that, because it caused a great deal of confusion and concern today and was perplexing.

Let me say equally briefly that there is already a model for how to resolve this issue, and that is the Australian model, as mentioned by colleagues from all parties. Ultimately, it is a question of leadership from the Secretary of State.

5 pm

**Bob Blackman** (Harrow East) (Con) [V]: As a member of the Select Committee on Housing, Communities and Local Government, I had the opportunity to spend many hours scrutinising the draft Bill as we conducted pre-legislative scrutiny. I am delighted that the Government have adopted almost all the recommendations that we made, but there are concerns.

One issue is that some of the language used in the Bill is not exact enough. It is clear that what will matter is the regulations that underpin this extremely complicated and complex Bill, which will need to be ironed out over the next 18 months before it becomes operational. Of course, that gives rise to further problems. There will be no excuse whatsoever for a developer that is currently developing a new high-rise building or, indeed, planning one in future not to abide by the rules and regulations that will be introduced when the Bill becomes law. They will have to do that. However, there is concern about the historical elements of fire safety defects, as well as the remediation of unsafe cladding.

We have to split the issue into a number of areas. There has clearly been much progress on the remediation of unsafe cladding, which is welcome, but fire safety defects have been excluded from almost everything on offer from the Government thus far, and developers are trying to wash their hands of the matter. As right hon. and hon. Members from all parties have said, leaseholders are being presented with huge bills right now. They do not have 18 months to wait to resolve the issues, so we need urgent action. We were promised that the details of the fourth loan scheme would be introduced at the time of the Budget. I assume that we will have to wait for the autumn Budget as opposed to the spring Budget, because so far we have not seen the details of how that will operate. That detail is vital for people so that they can know how to plan.

The reality is that the people in the middle of this—the innocent parties, we have to remember—are the leaseholders. The building owners and the people who developed the buildings in the first place are the ones who put the buildings up. The one excuse to which they can cling is to say that they adhered completely to the

rules and regulations that were in place when they put the buildings up perhaps five, 10 or even 20 years ago. If that is the case, the Government have to find a way to fund the remediation, because the Government were responsible for putting in place the regulations. If the regulations have been blatantly ignored, it is clear that the building owners and developers must remediate the buildings and fire safety defects without any charge to leaseholders whatsoever.

The Bill is a good start to the process and I welcome it. I welcome its going into Committee, and we must get it through to safeguard leaseholders.

5.3 pm

**Dr Kieran Mullan** (Crewe and Nantwich) (Con) [V]: I welcome the fact that the Bill will give residents and homeowners more rights and make homes throughout the country safer. It seeks to improve the whole fire safety regime from start to finish.

In my constituency in 2019, we had the terrible fire at the Beechmere retirement complex that destroyed the building, leaving more than 150 people without their homes and with their belongings destroyed. I pay tribute to Cheshire Fire and Rescue Service for its work in battling the blaze and I thank the local heroes who helped residents to evacuate. What happened at the building is, of course, at the front of my mind. We are still to find out the cause of the fire, and I have met Cheshire Fire and Rescue Service regularly to push it to conclude its investigations so that people get answers.

Although the focus of this debate has rightly been on external cladding and high-rise buildings, we must ensure that we use this moment of fire safety reform to act on risks across the board. I want to focus on asking the Government to go further and be more prescriptive with those buildings that use timber or that house or are used by vulnerable people, irrespective of building height. What I wish to talk about relates to approved document B and building bulletin 100, but I am sure the Minister will understand my raising those issues in the context of the Bill.

On the issue of timber, the Beechmere building was timber-framed and what happened seemed to reflect what has happened at many other fires in similar buildings. There is a wealth of long-standing concerns about the use of timber, and not just in relation to external frames. There are particular concerns about how in a timber building post-completion works and modifications can easily destroy fire safety measures. We must ensure that that risk is properly addressed.

On the second issue, we must think more carefully about restrictions based on what a building is used for. It is proportionate to make specific mandated additional requirements for buildings such as schools and care homes, which house people who will struggle to evacuate. An example of such a requirement would be for sprinklers. I and my colleagues on the all-party group on fire safety and rescue have highlighted that automatic fire sprinklers are compulsory in new care homes in Wales and Scotland but not in England—the same is true in respect of schools. Research conducted by the National Fire Chiefs Council found that in almost 1,000 fires over five years in buildings where sprinklers were fitted they controlled or extinguished blazes in 99% of cases. Automatic fire sprinklers save lives and allow children back into the classroom sooner.



[Dr Kieran Mullan]

I know that the Secretary of State wants a dynamic, responsive system that is not overly prescriptive, but at this stage, when we cannot yet know what a whole new regime is going to deliver in terms of better decision making on a building-by-building basis, we should be more cautious and risk adverse, and have an approach that mandates specific measures such as sprinklers for certain building types and additional measures for certain building materials such as timber, regardless of height. I welcome the Bill and the reforms it will make to building control and building regulations, but it is vital that the Government go further and provide additional protections to certain buildings, so that we can all be confident that the buildings we live, work and learn in are as safe as possible.

5.6 pm

**Daisy Cooper** (St Albans) (LD) [V]: There are two ways to look at this Bill: we can look at what is in it, and we can look at what is not in it. I welcome the proposed building safety regulator and the move to finally establish the principle that there must be an accountable person, but there is much where the Bill is seriously and dangerously lacking. The Bill still uses height, not risk, as the primary criterion for where regulation kicks in. The arbitrary and discredited 18-metre cut-off must be dropped, and risk factors must be taken into account, especially in schools and care homes.

On public registers, in the Bill Committee for what became the Fire Safety Act 2021 I proposed that the Government create a register of qualified fire risk assessors. The Minister for Crime and Policing assured me that he was working with the industry to introduce such a register, and so I withdrew my new clause. So where is that measure now? Will the Secretary of State table an amendment to create that register, as well as a register of safe building materials?

On the EWS1 form, I do not even know where to start on today's rushed announcement. I was asking about this for buildings last September. Some of my constituents have put their lives on hold for the best part of a year and now it transpires that they may not even need that form.

Finally, we were promised that the plight of leaseholders would be addressed in this Bill. We were assured time and time again that the Fire Safety Act was not the right place for things because this Bill was coming down the track. Leaseholders do not have the deep pockets or legal expertise to pursue giant corporations as the Government are suggesting. The Government just need to stomp up the cash, make homes safe and then use their power to make polluters pay. It is really simple; it has been done in Australia and it is an off-the-shelf solution that has been shown to work. Surely the Government realise that they must now bring forward protections for the tens of thousands of leaseholders who were promised by the Prime Minister that they would not be made to pay for fire safety defects not of their making, because if he does not, Members of this House will fight tooth and nail, working across the House, to deliver justice for building safety victims.

5.8 pm

**Mark Logan** (Bolton North East) (Con) [V]: The telly has been showing horrific scenes of flooding across the globe recently. What is infuriating is the more overtly

man-made mini-flooding that my constituents in Holden Mill and Astley Bridge have been exposed to. We are talking about water ingress where what were once penthouses have become unwanted pools, decompartmentalisation leading to fire risk and issues associated with cladding, all of which are liable to increase costs for the tormented people living there. With today's Bill, this Government, this Secretary of State and this MP have the chance to put things right for the people of Holden Mill.

The proposed reforms are welcome, particularly the extension of the Defective Premises Act 1972 and the limitation period. However, clause 124 is unlikely to be in place for at least a year and leaseholders risk having to pay ruinous costs for months to come. The only real route of redress against culpable parties is usually through costly litigation, so will the Department outline the provisions in place to help cash-strapped leaseholders and management companies pay for legal action involving extensions to the limitation period?

Some 20% of residents in the Cottonworks, a mill that has been converted into dwellings in my constituency, are affected by water ingress due to poor conversion by the developer PJ Livesey. Despite insurance cover with the National House Building Council, my constituents are facing a potential shortfall in excess of £1 million. These residents are living in torrid circumstances, and leaseholders have already had to pay into a levy, on top of service charges, to cover temporary measures concerning PJ Livesey's alleged failings in relation to fire compartmentation. The timing of the levy could not be worse, and it is vital that these future costs are not passed on to innocent leaseholders.

How do we ensure that responsible and culpable parties do not abuse the statute of limitations by simply running down the clock? Some 280 leaseholders at the Cottonworks could face further levies, and they fear not being able to fund legal action. These companies—I am sure there are many such cases across the country—have slopy shoulders regarding poor workmanship, ping-ponging my constituents from company to company. I will be voting with the Government, standing shoulder to shoulder with these residents in Astley Bridge and across the country.

Finally, the intention to create a system of duty holders throughout the design, construction and occupation of high-risk buildings is welcome, but can the Minister and the Department assure my constituents that this will be applied retrospectively, finally providing residents with the power to make someone—

**Madam Deputy Speaker (Judith Cummins):** Order. I call Rushanara Ali.

5.12 pm

**Rushanara Ali** (Bethnal Green and Bow) (Lab) [V]: I begin by paying my respects to all those who lost their lives in the Grenfell Tower disaster, and to their family members and relatives who continue to campaign to protect others in our country. I also pay tribute to all those in my constituency who have been campaigning, as we have a large number of blocks with ACM cladding and other safety risks.

Although I support many aspects of this Bill, it is clear that the Government are missing an opportunity to protect the hundreds of thousands of people who need protection. That is why it is important that, although

the building safety fund is welcome, the Government should look to provide additional funding for those blocks that are not getting the funding they urgently need. The companies that are responsible should pay. As I have argued time and again over the past four years, it should not be on our residents to have to go after the companies. The Government should be going after the companies. The Government have not done enough; they need to do much more.

When the Grenfell Tower disaster happened, the then Prime Minister said that we should “do whatever it takes” to protect our people. Yet, year in and year out, many of us on both sides of the House have campaigned and are still arguing about funding and support for our constituents.

Despite what the Secretary of State said today, the Fire Brigades Union has said that the building safety fund completely ignores unsafe buildings beneath the arbitrary 18-metre limit. As he admitted, there are still people at risk. He mentioned 10 people who have died, and that is 10 too many. It is important that this Government do not create a trend of callous disregard for human life. Our constituents have had to live in fear during lockdown in dangerous ACM-clad properties.

In Poplar and Limehouse, Tower Hamlets, we saw a fire in a block with ACM cladding in May, and it was described by *The Sunday Times* as being “minutes’ away from being another Grenfell Tower.”

In our borough there are 291 buildings at risk, which is why we need the Government to take action, to improve the Bill and to accept the Labour amendments and other sensible amendments that have been proposed.

In Claremont Court, Tower Hamlets Community Housing has applied to the building safety fund, like other housing associations in other blocks. While some have received some funding, others have been rejected for no good reason. I hope that the Secretary of State will look at those cases again.

5.14 pm

**Hilary Benn** (Leeds Central) (Lab): Last Saturday, I attended a demonstration at Leeds Dock in which my constituents—leaseholders affected by the scandal—talked about the anxiety, the stress and the potentially crippling financial costs they face if they are asked to pay to fix their homes. They really feel that nothing has changed. Now, had they been able to see Ted Baillieu from Victoria state speak last week, as referred to by the Father of the House, the hon. Member for Worthing West (Sir Peter Bottomley), they would have been blown away by his direct, no-nonsense approach. Those three words—“find, fix, fund”, and then go after the people who are responsible—should be the guiding light of the Government’s approach. My question to Ministers is: when will we see in the UK the kind of comprehensive approach that we are seeing in Victoria in Australia?

I appreciate—we all do—the money that the Government are putting in, but there are so many other faults in buildings apart from unsafe cladding that replacing the cladding will not make them safe. To take one example, the Richmond House fire was just under two years ago. It was below 18 metres, yet we are told that it was the absence of proper cavity barriers and fire breaks that allowed the fire to spread. I say to Members: watch the video. It is absolutely terrifying.

Luckily no one was killed, yet it is precisely fire defects of that sort, which we know are being discovered on countless buildings, that are not covered by the Government’s funding offer, because the Government are funding the removal of dangerous cladding. Ministers know—we have told them time and again—that leaseholders do not have the money to pay to fix those defects. If the defects are not fixed, those buildings will remain classed as unsafe. Presumably if they are a serious risk, they will continue to have waking watch and insurance bills, which will drain the accounts of innocent leaseholders.

My second point is: where is the plan to manage the most dangerous buildings first? At the moment, the order in which they are fixed depends on the speed with which managing agents and freeholders either pay for it themselves or apply to the building safety fund. We do not actually know the full extent of the problem; there is no comprehensive list. Offering 15 years instead of six is fine, but useless, because not a single leaseholder I have spoken to will be able to put the money up and take the risk of suing someone when they might lose after seven years and face another bill. They have enough to worry about at the moment.

I look forward to working with others on a cross-party basis to support amendments to the Bill, so that finally my leaseholders can look at the Bill when it is finished and say, “Right. We have a plan to deal with this”. Then all our constituents can get on with their lives, because that is what they want and what they deserve.

5.17 pm

**Peter Aldous** (Waveney) (Con): Technically speaking, the issue that I wish to highlight—the need for the more widespread fitting of sprinklers—does not fit neatly within the currently narrow scope of the Bill, but with some amendment it can and, quite frankly, the matter has been ignored for far too long, and it is appropriate to highlight it on the Second Reading of a Bill on building safety.

Ten years ago this month, the Wessex Foods factory on the South Lowestoft industrial estate was burnt to the ground. Fortunately, no one lost their lives, but 150 people lost their jobs, surrounding businesses were seriously disrupted, and it took 10 days to fully extinguish the fire, during which every firefighter in Suffolk attended the scene. Some 52 million litres of water was used, much of it finding its way in a contaminated form into nearby watercourses.

That turmoil would have been avoided if the factory had been fitted with sprinklers. If it had been, the firefighters who first attended the scene would have spent just four minutes on site. In the intervening 10 years, what has been done to promote the greater use of sprinklers? In previous Parliaments, we have had good debates, ably led by our former colleague, Jim Fitzpatrick, and my hon. Friend the Member for Southend West (Sir David Amess), but nothing has been achieved. In fact, we are going backwards, as the Government are proposing changes to the “Building Bulletin 100: Design for fire safety in schools” guidance that will mean automatic fire sprinkler systems will be required in only a very limited number of schools—far fewer than intended under the current BB 100.

Despite urban myths, the case for sprinklers is compelling. They save lives and jobs, and they prevent environmental degradation. Some people may worry about their cost,

[Peter Aldous]

and I do not deny that in some circumstances retrofitting will present challenges, but making their use mandatory will unleash innovation, through increased manufacturing and the enhanced design and layout of buildings.

A small, but significant, step to achieving the more widespread use of sprinklers is to use this Bill to amend the Building Act 1984 and the 2010 building regulations, so as to give the Secretary of State the power to make regulations to facilitate the protection of property. I urge the Government to seriously consider this when the Bill is in Committee.

5.20 pm

**Rebecca Long Bailey** (Salford and Eccles) (Lab) [V]: Sadly, this Bill is deficient in many areas. It focuses on higher-risk buildings, currently defined as those over 18 metres, leaving the safety of residents in buildings under 18 metres unclear. Does today's EWS1 announcement now mean that combustible cladding under 18 metres should be ignored?

The issue of funding is still not adequately addressed. As the Government well know, the building safety fund only covers unsafe cladding, yet 70% of buildings surveyed have non-cladding fire and safety defects. Providing cladding remediation funding for buildings over 18 metres, yet forcing leaseholders in buildings under 18 metres to pay, is simply unjust. As *Inside Housing* has previously reported, even the minority of leaseholders who could apply for loans potentially face waiting for years.

As for social landlords, the National Housing Federation has stated that, "Social housing providers will be forced to draw money from improving tenants homes in communities to fund remediation." This is staggering.

To address these inequities, the Government plan simply to extend limitation periods to 15 years, but that will still require leaseholders and social landlords to stump up the initial cost themselves, if they do not qualify for the building safety fund. Legal processes for the recovery of such funds could take years and be very costly, if the developers and contractors even still exist.

This proposal would not help leaseholders in my constituency at Transport House, who face bills of more than £100,000 each, as they fall shy of the 15-year period, and nor would it help the tenants and residents of Sovereign Point.

Aside from the unsafe conditions such residents are forced to live in every day, the mental strain takes its toll. In a survey by UK Cladding Action Group, 90% of leaseholders said their mental health has deteriorated and a fifth—a fifth—have had thoughts of suicide and self-harm.

Let us be clear: the only way to protect both leaseholders and tenants from the unfair costs of the crisis they did not cause is for the Government to provide upfront remediation funding, then recoup the cost from those responsible for those safety defects. As we have heard, they managed to do that in Australia, so this Government can manage to do it here.

5.23 pm

**Sir David Amess** (Southend West) (Con): Since last October, the all-party parliamentary group for fire safety and rescue, which I chair—and I am delighted to see so many of its members participating in the debate—has

responded in detail to four Government consultations on various aspects of fire and building safety. A further consultation was launched by the Department for Education on 27 May in relation to the revised fire safety design guide for new schools. In a nutshell, that proposes to remove in the future the requirement for automatic fire sprinkler protection for all but a very few new schools. This is not acceptable and I am delighted that it was raised at Prime Minister's questions today.

We are suffering from consultation overload and we could really do with a road map as to how all these pieces of work fit together. Last Thursday was my third meeting with the noble Lord Greenhalgh on fire and building-related issues since 23 June. Only last week, during a joint meeting that I chaired with the all-party parliamentary group for disability, we heard a most distressing account of a disabled resident trapped on the 23rd floor of Grenfell Tower whose son carried her down through the smoke and flames at 2.30 am, one and half hours into the fire. Her husband tragically perished, having jumped from the building.

One significant issue raised by both the APPG and the National Fire Chiefs Council in their previous responses to the Regulatory Reform (Fire Safety) Order 2005 consultation was that there remains a fundamental disconnect between the non-worsening conditions of building regulations and the expectations of continuous improvements through the fire risk assessment process set by the fire safety order. Regulation 4 of the Building Regulations 2010 states that where the work did not previously comply with schedule 1, the new work, when complete, should be

"no more unsatisfactory in relation to that requirement than before the work was carried out"—

meaning that the general fire precautions may never get improved to modern standards. This runs contrary to the principles of prevention outlined in the fire safety order—that premises' risk assessment should adapt to technical progress and reduce overall risk within buildings.

Non-worsening provisions are resulting in lost opportunities to improve building safety. An example is the refurbishment of Lakanal House following a multiple-fatality fire. The London fire commissioner told the coroner that automatic fire sprinkler protection would have prevented the death of six residents who died if it had been installed. Subsequently, the coroner recommended to the then Secretary of State that he should encourage social housing providers in high-rise blocks of over 18 metres to consider retrofitting automatic sprinkler protections. I say to my right hon. Friend the Minister: we must never make the same mistakes again.

**Madam Deputy Speaker (Judith Cummins):** I call Debbie Abrahams.

5.26 pm

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): My warmest congratulations, Madam Deputy Speaker. I think everybody welcomes the new and enhanced regulatory regimes for building safety in the Bill, but, as many Members have stated, I am equally concerned about the action that is needed now to make existing homes and products safe and to stop leaseholders from being hit with catastrophic bills from building owners to fix historic failures. I also want to put on record my concerns about a statement being issued in the middle of an opening speech presenting the Bill. I think it is absolutely appalling.



Moving on to Dame Judith Hackitt's report, she concluded that it was the construction industry's prevalent culture that was undermining building safety. She referred to procurement regimes that were not fit for purpose. In relation to building safety, she added that

"unhelpful behaviours such as contract terms and payment practices which prioritise speed and low cost solutions, exacerbate this situation."

She concluded that poor procurement and payment practice "provide poor value for money"

and produce "poor building safety outcomes." She recommended that contracts' payment terms and practices should be recorded as part of a proposed digital building safety file. I could not agree more with her conclusions.

There is a toxic culture in too many parts of the construction industry, where fly-by-night firms benefit by accepting the lowest-price jobs achieved by poor payment practices to their supply chain. This Bill provides a unique opportunity to deal with not just the scandal of unsafe buildings, but the scandal of the manipulation of late-payment practices by large, unscrupulous construction companies. Evidence given to Committees of this House following the Carillion collapse revealed the appalling abuse of tier 1 contractors such as Carillion. In spite of my Bill in 2019—the Public Sector Supply Chains (Project Bank Accounts) Bill—to tackle the misery that so many small construction companies continue to face and to protect them from becoming insolvent, as nearly a thousand did after Carillion's demise, absolutely nothing has been done.

Almost six years on from the Business Department reviewing the practice of retentions that harms thousands of small businesses by depriving them of much needed cash flow, it has sat on its hands. Based on figures provided by the Department in October 2017, every day, almost £1 million-worth of retentions is lost by firms—mainly small businesses—because of upstream insolvencies. Today, according to insolvency specialists, almost 100,000 firms in the industry are under severe financial stress. Small construction firms are having to grapple with the massive cost pressures of their base and many are facing the issues that I have talked about. If an industry is free of the widespread and egregious treatment—

**Mr Deputy Speaker (Mr Nigel Evans):** Order.

5.29 pm

**Felicity Buchan (Kensington) (Con):** I welcome the Bill. It will be very important in transforming our regime of building safety and in putting residents and high rises at the forefront of that regime. Building safety is incredibly important to me. The tragedy of Grenfell Tower happened in my constituency, and London is home to 55% of all high rises and intermediate buildings, many of which lie in central London.

I hope the Bill will also change the culture of the building industry and the building products industry. I have been shocked by some of the revelations coming out of the Grenfell inquiry: how the system was gamed and how it was pushed to the nth degree. We need to change that culture; residents and safety must come first.

I warmly welcome many parts of this Bill, including the building products regulator and the ability of that regulator to take building products off the market and

to prosecute those who try to sell products that do not meet the mark. I also welcome the fact that the time period to sue for defective premises will go from six years to 15 years, and the announcement that we heard this afternoon on EWS1 forms will be critical.

Clearly, there are details on which we need confirmation. RICS guidance will be important. It will be important to have confirmation that the consolidated advice note will be withdrawn, and we also need clarity as to what will happen to EWS1 forms that have already been issued. Will they stay or will they not? Potentially, this is a very significant development for leaseholders.

There are issues on which we need to work across the House. We need to agree the scope of the measures. Yes, they currently apply to buildings above 18 metres, but the Bill has the capacity to increase that scope, so we need to focus on that. Very importantly, we need a taskforce within the Ministry of Housing, Communities and Local Government that will look at buildings case by case, because there are so many buildings that are throwing up very unique circumstances that we need to deal with. One is Collier House in my constituency.

5.32 pm

**Alison Thewliss (Glasgow Central) (SNP):** I wish to speak briefly on a few issues that affect my constituents.

First, I heard the intervention earlier from the hon. Member for Cardiff South and Penarth (Stephen Doughty), who asked about the quantum of Barnett consequentials for Wales. The Secretary of State said that the Welsh Government have not devised a scheme for existing consequentials yet. This becomes a bit of a strange paradox, because it would be daft for a Government on a fixed budget to commit to spending more than they have, and they cannot plan for that. If a devolved Administration were to establish a scheme without the certainty that the money was coming, they would then be considered irresponsible. Therefore, it needs to be made clear what those additional consequentials are for the devolved Administrations.

The Scottish Government have proceeded on the basis of the £97 million allocated to the Scottish Parliament and have set up the Scottish Government single building assessment scheme, which prioritises by risk. I pay tribute to Kevin Stewart MSP who, as Minister, spearheaded much of this work. There have been more than 100 expressions of interest in the scheme, but in order to ensure that it reaches as far as it can, the consequentials have to be made absolutely clear so that the problem can be tackled.

Let me take the opportunity to pay tribute to those in my constituency who have championed their fellow residents, including Lisa Murray of the Verde Residents Group and Hector Thomson and Barry Cooper of the Lancefield Quay Residents Association. Hector and Barry told me of the difficulties that they have had in obtaining building insurance for the development of which they are a part. There are hundreds of flats in that development and their insurance was suddenly withdrawn on 23 December 2020, leaving them very worried over the Christmas period about what would happen.

Contrary to what the Secretary of State has said, there is a failure in the market. He mentioned Aviva, but my understanding is that it has a limit of £50 million, whereas for Lancefield Quay it is £75 million. I understand that Aviva also has a bar on commercial property as

[*Alison Thewliss*]

part of that. Sure enough, there is an Indian restaurant at the bottom of Lancefield Quay, which will be exempted from securing coverage if that is indeed the case.

I urge the Minister to solve that problem. People are being offered insurance that is comprehensive but entirely unaffordable—or just about affordable, but not for everyone; at Lancefield Quay there are some people who cannot afford the insurance payments—so they do not have the comprehensive coverage that they think they need. There are implications if someone proceeds without adequate coverage for their mortgage, I understand, so that their property is not properly insured. The Minister needs to look at those issues and find a solution, because this is not working at present, and the Bill does nothing to address that. I also urge the Minister to look at issues with VAT and building materials, because at the moment, the Government are profiting from the work that is being done and residents are not.

**Mr Deputy Speaker (Mr Nigel Evans):** The winding-up speeches will begin at 6.40 pm, with the Minister at 6.50 pm.

5.36 pm

**Brendan Clarke-Smith** (Bassetlaw) (Con) [V]: First, I believe that the Bill is the right measure to deal with the cladding issue, and I fully appreciate the reasons why the Fire Safety Act 2021 was not necessarily the right vehicle. There is plenty to celebrate in the Bill, and we must recognise that. I particularly welcome the announcement in the House from the Secretary of State on the use of EWS1 forms not being required for buildings below 18 metres. I know that people would like clarification on cases in which EWS1 forms already exist and whether they will be voided, so we would like to hear more about that. The clarification that there is no systemic risk for buildings under 18 metres and that the market is now expected to act in normal, leading to a market correction, is welcome.

Extreme risk aversion has caused some of the problems, as Dame Judith Hackitt referred to, and we can now begin to address it. It is encouraging to hear from the Secretary of State that lenders welcome the clarification, and making sure that we take with us other players in the market, including insurers, is the next logical step. As the hon. Member for Sheffield South East (Mr Betts), the Chair of the Housing, Communities and Local Government Committee, mentioned, we thank the Secretary of State and his Department for responding to the points that the Select Committee made and acting on the vast majority of the recommendations, taking our comments into account. One principle that we have always held is that leaseholders should not pay.

The building safety fund is welcome, and £5.1 billion will go a long way in tackling many of the problems. The £30 million waking watch fund is a great help, although I think there are still problems that some people would regard as unresolved. It is important to recognise that the Bill is about far more than cladding. We have already announced new, robust legal requirements for builders and the materials that they use, which is very much needed and follows the recommendations from the Grenfell inquiry. Giving homeowners the right retrospectively to seek compensation for shoddy construction for up to 15 years will benefit a great

number of people, as will doubling the period in which residents can bring legal claims against developers for substandard workmanship.

No one should be left living in an unliveable home. While the Building Safety Bill cannot solve every problem on its own—I am sure that there will be many further discussions—I support it, and it is a fundamental step in the right direction.

5.38 pm

**Justin Madders** (Ellesmere Port and Neston) (Lab): I first place it on the record that I co-chair the all-party parliamentary group on leasehold and commonhold reform with the hon. Members for Worthing West (Sir Peter Bottomley) and for St Albans (Daisy Cooper). Aply assisted by the Leasehold Knowledge Partnership, we have been looking at issues surrounding building safety for some time. We had an informative meeting last week, alongside the fire safety and rescue APPG, with Ted Baillieu, who co-chaired the Victoria cladding taskforce and gave a frank and compelling account of his experience when his state dealt with many of the issues covered by the Bill. Put simply, we take his advice that Government have to take a far bigger role in sorting this out than currently envisaged, and will have to dig far deeper into their pockets. It is better to learn from his experience and bite the bullet now, rather than let things drift unsatisfactorily for a few more years before coming to the inevitable conclusion.

I say that partly because the biggest concern is not the expense or the uncertainty but the time it will take to get any kind of restitution. It could be years, and leaseholders—the young couple who cannot start a family; the professional in fear of bankruptcy—cannot wait that long. Too many lives are on hold, and we must not underestimate the mental toll on someone of knowing every day that they are living in a potential death trap and there is nothing they can do to get out of it. These people cannot wait.

Although the Bill is step in the right direction, it feels that, for many, resolution is still years off, and it may yet come with a heavy price tag. The only certain winners from this legislation will be the lawyers, who will have a plethora of new legal avenues to argue over.

Let us start with the extension of the limitation period. On the face of it, that is a positive thing, but it does not create any new rights; it only extends existing ones. As the Bill makes clear, the 15-year rule is available only if it somehow does not impact the developer's human rights. Of course, developers are always going to claim that it will, so the first field day for the lawyers will be arguing over that.

Critically, of course, the extension is available only if the developer is still in business. As we know, many are not. Even if the extension does increase the number of people who can take legal action, they will still face the same hurdles of expensive litigation. If the developer is still in business and worth suing, it will be in a far stronger position to fight the action than the leaseholders. The inequality of arms in litigation will be immense.

Despite the Government's repeated promises in recent months, there are no guaranteed means of forcing regulators and developers, who are the architects of this crisis, to be held to account. The inquiry into Grenfell continues, but it is already clear that the materials used there should never have been used. Some of those

materials were certified as safe at the time but never should have been. Cladding systems had been designed by architects, planners and fire engineers, costs were knowingly cut, and safety concerns were ignored. Leaseholders are the only truly innocent party in this mess, but they still face the biggest burden to fix it, and that is wrong.

5.41 pm

**Gareth Bacon** (Orpington) (Con): I rise in support of the Bill, which introduces a number of crucial safeguards for residents while reforming the building safety system so that appropriate checks and balances are strengthened. Notably, the Bill brings forward recommendations from the Dame Judith Hackitt review, and it adds to the progress made by the Fire Safety Act 2021 and the greater clarification of rules concerning the use of EWS1 forms.

I very much welcome the written ministerial statement that was provided today about buildings under 18 metres no longer requiring an EWS1 form. Although it is probably slightly overdue, it is extremely welcome news, and it will go down very well with my constituents.

The Bill has many positive elements, which I would have liked to touch on. However, due to the time limit, I will have to skip over them, because I do have a couple of concerns about the Bill. The first relates to clause 124, which my hon. Friend the Member for Stevenage (Stephen McPartland) first touched on.

I agree with the principle that landlords must take cost recovery avenues to avoid passing on costs directly to leaseholders, given, of course, that leaseholders bear absolutely no responsibility for cladding being put on their buildings in the first place. However, there is currently no legal obligation on landlords to seek cost recovery for remediation before passing the costs on to leaseholders. Although the Bill acknowledges that, it is insufficiently clear as to any potential remedy. Clause 124 stipulates that the landlord must seek other cost recovery avenues before passing those costs on. What happens if they are unable to obtain such funding? What happens to the leaseholders then? What protections will be in place for them? The Bill does not clarify that sufficiently.

The London Fire Brigade has highlighted a further issue, which has potentially huge significance. Developers often open a subsidiary company when they are building new developments or refurbishing existing projects. When those projects are complete, standard practice is for the subsidiary company to be closed down by the parent, and the parent company rarely retains legal liability for the premises that have been remediated. There is a danger that that will leave leaseholders liable for all costs resulting from negligent work by developers and their contractors.

Having said that, I believe that those issues can be addressed as the Bill proceeds through the House. Indeed, I hope that the Minister will be able to provide clarity on them in his closing remarks today. In totality, I believe that the Bill takes great strides in improving building safety, and I will be supporting its Second Reading this evening, albeit with the hope that it may be strengthened as it proceeds.

5.44 pm

**Rachel Hopkins** (Luton South) (Lab): Despite repeated promises to make buildings safe and protect leaseholders, and four years on from Grenfell, hundreds of thousands

of people still live in unsafe homes and millions are caught up in the building safety crisis. Leaseholders are facing costs of hundreds of pounds a month for service charges, insurance premiums and waking watch, before even getting into remediation costs. The Government's building safety fund excludes buildings under 18 metres, it is not distributed on the basis of risk, and just 10p or 12p in every pound of the fund has been allocated. There is also uncertainty about who will cover the cost of other fire safety defects and interim safety costs.

I appreciate that this debate has been very technical, but we must ensure that the voices of those leaseholders trapped in dangerous buildings are heard, and I want the Minister to hear testimony from people in Luton South. Tom, who lives in the Point Red building, says:

"We are left with terrible uncertainty, unable to move on with our lives, not knowing if we are going to be bankrupt and homeless by the end of the year. We sleep in a death trap every night."

This afternoon's statement and the added issue around the EWS1 forms is yet another layer of uncertainty, as it stands. Tom is a primary school teacher and his partner works with vulnerable children. The key workers we have relied on over the past 15 months have been forced to the edge of ruin month after month due to the life-ruining costs of fixing a problem they did not create. Will the Minister respond to Tom and his partner? How does he propose that they raise money to pay the remediation costs that are not covered by Government funding? It may be a shock to Conservative Members, but we do not all have trust funds or multiple assets to fall back on.

The mental health of innocent leaseholders has severely deteriorated, and the Government should ensure that they can access free support to reduce some of their anxieties and worries. The Bill needed to include explicit legal protections to ensure that millions of pounds of building safety remediation costs are not passed on to innocent homeowners and tenants. I support Labour's call for a new building works agency that would go block by block to identify which works need doing, and then fix, fund and, crucially, certify them as safe and sellable at the end to allow leaseholders to finally move on with their lives.

The Housing, Communities and Local Government Committee's report stated:

"It would be unacceptable and an abdication of responsibility to make them contribute a single penny towards the cost of remediating defects for which they were not responsible."

This should not be the leaseholders' burden to bear. It is developers that created the crisis by putting profit before protections. How can it be that property developers, who make millions each year, are protected, while teachers, nurses, shopworkers, transport workers, carers and pensioners are left to pick up the bill?

5.47 pm

**David Simmonds** (Ruislip, Northwood and Pinner) (Con) [V]: I very much welcome this Bill, which is an extremely important step towards ending the anxiety that has particularly affected very large numbers of private leaseholders of modest means. I welcome, in particular, the comments of my hon. Friend the Member for Orpington (Gareth Bacon) about the challenge posed by subsidiary companies.



[David Simmonds]

Let me turn to a couple of other points that are important to make in the context of the passage of this Bill. Local authorities, on the whole, have moved extremely swiftly to remediate any risks that they could through measures such as waking watches and physical changes to buildings. On the whole, the public sector has been very responsible in its role as a landlord and in ensuring that the finance was there so that the work that was needed could be done. The private sector has been a much more mixed picture. Some developers deserve praise for taking responsibility, even if it was not their fault and they had acted in good faith, for putting right problems that posed risks to leaseholders, but clearly others have chosen to walk away by putting businesses into liquidation.

While Government cannot know the risks that are posed by the inside and the outside of every building and structure in the country, I urge Ministers to be as clear as possible, particularly with the finance and the property industries, about what the requirements are to fulfil the expectations of this Bill. The situation that some of my constituents faced with EWS1 forms, for example, was a result in many ways of a lack of clarity and understandable caution on the part of that industry in going for the belt-and-braces option, even though it was not required in the vast majority of transactions that were undertaken, which had the double effect of gumming up the system and ensuring that people who really needed the work to be done could not find appropriately qualified professionals to do it. So can I urge that we are really clear about what is required and also what is not required?

I would also ask Ministers to consider the representations from councils such as my own in Hillingdon and Harrow, which have in many cases outstanding local authority building control departments, so that we can ensure that the recommendations for practical change outlined in the Bill to ensure that building control work is done to the highest possible standard learn from the best practice already there in the market. We must make sure that those things only government can do are done correctly and appropriately by government, and also that those at the sharp end like local authorities have the powers they need. But, overall, this is a big positive step in the right direction.

5.50 pm

**Sir Robert Neill** (Bromley and Chislehurst) (Con) [V]: It is a pleasure to follow my hon. Friend the Member for Ruislip, Northwood and Pinner (David Simmonds). I agree with everything he said, and also with the observations of my hon. Friend and neighbour the Member for Orpington (Gareth Bacon).

The importance of getting these details right is absolutely critical. I hope, first, that, while welcoming the changes to the EWS1 forms, we can have clarity as to when they will come into force, because at the moment many contractors are sending people on RICS courses, but will that be needed? Secondly, what broader cultural change is going to be achieved within the sector?

There is lots to welcome in the Bill, and I shall support it on Second Reading. In particular, the establishment of a modernised framework of fire safety and regulation in building safety overall on the back of the Hackitt review is an important and welcome reform. However,

as has been pointed out, there are areas where, frankly, the Bill will require improvement. The issues around clause 124 and the protection of leaseholders, especially where there are historical defects, remain critical.

Although much work has been done—I recognise that—and much money has been put in by Government, the problem is actually growing as more and more instances of substandard workmanship come to light. I have referred to Northpoint in my constituency on a number of occasions in this House, but to that now I can add residents in Iconia House and Azuria House on Homesdale Road, where defective cladding is now coming to light; and two new builds—recent work—in Ringers Road, William House and Henry House. So this is a scandal, frankly, of poor workmanship that will not go away, and the Government are going to have to grasp the nettle even more ambitiously than they have so far.

Where there is clear evidence that a developer has failed to build in accordance with the then extant regulations and in accordance with proper practice, of course they should be pursued and should pay. But there are problems in that practically, because we have to have a solvent developer to go after in the first place, and in many cases, as has been pointed out, we do not. Where it transpires that buildings were built in accordance with the then regulations, and those regulations were not themselves adequate or fit for purpose, I have to say to the Minister that Government are the corporate owner of those regulations, so Government must bear the costs of meeting the undeserved loss to leaseholders, who have acted entirely in good faith through all of this. There may be ways to try to recover that in due course, but cash flow they do not have, particularly as they have unsellable, un-mortgageable properties and are already up to the eyeballs in debt because of the cost of waking watch. So still more has to be done to the Bill to improve the protection of leaseholders, and that is the message I think we need to give tonight.

5.53 pm

**Mr Tanmanjeet Singh Dhese** (Slough) (Lab): Since 2018, I have raised the issue of dangerous cladding on at least seven different occasions in the House, but for hundreds across my Slough constituency, I am frustrated by the lack of progress that has been made on ensuring we never have a repeat of the horrors of Grenfell and that our building safety regulations are overhauled. So I welcome the Second Reading of the Building Safety Bill and its return to the House, and its inclusion of steps that regulate and strengthen the quality and safety of building homes.

Sadly, it is what this Bill omits that concerns me most—namely, the lack of concrete protections for leaseholders to ensure that they will not be responsible for fire safety costs. So I stand here today to repeat desperate pleas from residents in Slough and beyond to a Government who do not appear to be listening. On behalf of the occupants of West Central, Rivington Apartments, Lexington Apartments, Nova House, Kingswood House, Foundry Court and Ibex House, I implore the Government to pay attention, because protecting leaseholders is not only the right thing to do—it is what has been repeatedly promised to them. Seventeen times Government Ministers have reassured leaseholders that they should be shielded from fire safety costs, with the Prime Minister just last year noting that

“no leaseholder should have to pay for the unaffordable costs of fixing safety defects that they did not cause and are no fault of their own.”—[*Official Report*, 3 February 2021; Vol. 688, c. 945.]

So my question to the Minister is: where will these legal protections actually come from? As it currently stands, leaseholders could still be liable for costs after the building owner has

“explored alternative cost recovery routes.”

Characteristically, the Government response is delayed, limited and inept. We need a national cladding taskforce to truly establish the extent of dangerous cladding, supported by a building works agency to certify work as safe so that flats can become sellable and action is taken against those who caused the crisis in the first place. Leaseholders and local councils such as Slough Borough Council should not be responsible for remediation costs; leaseholders did not build their homes or clad them in dangerous materials, and they certainly did not approve them as safe. Their only crime is saving tirelessly in fulfilling their dream of home ownership, and how have they been rewarded? By going to bed at night in fear for their lives, with an ever-growing bill to simply make their homes fire safe, and the looming risk of bankruptcy and the loss of their jobs as a result. So I call upon the Government to act with urgency for the hundreds of thousands still suffering. We need to definitively end this nightmare for those in Slough and beyond in our country.

5.56 pm

**Marco Longhi** (Dudley North) (Con) [V]: It is always a pleasure to see you in the Chair, Mr Deputy Speaker.

I worked in construction over several years, during which time I was involved in the construction of purely retail buildings, houses and flats, and I have also worked on oil rigs. I should note for the Register of Members' Financial Interests that I am also a landlord, so ensuring homes and other buildings are safe is very real to me.

My experience has given me some insight into building safety, and fire safety in particular, and I have often witnessed a disconnect between policy makers, developers, building inspectors and home buyers. Day-to-day practicalities can show up well-known policies to be out of touch, and it is home buyers who always face the consequences of this reality.

The Minister will know of my support for what the Government are trying to achieve, and it makes complete sense to target remedial activity at buildings posing the highest risk, but there remains a question of fairness, which is quite separate to risk. A careful balance needs to be struck as both taxpayers and leaseholders have no fault in what has happened, yet it seems that both may be suffering financial consequences.

While small buildings generally face lower safety risks, this should not mean that leaseholders should be financially worse off for living in them, compared with those in higher-rise properties. Developers, specifiers, inspecting bodies and insurance companies should be paying up. That is why it is so important that the Bill seeks to tackle bad practice head-on, especially by the introduction of retrospective action on substandard homes.

Inspections have highlighted further building faults such as missing fire breaks, wooden balconies and combustible insulation. The repair costs alone could be more than £25,000 per flat. There is no provision for

support with these repairs, which would be required before a fire safety certificate could be issued—unless of course this has changed due to today's statement. Home buyers would not be privy to these liabilities as the conveyancing process would not have highlighted the possibility of these risks even existing at point of purchase. I raised the question of risk awareness at the conveyancing stage for all manner of risks in my ten-minute rule Bill.

We need a Bill that will deliver a more robust regulatory system that will ensure all homes are built to the highest safety standards, so no one is ever left feeling unsafe in their home again, and the regulatory system must itself be accountable.

5.59 pm

**Geraint Davies** (Swansea West) (Lab/Co-op) [V]: Four years on from the Grenfell disaster, hundreds of thousands of people are still in unsafe homes and trapped in blocks, unable to move or to sell their properties—in ongoing chronic uncertainty with the added trauma of thinking that they could be consumed by fire. This is not their fault. They are not able to fund the works and they are not able to recover the costs. The answer is clear: only the Government are in a position to assess the work, fund it, fix it and then recover the costs in a systematic way, as appropriate, from insurers and developers, and to fund the residue from taxpayers. Individuals are not in a position to do that.

If the total cost was, say, £15 billion, much of it would be recovered. The cost of that in the first instance would be the interest of around £150 million a year. This year, the Government are saving £14 billion in interest costs on debt because of lower interest rates, so that cost—the £150 million to fund the £15 billion to fund everything—basically represents 1% of the savings they have made this year. It is therefore completely wrong and unnecessary that they should dither and delay. People's lives have been blighted, their finances have been torpedoed, their mental health is in tatters and it is completely unnecessary.

The Government subsidised second-home purchasers with stamp duty in England to a total of something like £5 billion. That was completely unnecessary, because interest rates actually went down during covid and there was no need to prop up the housing market. So much for levelling up! If the Government are serious about levelling up, they should put their money where their mouth is. They should support first-time buyers, low-income buyers and the low-income homeowners who have been left in this paralysis.

The Government should immediately evaluate this situation, as the Welsh Government are doing in Wales. They should find it, fund it and fix it, and then recover the cost from the developers and insurers. There is no excuse for delay. Justice should be done. People are rightly angry and I would be happy to join them outside Parliament in protest before that becomes illegal in the autumn. Let's get moving and get people sorted out on this tragic issue.

6.2 pm

**Mrs Maria Miller** (Basingstoke) (Con) [V]: I welcome the Bill, which requires a fundamental overhaul of our building industry's attitude towards the quality of new homes. For too long, the biggest five builders have squeezed out smaller local home builders, whose reputation

[Mrs Maria Miller]

for quality is central to their business. The Bill makes build quality central to everyone's business. First and foremost in the debate today, however, we need to speak up for those who have been impacted by the building industry's current fire safety regulatory failure. Those directly affected by the tragedy at Grenfell are always in our minds, but so are the people who own homes in high-rise flats. They continue to shoulder the worry resulting from construction work that has failed fire safety tests.

The Government have acted rapidly, and many residents have already benefited from the Government's £5 billion fund for remedial works, particularly the waking watch relief fund. Building operators have also been able to get in-principle agreements for significant fire safety remedial works, but the worry for residents remains because some building owners might be cautious about starting remedial works without clear sight of what happens if additional problems are discovered. I do not think that the Government can write a blank cheque, so what additional assurances can the Minister give, because this legislation is not explicit in stopping freeholders passing on the cost of remedial works to leaseholders?

Back in 2017, residents raised concerns with me about domestic fire alarm systems in high-rise buildings and the lack of understanding among residents about how they worked, so I am really pleased to see reflected in the Bill today my ten-minute rule Bill of March 2018—the Fire Safety Information Bill—which required residents of high-rise buildings to be provided with far more fire safety information.

My constituents have raised other issues such as how complex building ownership structures can be dealt with, particularly when they allow owners to be disconnected from fire safety in the buildings they own. Could that be referred to the building safety regulator? Disabled and vulnerable people need to be able to visit a building and to leave it if a fire occurs. Is the Minister looking further at personal evacuation plans and whether they are up to scratch?

I very much welcome the new homes ombudsman, which was called for in 2015 by the all-party parliamentary group for excellence in the built environment in a report that I co-chaired following my constituents experiencing problems with build quality. I really support the Bill, but residents need us to recognise the worries that they still have. By putting in place a £5 billion fund to cover remedial works, the Government are clear that they do not want the costs to fall on the shoulders of leaseholders. What more can be said to make that clearer?

6.5 pm

**Daniel Zeichner** (Cambridge) (Lab) [V]: The Bill is both welcome in that we have waited for it for so long and totally unwelcome in that we all know it will not solve so many of the problems. On behalf of so many of my constituents who have been locked in an absolute nightmare, I am incandescent with rage about the Government's utter hopelessness, and I am not the only one.

MPs across the House will have had the same conversations and same site visits. A couple of years ago, for me it was Berkeley Homes and its hugely expensive properties in the centre of Cambridge. They were lovely looking properties but catastrophically poorly constructed—so much so that they literally had to be

taken apart. As that was done, it revealed the slapdash built on the cavalier. There were joists hanging in the air not connected to anything, pipes not connected, and waste water expected to run uphill. When exasperated purchasers looked to those who had made a fortune out of them to offer some help, they were met with a wall of denial and obfuscation—the only reliably sound wall. What about the National House Building Council and other organisations supposedly there to provide redress? They were partners in crime. Unbelievable, one might have thought. Where was the local building control? That had been outsourced, too. Rip-off Tory Britain, complete with massive bungs from those developers.

We used to think that other countries had corrupt systems. I am afraid that is what we have here—a corrupt, broken system. The question is: do the measures in the Bill give any hope for the future? The new homes ombudsman has been awaited for almost as long as I have been in this place—goodness knows how many times it has been promised—and if it is finally going to happen, that is good, but there is nothing here to address past failures.

I named one developer in Cambridge, but frankly I could name most of them. Barratt, Countryside, Bovis—it is a lost list of shame. Twice in the past few weeks I have been in Trumpington with distraught residents looking at sloppy work and areas left unfinished. The skate park got the developer its planning permission, but now the kids have to scramble over fences and fight through weedy undergrowth and past dead trees—they were never watered—to get to it. No one ever takes responsibility because everything is subcontracted. How convenient. The only problem is that the unfortunate residents cannot subcontract living there. Maybe we should arrange a house swap with some of those who have made such rich pickings.

There is so much more to be said, but let me make one observation raised by the Local Government Association on the provision for duty holders to choose their building control regulator. As the LGA says:

“By requiring regulators to remain in competition with ‘approved inspectors’ for the majority of buildings, the Bill leaves in place one of the root causes of the current crisis.”

Absolutely it does that. It beggars belief that that should be allowed to continue. The LGA goes on:

“Compliance with regulation cannot be a commodity and local authority building control should not be left to tackle non-compliance in buildings over 18m while simultaneously having to compete with private businesses for work in out of scope buildings, often owned by the same developers.”

Let us think about compliance with regulations as a commodity—it really is absurd. I want independence. It really is not complicated. The fact that the Conservative party cannot grasp that simple fact goes to the heart of why it is totally unfit to be in charge.

6.8 pm

**Florence Eshalomi** (Vauxhall) (Lab/Co-op): I am pleased to speak in this long-awaited debate on such an important Bill. I put on record how disrespectful it was both to Members of this House and to leaseholders that the Secretary of State chose to release details of a major policy shift just minutes before the debate began, making proper scrutiny impossible. Will he urgently clarify whether his announcement on EWS1 forms for buildings under 18 metres will apply retrospectively?



Since I was elected 18 months ago, I have raised the issue of dangerous cladding with fire safety Ministers in this House on 14 separate occasions. Each time I have raised it, the Government's answer to my question has always been the same: wait for the Building Safety Bill to come to Parliament.

I welcome the elements of the Bill that strengthen the fire safety regime for high-rise buildings, but I am afraid that the legislation before us today is woefully short of what is required to address properly all the issues facing leaseholders. It fails to protect them from extortionate charges for interim safety watch. It fails to ensure their homes are mortgageable, so that they have the basic right to move. Instead of rescuing leaseholders from this financial nightmare, it enshrines in law additional costs in the form of a new building safety charge estimated to cost leaseholders up to £42 a month—£42 a month that many of them simply cannot afford. That is why my question to the Secretary of State is urgent and needs clarification. Home ownership is an aspiration to be applauded, yet leaseholders who bought their homes in good faith have simply been hung out to dry.

I would also like to echo the comments made by the right hon. Member for Basingstoke (Mrs Miller) about fire evacuation plans for disabled leaseholders. Where will that be addressed? I hope the Minister will reflect on all these injustices and take time over the summer to relax. Unfortunately for a number of my constituents, they do not have the same luxury. They are still living in dangerous buildings wondering how on earth they will address that and pay for these costs.

Ministers promised that the Building Safety Bill would finally address the cladding scandal. I urge them to think again and end this cladding scandal nightmare for our leaseholders.

6.11 pm

**Richard Burgon** (Leeds East) (Lab): Four years on from the Grenfell fire, a fire that killed 72 people and shone a tragic light on the reality of how race, class and inequality shape the lives of working-class people in our country, we are still yet to see the changes needed to make housing safe. Four years later, hundreds of thousands of people are still living with unsafe cladding and other fire safety problems. Millions are caught up in the wider building safety crisis, yet the Government have had to be dragged kicking and screaming to make any small steps forward in the Bill—a Bill riddled with major flaws. It must be amended as it passes through this House.

The Bill, together with the statement that the Secretary of State has published today, is as it stands a betrayal of those who needed the Government to step in and support them following Grenfell. Despite the promises of Conservative Ministers, many leaseholders are still having to pay. Without decisive Government action, they will pay more in the future. Legal advice for the Labour party found that the Bill will make it more likely, not less likely, that leaseholders would have to pick up the costs of fixing cladding issues.

Four years on from Grenfell, what explains the inadequacies of the Bill before us today? What explains the four years of foot-dragging and the four years of refusal to deliver the protections that leaseholders need? This year, dodgy contracts have been exposed and the stench of corruption has grown ever stronger, with polls

showing that most people see this Government as corrupt. Well, those people will not be reassured by the fact that developers who build flats with unsafe cladding have donated £2.5 million to the Conservatives since Grenfell and that Conservative MPs have then voted time after time after time to block amendments to protect leaseholders from the cost of removing dangerous cladding. Nor will they be reassured that, according to the anti-corruption body Transparency International, £1 in every £5 donated to the Conservative party since 2010 came from those with substantial interests in the housing market. And, of course, we have a Housing Secretary who admitted to unlawfully signing off a £1 billion housing project which saved a Conservative party donor millions of pounds.

Tory MPs and the Government, if they want, can show that they are not in the pockets of developers by backing amendments that will come to ensure that the cost of building safety remediation is not passed on to innocent homeowners and tenants. It is remarkable that if the Minister himself were not here, not a single Conservative MP would be on the Conservative Benches today—not good enough. Members should back the amendments to improve the Bill.

6.14 pm

**Taiwo Owatemi** (Coventry North West) (Lab) [V]: The tragedy of the Grenfell Tower fire exposed serious failings on fire and building safety, and I echo my colleagues' concerns that four years after that devastating event the Government still have not learned all the fundamental lessons.

My chief concern is that this Bill makes absolutely no provisions that prevent existing and new buildings under 18 metres from using the same flammable cladding materials that were used on the Grenfell Tower. As 18 metres is about six storeys high, if this Bill passes in its current form any building under six storeys will be able to use dangerous flammable cladding that would wreak devastation upon its occupants if there were a fire. In my constituency, most new homes would not be protected from fires caused by unsafe building materials, and neither would most school buildings, care home buildings and small businesses. All the Government have chosen to do is advise that dangerous, highly flammable materials be removed from these buildings. As I am sure we are all aware, Government guidance without any legal backing or funding is completely toothless, so I urge the Government to reclassify all buildings with dangerous cladding as high risk, not just the high-rise buildings in our big cities.

This Bill also does far too little to protect leaseholders from the financial burden of making their homes safe. Right hon. and hon. Members have repeatedly asked the Government to draft protections for leaseholders caught up in the cladding scandal. Just last year, the Prime Minister stated that he was

“determined that no leaseholder should have to pay for the unaffordable costs of fixing safety defects that they did not cause”.—[*Official Report*, 3 February 2021; Vol. 688, c. 945.]

Where, then, is that determination today?

Despite years of promises and reassurances from this Government, they have not gone nearly far enough to protect leaseholders. Instead they have done quite the opposite. For example, they have pointed triumphantly to their policy of extending from six to 15 years the

[*Taiwo Owatemi*]

period in which a leaseholder can sue for wrongful costs under the Defective Premises Act. However, the National Audit Office published a report last year that stated that the Government have

“acknowledged that only in a minority of cases would it be financially justifiable...to bring legal action to recover money.”

In other words, the Government have already acknowledged that this new policy, supposedly designed to protect leaseholders, will protect almost nobody and make almost no difference. I ask the Government to put their money where their mouth is and protect leaseholders from footing a bill that they have unfairly inherited.

6.17 pm

**Fleur Anderson** (Putney) (Lab): I rise on behalf of every leaseholder in Putney, Roehampton and Southfields who is living in an unsafe building, paying the price for the irresponsibility and incompetence of others, and feeling let down by the Government and this Bill, which is so late and so flawed. I stand here on behalf of those at the Riverside Quarter, the Swish building, the Filaments development, the Radial development, Hardwicks Square, Whitelands Park, Mill Court, Norstead Place and the rest of the 25 developments in Putney and Southfields in my constituency currently on the wrong side of the building safety scandal.

I stand here on behalf of those whose lives have already been ruined and those whose lives will be ruined in the future unless the Government get this Bill right. Dreams of home ownership have turned into an absolute nightmare. People are furious in my constituency, and I have met so many of them. The way in which the victims—and they are victims—have been treated is a disgrace. One block in Wandsworth that has unsafe cladding has been turned down by the building safety fund and each leaseholder is now facing a £37,000 bill for remediation for the cladding. What will this Bill do for them? Behind the speeches, briefings and legislative noise are millions of leaseholders trapped in unsafe homes, suffering unimaginable stress, anxiety and emotional anguish, and they still feel totally abandoned.

The building safety fund is a mess. Just 12p of every pound of that fund has been allocated. At this rate it will take until 2027 to allocate the fund, and meanwhile people are living in fear. I recently asked the Government how many applications they have received for the building safety fund. That is a simple question, and the answer was that

“it will not be possible to answer this question within the usual time period.”

They do not know how many applications have been received, yet applications are being serviced on a first come, first served basis.

This Bill is a step in the right direction, but it is very late and there need to be some serious changes. The Government need to take much more of a role. They need to take action to stop the ever-increasing waking watches, insurance premiums and service charges resulting from building safety mismanagement. There need to be no more costs and no building safety charge, which is in this Bill. There needs to be explicit legal protection to ensure that all leaseholders in unsafe buildings, regardless of height—no 18-metre rule—will not have to pay for their remedial works.

This Bill should not be so reliant on residents having to take up legal action to make their building safe. That is too high a barrier to result in the changes needed. There will be inequality and it will leave unsafe buildings staying unsafe. The building safety fund must be increased. Applications must be based on fire safety risk rather than be first come, first served, and they must be speeded up. As other Members have said, we must learn from the Government of Victoria and have a building works agency. My leaseholders should have a Bill that does not have a devastating effect on so many people's lives and that makes future buildings safe.

6.21 pm

**Paul Blomfield** (Sheffield Central) (Lab) [V]: The debate on this Bill is framed by the Prime Minister's promise that

“no leaseholder should have to pay for the unaffordable costs of fixing safety defects that they did not cause and are no fault of their own.”—[*Official Report*, 3 February 2021; Vol. 688, c. 945.]

Let me dissect that pledge. There were no conditions on the height of the property, none on when it was built and no limit to the nature of the defects.

The Prime Minister was right to make that pledge because, along with the developers who built them, those who live in these unsafe properties have been let down by comprehensive regulatory failure. The failure of successive Governments, as the Prime Minister said, is no fault of leaseholders. The Government are responsible for the problem and must take responsibility for resolving it, which this Bill does not do.

Throughout this crisis, I have regularly met affected leaseholders across my constituency. I pay tribute to Sheffield Cladding Action Group, which has done so much to raise their concerns. I met the group shortly after the Fire Safety Act 2021 was passed without amendment. They were understandably upset that it did not put an end to their misery, but they looked to the Building Safety Bill for a solution because the Building Safety Minister, Lord Greenhalgh, and other Ministers had said that this Bill would offer the “correct legislative approach” to fulfil the Prime Minister's pledge. But clearly it does not.

Since the publication of the Bill, constituents have been in touch to point out how little it does to protect them from historic costs. They have said that making it a legal requirement for building owners to exhaust “all other avenues” before passing on costs fails them, too, as it gives building owners a free pass to avoid costs so long as they find an excuse. The problems they face include issues other than cladding. That was part of the Prime Minister's promise, but it is not covered by the Bill.

Extending to 15 years the period within which people have the right to sue developers does not help many of my constituents whose homes were built earlier, such as the one who pointed out that he was 14 years old when his building was completed. Those who will get the opportunity to pursue developers say that the Government know it is not a real option for most leaseholders. How can they take on the legal costs and, with their resources already depleted by all the bills they have faced, tackle the corporate lawyers of the major developers? And what of the companies that have been wound up?

Let us remember the reason for this Bill. It is not just the lives that have been destroyed or the people who have been bankrupted, although they have been, but the

thousands of buildings that have been found to be unsafe. By putting unaffordable costs on to thousands of leaseholders, those buildings will remain unsafe. The Government must face up to their responsibility, make buildings safe and then use the full resources of the state to recover the costs from those responsible. If they will not do so willingly, this Parliament needs to force them to do so by amending the Bill over the weeks ahead.

6.24 pm

**Margaret Ferrier** (Rutherglen and Hamilton West) (Ind): I welcome that the UK Government have accepted all the findings and recommendations of the independent review of building regulations and fire safety, and I am glad to see the Bill establish the Health and Safety Executive as the new building safety regulator and a more stringent regulatory regime for higher-risk residential blocks. However, I draw the UK Government's attention to the recommendations of Zurich Insurance, which notes that limiting the scope for regulation to just those blocks risks missing a generational chance to improve the regulation environment overall.

To ensure that tragic disasters such as Grenfell never befall us again, we need a culture change in the building industry, with clearer lines of accountability and responsibility—a more responsible building industry at all levels, from design through to construction, management and refurbishment. I will focus on the specific aspects where greater responsibility is needed and where the Bill does not go far enough—the construction product testing process.

In the Bill, we find a much-needed renewed focus on construction products, and their regulation and testing, as had been signalled by the Hackitt report. The aim of the Bill to create a statutory list of defined safety-critical products is welcome, but it should be accompanied by an associated examination of safety-critical applications and product systems. The Hackitt report criticised the product testing and marketing regime for being too “opaque”, which could be resolved by making the results of some product tests publicly available. A system of reliable third-party certification and accreditation for those performing construction product testing would also go a long way to ensuring greater trust in the system, and would prevent the risk of testing being carried out by those not competent to do so. This third-party certification should benefit from an extensive oversight process, including an impartiality committee at a national level to ensure an even playing field and even application of certification across schemes.

The Bill takes important steps at last to make the changes to building regulation that we have long awaited since Grenfell, although it is important to note that many of the changes stipulated by the Bill will take until the year 2023 to take effect—a delay of frustrating length to these much-needed reforms. I hope that the Government continue to engage with the all-party parliamentary fire safety and rescue group, of which I am a member, with the aim of ensuring a future regulatory regime that is efficient, gives residents a greater voice, and enjoys the trust of communities and industry alike.

6.27 pm

**Kim Johnson** (Liverpool, Riverside) (Lab) [V]: I appreciate the opportunity to speak in this important debate.

Time and again, we have heard Members across the House relay the nightmares that hundreds of thousands of our constituents are facing—trapped in a building safety crisis that was not of their making, forced to pay astronomical bills, and suffering significant mental health problems and the ever-present fear of living in an unsafe home. In Liverpool, 10% of buildings are still covered in dangerous cladding and there are 30,000 leaseholders in Liverpool, Riverside who are facing bills for things other than cladding to make their homes safe. On top of that, they are facing increasing insurance premiums of up to 500% and are being forced to foot the bill for a situation that they did not create. This will have a particularly serious impact on the social housing sector, with councils and local authorities forced to divert scarce resources in order to address fire safety failures.

Merseyside Fire and Rescue Service has lost more than a third of its funding in the past decade and the same proportion of its firefighters. A decade of Tory austerity and deregulation has created this building safety crisis. Let us call it what it is: a criminal dereliction of responsibility by those in power, who are more concerned with putting money in the pockets of their developer donors than with protecting the people they serve—putting profit before people.

One pensioner living in my constituency told me that he has been sent a bill of nearly £20,000 and has no savings and no way of paying. Two doctors who have worked tirelessly to protect and care for our community throughout the pandemic tell me that the crisis has trapped them in a flat that they cannot sell, unable to start the life that they had planned elsewhere and fearing being faced with a mountain of further debt and/or bankruptcy.

I have asked this before, and I will continue to ask until justice is served and the safety and future of my constituents and the people living in this crisis across the country is secured: can the Minister look me in the eye and tell me how he sleeps at night, knowing that his Government's deregulation programme has left hundreds of thousands at risk in their homes? I ask him what it will take for this Government to act to fix historic failures, and alleviate the unbearable financial pressures caused by their deregulation and the greed of developers.

It is the Government's responsibility to assess and identify the buildings that are unsafe, and to make the necessary changes with the utmost urgency. This Bill is not only a missed opportunity, but an absolute betrayal of every single one of the residents who are now at risk in their own homes. The statement issued by the Secretary of State this afternoon does nothing to allay any of the fears of leaseholders; it is entirely inadequate, and it lets those leaseholders down.

6.30 pm

**John McDonnell** (Hayes and Harlington) (Lab) [V]: In the final minutes of the debate, perhaps I can provide some time for the words of one of my constituents. The latest email that I have received says this:

“The impact of the Fire Safety Scandal on leaseholders' mental health is considerably underestimated”

by the Government.

“From the many messages on Twitter and Facebook, there are millions of devastated lives and souls in the country. Many families and young adults had to live through not just the pandemic



[John McDonnell]

during the last 18 months, but also the added anxiety of the unfolding and ever growing Fire Safety Scandal.

It is a triple hit for so many leaseholders: the pandemic, then losing jobs or being furloughed on smaller salaries (with the constant threat of losing their jobs if their employer would go bust) and then the ever increasing costs of the Cladding scandal. This government has totally ignored the cries of its citizens for help.

Knowing that there is a ready solution to the issue in Australia—which could easily be adopted in the UK as well...shows that the Government is simply not interested in fixing the problem for innocent leaseholders. The contempt—with which they treat their citizens—is truly shambolic.”

I received that email from one of my constituents this week, and I think that it reflects the views of hundreds of them.

In opening the debate, the Minister mentioned Ballymore. I am dealing with Ballymore; I have dealt with Ballymore since it first submitted a planning application to build apartment blocks in my constituency. I welcomed the news of developments that would provide homes for local residents, but not a single one of the planning gains that Ballymore promised has been delivered. It went bust, and was then bailed out by the Irish Government.

Subsequently—and since this scandal has hit us—Ballymore initially refused to meet and seriously discuss with residents the problems that they were facing. My constituents demonstrated, so Ballymore is now meeting them and having proper discussions, but it threatened them that if they demonstrated again, it would end the talks. Now it has applied for the building safety fund, but will not give any assurances that it will cover the full costs of what my constituents are facing until it knows what resources from the fund are available to it.

This continuous blackmail—and, indeed, emotional blackmail—of my constituents is simply unacceptable. As the email from my constituent made clear, it is having a direct impact on their mental health. We are facing a pandemic of mental health problems because of the covid crisis, but this adds to it. It requires Government intervention which is serious, which takes responsibility, but which then pursues the developers to ensure that they are held accountable as well.

**Mr Deputy Speaker (Mr Nigel Evans):** Because it is almost Christmas, Jim, we are going to give you a bonus minute. Four minutes! I call Jim Shannon.

6.34 pm

**Jim Shannon (Strangford) (DUP):** You are most kind, Mr Deputy Speaker. Thank you so much. I will share the time with anyone who wants to intervene.

I am very pleased to be able to speak in this debate. To be No. 53 in the call list and to get in is quite an occasion. I sat in the Chamber for two days at No. 53 in order to speak on the second day of that two-day debate, but this time we have done it all in one day.

I spoke about this topic not so long ago, and I am proud to be here to speak briefly in a Second Reading debate. I welcome the commitment of the Government and the Secretary of State, having had discussions with him and the Under-Secretary of State for Housing, Communities and Local Government, the hon. Member

for Walsall North (Eddie Hughes). I know the Minister personally, and I value his friendship. I am very pleased that the Government are making an honest-to-goodness attempt to address these safety issues. Others have mentioned what has not been done and what does not appear in the legislation, which I think is rather unfortunate.

I wish to make some comments about electrical safety, an issue in which the hon. Member for North Ayrshire and Arran (Patricia Gibson) and I have a particular interest and on which we speak whenever the occasion arrives. This necessary piece of legislation needs proper scrutiny and time to be debated, because people's lives depend on its content. The Bill is a real opportunity to protect lives and property by reducing the number of fires caused by electrical sources of ignition in higher-risk residential buildings.

The clauses on electrical safety have been removed from the Bill. I spoke to the Secretary of State and he told me that he was not aware of this issue, so I ask the Minister to reassure me that those clauses have not been removed or, if they have, that safety is paramount and will not be affected in any way.

The Bill allows for a new regulator with the aim of implementing a new scheme for high-risk buildings, overseeing the performance and sustainability of all building controls and supporting the competence of those who work in the industry, which is crucial as confidence can be knocked by previous tragedies. A crucial element of the Bill that needs to be reinforced is in respect of resident engagement strategies that aim to educate residents and make them accountable for compliance action. We always wish to see anything that improves the co-operation, partnership and relationship between a tenant or an owner and the landlord. This makes them aware of the risks and allows for communication between builders, contractors and residents. The Bill is not perfect, but we hope that we can move a stage further to making it better tonight.

The charity Electrical Safety First is worthy of a mention as it highlights the importance of sustainable electrical safety. In England, 54% of all electrical dwelling fires are caused by electrical sources of ignition. Three examples are Grenfell Tower, Shirley Towers in Southampton and Shepherd's Court in London. Those tragic events show the fatal risk that electrical incidents pose to people in their own homes. More time must be committed to the prevention of electrical fires, and I am keen to ensure that the Government move in the correct way and ensure that we make that happen.

The Government need to address the issue of external building safety precautions and internal building issues such as damp, mould and efficient air-conditioning. The shadow Minister, the hon. Member for Weaver Vale (Mike Amesbury), and I have spoken on this issue on a number of occasions. I am chairman of the all-party parliamentary group on healthy homes and buildings and know that the issue of air conditioning and the need to address mould and damp in houses is so important. We should take all necessary and reasonable precautions to ensure that homes and buildings are safe for families and people.

I finish with this: the Bill will introduce a much-needed overhaul of building changes, including the revamping of flammable cladding, the investigation of inappropriate materials and a central safety-lane approach. Despite the challenges of the pandemic, progress has been made

on accelerating building safety measures. I wholeheartedly welcome this step to improve building standards—and I thank you, Mr Deputy Speaker, for the Christmas present as well.

6.38 pm

**Mike Amesbury** (Weaver Vale) (Lab): It is an honour and a pleasure to follow the hon. Member for Strangford (Jim Shannon) as the 54th speaker on the call list.

I thank nearly every Member from all parts of the Chamber—Members have spoken powerfully and with insight in this Second Reading debate. I put on the record that I found the last-minute publication of the written statement both discourteous and disrespectful to Members from all parties. That point was reiterated as a point of order and Madam Deputy Speaker raised her concerns as well.

As the shadow Secretary of State for Housing, my hon. Friend the Member for Manchester Central (Lucy Powell) argued eloquently and powerfully, this is an occasion that requires the best of all parliamentarians, and that we put any vested interests aside and step up to respond urgently to the building safety crisis. Our concerns are focused on what is not in the Bill, rather than the new regulation landscape it creates for building safety with the Building Safety Regulator, the new housing ombudsman and improved standards, which are all very welcome. We will certainly support those measures, although in some cases we may amend them as we go forward in the journey of the Bill.

The Executive—the Government and Ministers before us—must listen not only to the Opposition, but to those voices on the Government Benches that are growing in number. Ministers must listen to all stakeholders, who will provide evidence throughout the Bill's journey over the coming months in both this House and the other place. We all have a shared goal of providing a voice and justice for the millions of leaseholders and residents across all our areas and of making buildings and, vitally, people safe more than four years on from Grenfell when 72 people tragically lost their lives.

Those leaseholders include people like Will from UK Cladding Action, who spoke recently on the TV about the many complexities of his personal experience of the building safety crisis, which the measures contained in the Bill must have an impact on. He referred to the pressures in terms of mental health. Indeed, that point was eloquently raised by my right hon. Friend the Member for Hayes and Harlington (John McDonnell) in regard to his constituents.

There are key questions to ask. Does the Bill help Will from UK Cladding Action as a leaseholder to pay an invoice for £30,000 that recently arrived through his letterbox? My hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey) spoke about constituents in her patch who have just had bills for £100,000. Unfortunately, the plain answer is no. Will the Bill deal with the horrendous and astronomical rise in insurance premiums that Members from all parts of the Chamber have highlighted in today's debate? Again, the answer is an unequivocal no.

Will the Bill change the size and scope of the building safety fund to help constituents in places such as the Decks in the Runcorn part of the constituency of my hon. Friend the Member for Halton (Derek Twigg)? One part of the development is below 18 metres but still at risk, as it contains all the toxicity of the building

safety crisis, and the other is above 18 metres. The Bill definitely will not help the likes of Julie and those constituents in Runcorn.

In fact, speech after speech and case after case from the 42 members who got in to speak today has shone a light on the open and painful wounds of what is missing from the Bill. To give some examples, my hon. Friend the Member for Hackney South and Shoreditch (Meg Hillier) highlighted the dreadful impact of the EWS1 system. We are still having flats valued at zero, unsellable and un-mortgageable. Today, at the very last minute, we get a written ministerial statement claiming that the Government are going to change the marketplace. In fact, lots of the content seems to be recycled and reproduced from a statement that was spun some months ago, but I will ask the Minister a number of questions.

Will the guidance note issued in January 2020 be withdrawn? It is essential that it is. Will the matter be legislated for? Do those buildings below 18 metres, which now seemingly do not require an EWS1 form, have to have cladding removed? Do they have to have remediation for all the other things, whether that is missing firebreaks or inappropriate construction, such as the use of timber, as some Members have mentioned? We need answers to those questions. It is very important. Leaseholders need answers to those questions.

Some hon. Members referred to the black hole of the building safety fund. Martin from the excellent Leasehold Knowledge Partnership, who the Father of the House, the hon. Member for Worthing West (Sir Peter Bottomley), knows very well, referred to the application process as tantamount “to knitting fog”. Indeed, “Inside Housing” today highlights the case of a building in Wandsworth that meets the height threshold but has been rejected by the fund. I urge the Minister to correct this wrong. While the Minister and his team are at it, why do they not make sure that more than 12p in every pound of that fund is getting out of the door?

The Chair of the Housing, Communities and Local Government Committee has made a strong and consistent point about the need to include social housing providers within the scope of the fund, a point echoed by the Local Government Association and the National Housing Federation. The much-trumpeted £5.1 billion for cladding remediation would not have come about if it were not for those brilliant campaigners at the End Our Cladding Scandal campaign, who were not going to be ground down or quiet in their quest for justice. There were 17 promises made by Ministers, including the Prime Minister, that people would not have to pay historical remediation charges. That promise has not come to fruition in the 217 pages of this Bill.

We are also yet to see the details of the unwanted loan scheme, which has failed in Victoria, Australia, let alone a bold and just “polluter pays” approach directed at many of the Government's friends and donors in the big developers community.

In opening the debate, the Secretary of State referred to clause 124, purporting to amend the Landlord and Tenant Act 1985 to protect leaseholders from costs relating to historical defective work, a point highlighted by the Father of the House, the hon. Member for Worthing West. It simply reasserts the status quo of requiring the landlord to pursue insurance, public grant and warranty claims that have not worked so far. Like much of the Bill, it makes reference to secondary legislation to follow, with no details or protection for leaseholders.

[Mike Amesbury]

The Secretary of State also referred to the inclusion of section 38 of the Building Act 1984 and the retrospective changes to the Defective Premises Act 1972, a legal remedy to bring an extension from six to 15 years and the right to bring actions against developers responsible for shoddy building work. It sounds great in theory, but will the Minister highlight how many times this David and Goliath approach has been successful under the current six-year regime?

Will the Minister also advise the House of how leaseholders will pursue the special delivery project vehicles set up and closed down by developers, or where they will get the millions of pounds to pursue claims? How long will the counter-claims by developers, which will follow and be made under human rights legislation, take? It seems that the Minister has designed a job creation scheme for lawyers, a frenzy of litigation and further delays.

As my hon. Friend the shadow Housing Secretary asserted, we need a cast-iron legal guarantee to protect leaseholders from historical remediation costs. We will be working on a cross-party basis for amendments to achieve just that.

Finally, we are calling for the establishment of an interventionist building works agency, not dissimilar to that in Victoria, Australia, to get a grip on the crisis through assessment of risk, from building to building, from start to finish, with a crack team of experts in this field. It is find, fund, fix and recover, with a “polluter pays” principle. The hundreds of thousands of leaseholders trapped in this living nightmare deserve nothing less, and they require all the willing to step up and do the right thing. Let us make good law together beyond Second Reading.

6.49 pm

**The Minister for Housing (Christopher Pincher) [V]:** This is the first and I trust the last time that I will have to speak from the virtual Dispatch Box, but I am afraid that self-isolation rules allow me no other option.

I begin by thanking all right hon. and hon. Members across the House for their contributions to this debate. I know that this is a highly emotive subject, and understandably so. I particularly want to pay tribute to my hon. Friends the Members for Blackpool North and Cleveleys (Paul Maynard), for Harrow East (Bob Blackman), for Bolton North East (Mark Logan), for Waveney (Peter Aldous), of course for Kensington (Felicity Buchan), and for Dudley North (Marco Longhi), my right hon. Friend the Member for Basingstoke (Mrs Miller) and the Father of the House, my hon. Friend the Member for Worthing West (Sir Peter Bottomley), for their thoughtful contributions.

Mercifully, as my right hon. Friend the Secretary of State said in his introduction to the debate, the spread of fire in high-rise buildings is rare, and it is becoming more rare, but as he also made clear, it is all too clear what can happen when those responsible for designing, building and managing those buildings fail—tragedies such as Grenfell can happen. That is why it is this Government’s absolute priority to make sure that such a tragedy never happens again. The contributions from across the House firmly reiterate just how important it is to pass this Bill to restore confidence—confidence among residents in their own safety and confidence in

the wider housing market. Safety is our paramount concern, and I can assure the hon. Member for Strangford (Jim Shannon) of that.

We see this as a landmark Bill. It represents the greatest improvement to building and fire safety in a generation. It is flagship legislation that will spearhead our wider safety programme to ensure the proportionate management of risk in buildings. It will require building owners to manage safety risks to the same high standards as the best do—it will be a system where there are clear safety responsibilities for those responsible for the design, construction, completion and occupation of high-rise buildings, where they must demonstrate that they have effective and proportionate measures in place to meet those responsibilities, and where they are accountable to the regulator and to their residents.

A number of colleagues across the House have made some very important points and, in the short time that I have, I would like to address a number of them. The first is proportionality, which was discussed by my hon. Friends the Members for Southampton, Itchen (Royston Smith), for Bassetlaw (Brendan Clarke-Smith) and for Orpington (Gareth Bacon), to name three. It is hugely important that we take a proportionate approach to the safety of tall buildings and all buildings. The industry must take note that risk aversion is causing unnecessary financial burdens to homeowners. Remediation works should only ever be undertaken where absolutely necessary. We must not spend taxpayers’ money where it is unnecessary to do so, or ask hard-pressed leaseholders to pay for works that do not need to be done. Our Bill takes a proportionate approach. It rightly focuses on mitigating and managing risk and targeting activity only where action is needed.

The new building safety regulator is being established in the Health and Safety Executive, precisely because of its experience overseeing safety case regimes and its record of delivering robust yet proportionate regulation. The requirements of the Bill will help to ensure that proportionality is embedded in its operations.

Building owners and managers, along with lenders and insurers, need to ensure that they, too, take a proportionate approach to risk in blocks of flats whatever the height. In line with the expert evidence that we have published today, EWS1 forms should not be a requirement on buildings below 18 metres. Lower-rise blocks should not need them, and lenders should not ask for them. The consolidated advice note, which was born out of the need for safety information in the aftermath of the Grenfell fire, will now be retired.

Any concerns that do exist about existing buildings should be addressed primarily through risk management and mitigation. For many thousands of people, the “computer says no” approach to risk and valuation has been hugely unfair and distressing. It must become much more proportionate. That is what our measures are intended to do—to get the market moving again, as my hon. Friend the Member for Beaconsfield (Joy Morrissey) called for. I hope that they will also address some of the concerns raised by my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning).

I want also to assure the House that the Bill in no way absolves the sector from responsibility for paying its way. Indeed, it will place more and greater duties and responsibilities on developers, construction companies, building owners and managers than ever before, embedding the principles of safe design and construction right



from a building's inception. The new regulator will have the skills and resources to pursue those who refuse to meet their responsibilities. We will strengthen criminal penalties throughout the Bill, making offences imprisonable for up to two years, and making directors and managers criminally liable if they decide that their companies should act unlawfully.

Those who can pay must pay. Through the Bill, we will further cement developers' contributions to the cost of remediation, as well as increase the ability of building owners and leaseholders to seek redress. Specifically, part 3 of the Bill contains a provision to introduce a levy, which will apply to high-rise residential buildings and will be paid by developers. That complements the residential property developer tax that the Chancellor will bring forward. Together, those will contribute more than £2 billion for remediation.

I also want to respond to concerns raised by Members including my hon. Friend the Member for Bolton North East regarding the right of homeowners to seek redress. The Bill will give millions of homeowners new rights to seek redress for shoddy workmanship, extending the period during which they can claim from six years to 15 years. It will empower building owners, leaseholders and homeowners to take legal action, clamping down on rogue developers and their owners.

I urge all who have fallen victim to shoddy work to use the newly extended liability period to consider whether litigation is right for them and to explore who, or which group of them, can best take action. I trust that the Bill will also encourage developers and freeholders, aware of the new additional rights of their customers, to act responsibly and quickly to deal with concerns before they reach the courts.

As well as redress, the Bill will provide residents with a greater voice. It will strengthen the voice of residents and leaseholders through a statutory residents panel, while a formal complaints process will give residents the confidence to raise issues and escalate them where needed, including to the building safety regulator.

I am conscious that it is nearly 7 o'clock. I am conscious, too, that there will be plenty of opportunity in other debates in the House, in Committee and on Report to debate the Government's proposals further. So let me conclude by saying that we are leaving no stone unturned in our pursuit of a regime that is both proportionate and comprehensive. We have tested, we have consulted, we have analysed and we have done it all at considerable length, and we have now produced a Bill that I believe we should all support—a Bill that will confront the building safety issues that no Government have dared to tackled before, and a Bill that will force industry to take collective responsibility for the safety defects that they have created and support a change in culture so that residents' concerns are listened to, problems are identified and dealt with early, and tragedies such as Grenfell never happen again.

I thank everyone who has taken part in the debate and all those who have contributed to the development of the Bill. I commend it to the House.

*Question put and agreed to.*

*Bill accordingly read a Second time.*

## **BUILDING SAFETY BILL (PROGRAMME)**

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

That the following provisions shall apply to the Building Safety Bill:

### *Committal*

(1) The Bill shall be committed to a Public Bill Committee.

### *Proceedings in Public Bill Committee*

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 26 October 2021.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

### *Proceedings on Consideration and Third Reading*

(4) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

### *Other proceedings*

(7) Any other proceedings on the Bill may be programmed.—*(David T. C. Davies.)*

*Question agreed to.*

## **BUILDING SAFETY BILL (MONEY)**

*Queen's recommendation signified.*

*Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),*

That, for the purposes of any Act resulting from the Building Safety Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(a) any expenditure incurred under or by virtue of the Act by the Secretary of State, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—*(David T. C. Davies.)*

*Question agreed to.*

## **BUILDING SAFETY BILL (WAYS AND MEANS)**

*Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),*

That, for the purposes of any Act resulting from the Building Safety Bill, it is expedient to authorise:

(1) the charging of fees, charges and levies under or by virtue of the Act; and

(2) the payment of sums into the Consolidated Fund.—*(David T. C. Davies.)*

*Question agreed to.*

**Mr Deputy Speaker (Mr Nigel Evans):** I will now suspend the House, and suspension will be followed by a statement by Victoria Atkins on the strategy for tackling violence against women and girls.

7 pm

*Sitting suspended.*

## Strategy for Tackling Violence Against Women and Girls

7.3 pm

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** With permission, Mr Speaker, I would like to make a statement on the Government's strategy for tackling violence against women and girls. May I thank you, Mr Speaker, and the parliamentary staff who have helped facilitate this statement on what is an immensely important subject, but at an unusual hour, I think it is fair to say, of the parliamentary day?

I would like to begin with the words of some of the women who responded to our call for evidence, which helped to shape the strategy:

"I had never felt so lost in my entire life at the time of the abuse. I thought my life would never be the same again".

Another:

"We shouldn't have to pretend to be on the phone, or actually call someone, just because we're scared to walk down the street in case we get attacked".

And another:

"The trauma will stay with the victim forever. It seriously compromises all life prospects and opportunities".

Those words are difficult to read. They are difficult to hear, but they capture a reality that we simply must confront: women and girls are too often subjected to abuse, harassment and violence. Enough is enough.

Today we have published our new "Tackling violence against women and girls strategy", which will build on progress we have made in recent years. When the Prime Minister was Mayor of London, our capital became the first major city in the world to launch a comprehensive strategy to combat violence against women and girls. I also pay tribute to the contribution that the former Prime Minister, my right hon. Friend the Member for Maidenhead (Mrs May), has made in this regard. This includes leading work on new offences for controlling or coercive behaviour, stalking, female genital mutilation, and so-called revenge porn. This year, the landmark Domestic Abuse Act 2021 was passed, which ensured, for the first time, a statutory definition that includes recognising victims as children in their own right, strengthens the response to perpetrators, and creates new protections for victims.

But we must do more. The strategy we have published today sets out action to prioritise prevention, support victims, pursue perpetrators, and help to make sure the police, education, local authorities, prison and probation services and others work together more effectively. As I say, it has been shaped by a call for evidence that we ran earlier this year and that received over 180,000 responses. The volume of feedback was unprecedented and astonishing, and the content at times harrowing. I want to place on record my gratitude to all those who took the time to offer their thoughts and describe often painful experiences. That takes great courage. The national outpouring of grief and personal experiences that we saw in the wake of the tragic case of Sarah Everard was a watershed moment. We must change our society for the better. We owe it to Sarah and all the other women and girls who have lost their lives or been subjected to violence and abuse.

Crimes such as rape, female genital mutilation, stalking, harassment, cyber-flashing, revenge porn and up-skirting are appalling. They can take place behind closed doors or in public places. They can happen in the real world or online. The devastation and trauma caused by such crimes cannot be overstated. The scars can remain for years—in the worst cases, for a lifetime. The consequences are felt across society, too. They cause women and girls to calculate risk and calibrate their behaviour, sometimes without even realising it. They also require national and local responses, and result in economic as well as personal costs.

As I say, we have made progress in tackling these crimes, but the need to step up our efforts could not be clearer, and today we are taking a significant stride forward with the publication of this new strategy. The strategy represents our blueprint to address those concerns and deliver real and lasting improvements. It is made up of four key pillars: prioritising prevention, supporting victims, pursuing perpetrators, and delivering a stronger system. The most effective way of driving down these crimes is to stop them from happening in the first place. We have taken a range of action on prevention already, but we are determined to go further. So we will be launching a multi-million-pound national communications campaign with a focus on targeting perpetrators and harmful misogynistic attitudes, educating young people about healthy relationships, and ensuring that victims can access support.

We have also launched a specific safety of women at night fund worth £5 million to ensure that women do not face violence in public spaces at night. It will support initiatives that target potential perpetrators or seek to protect potential victims. This will build on the additional £25 million we are investing this year into the safer streets fund. The Home Office will also pilot a tool, StreetSafe, which will enable the public to report areas anonymously where they feel unsafe and identify what about the location made them feel this way. This data will be used to inform local decision making. And we will invest in a "What Works" fund to build up evidence on the most effective approaches and measures.

It is difficult to imagine how traumatic and frightening it must be to be subjected to one of these crimes. It is essential, therefore, that victims, in their time of need, can get help. We recognise the role that support services and organisations play in helping people rebuild their lives. We are already investing a record £300 million to support victims of all crimes this year and our strategy outlines how we will increase funding this year for specialist services, including "by and for" services, and helplines for victims and survivors of crimes, including stalking and revenge porn. We will ensure that the police and prosecutors are confident about how to respond to public sexual harassment with new guidance. We will continue to look carefully at where there may be gaps in existing law and how a specific offence for public sexual harassment could address those. We will review options to limit use of non-disclosure agreements in cases of sexual harassment in higher education. Whatever the crime, whenever and wherever it happens, the needs of the victim must always be the priority.

Another priority is catching the perpetrators of these crimes and bringing them to justice. We will continue to back the police to do exactly this. We have given forces more powers, more resources and more officers, and we

are taking action to restore confidence in our criminal justice system. Through the Police, Crime, Sentencing and Courts Bill, we will change arrangements for serious violent and sexual offenders so that they serve longer in prison.

The strategy outlines a number of further measures: for example, we will appoint an independent reviewer to examine the police management of registered sex offenders in the community and advise the Home Office on whether changes are needed. The Department of Health and Social Care will work to criminalise virginity testing and we will carefully consider the recommendations in the review that the Law Commission has just published today on abusive and harmful online communications.

If we are to make real and lasting progress, this is clearly not a task that Government can take on alone. We need everyone in our society to play a part in fighting these crimes. The strategy outlines a number of steps to strengthen the system as a whole. They include introducing the first ever national policing lead for tackling violence against women and girls; reviewing the disclosure and barring regime; and appointing a new violence against women and girls transport champion.

The publication of this new strategy marks an important moment in our mission to crack down on violence against women and girls, but we will not stop there. Later this year, we also plan to publish three further documents: the domestic abuse strategy; a revised national statement of expectations covering all forms of violence against women and girls; and a revised male victims position statement.

These crimes, which disproportionately affect women and girls, are despicable. It is high time we sent a message: enough is enough. This Government will always stand up for the law-abiding majority and, through this strategy, we will strive relentlessly to prevent these crimes, to support victims and to bring perpetrators to justice. I commend this statement to the House.

7.13 pm

**Jess Phillips** (Birmingham, Yardley) (Lab): The first responsibility of any Government is the safety and security of their citizens. Today, rape prosecutions are at a record low, domestic abuse in this country is soaring and charging is falling. Sexual abuse in school is being normalised, according to the recent Ofsted inspections. Ending violence against women and girls is a cross-party issue. On both sides of this House, there is a profound concern and desire for an ambitious strategy that will deliver. The strategy today is not ambitious enough.

There are things to welcome. A policing lead on violence against women is certainly one of them, but we already have one for domestic abuse, one for rape and sex offences, another for historical sexual abuse and one for child sex abuse, so why will this one succeed where others have struggled without the resources to tackle the issue properly?

It is good to see that calls for a public awareness campaign aimed at men to stop the perpetration of misogyny have been answered. A rape helpline looks good when it is written on a piece of paper, but can the Minister answer this: will it be for recent sex offences, or will it be open to all historical cases too? Is there a guarantee that the helpline will have a local specialist agency to refer to that can pick up the case straight away? Currently, in a number of rape cases I am handling,

victims are on very long waiting lists—some waiting for 18 months for any sort of a service. Can people just keep calling the line until a service is available? It is simply not enough.

There is so much missing in what the strategy sets out today, and time will only allow me to highlight a few things. I welcome the offer to look at the possibility of reviewing some non-disclosure agreements at universities and the preventive duty on employers is something we have campaigned for, along with unions and women across the country, for years. Why, then, is there nothing about non-disclosure agreements in workplaces, when women are still being abused and silenced completely legally in our country?

Where in the strategy is there anything to help adult women suffering sexual exploitation? During the pandemic, I sat with a 23-year-old woman as she bled on the floor in front of me, following a battering by her controlling gang, miscarrying the child she had conceived of rape. She was scared of the police and needed urgent, yet unavailable, housing. Why in this strategy have we left the gap that means there is no national strategy for sexual exploitation of adult women? Where is this woman in this strategy? Why is there no national strategy for or inclusion in this strategy of adult victims of sexual exploitation? Their only slight mention is that the Government are going to ask porn sites to voluntarily do better on exploitation. I am sure the porn sites are all going to do the right thing!

Where is the much-needed public sexual harassment law? The Government have said that they think offences exist already. Well, tell that to the two thirds of young women who tell us they are suffering this abuse every day. We need root-and-branch reforms not only across the criminal justice sector, but in health, in housing, in social security and online. We need to make sure that women and girls, wherever they are and whatever they are doing, are safe.

Instead, we have some transport champions, who already seem to have pretty busy jobs—especially if you are a west midlands MP, you would think they did—as well as an app gathering data that local authorities will not be resourced for responding to or compelled to respond to, and absolutely no long-term funding for any of the invaluable specialist services that the Government are relying on to deliver most of this strategy. The VAWG strategy expects services to be able to deliver without any serious funding to deliver it. What is clear is that, on every single step of their journey, women and girls are being failed, and today it feels as if the Government do not have enough of a plan to manage that.

The Labour party has worked up a Green Paper for ending violence against women and girls. We have set out, among many other things, toughening sentences for rape, stalking and domestic murder, and reviewing sentences for all domestic abuse. We have set about introducing a survivor support package to improve victims' experiences in the courts, including fast-tracking rape and sexual violence cases, end-to-end legal help for victims and better training for professionals to give people the help they need. We also suggest, as quickly as possible, the creation of new offences for street harassment.

I once again offer to work with the Minister to help make this strategy into something that women and girls in our country need. I hope she takes me up on it.



**Victoria Atkins:** I thank the hon. Lady for her questions and I am pleased to hear that she supports much of this strategy. Perhaps I can just help her understand one or two of the policy areas that we have announced today.

The hon. Lady referred to the national policing lead and to the policing leads in the National Police Chiefs' Council. She is absolutely right that those officers sit in those roles but, as she knows full well, they are not specialist full-time officers working on those areas; they are assistant chief constables or, indeed, chief constables doing their day job as well as vital work for the National Police Chiefs' Council. This national policing lead, which incidentally was recommended by Her Majesty's inspectorate of constabulary, is a full-time role that will be focused solely on tackling violence against women and girls. This is a great policy announcement, and I very much hope the hon. Lady will come to support it.

The hon. Lady asked whether the helpline will be open to all victims historical and current. Of course it will; just as with any of the other helplines that we as a Government fund, whether to do with domestic abuse or perpetrators or the revenge porn line, it will be open to all victims 24 hours a day, seven days a week. That message came through loud and clear in the survey; we have acted in this strategy.

In relation to non-disclosure agreements, we have specifically referenced universities. The hon. Lady will know that there are legitimate reasons for non-disclosure agreements in workplaces. It continues to be a line of work that we look at, but we wanted to send the message out loud and clear to universities that they have got to sharpen up their act and ensure that we have consistency and quality of standards in dealing with these serious cases of sexual harassment in universities and on their sites.

The hon. Lady asked about street harassment. Again, I refer her to the communications campaign. It became clear as we read the responses that it was felt that if only it were the case that passing a law on street harassment would eradicate street harassment, but that in fact it is much more complex than that. We need to look at, for example, why women are not reporting cases to the police: is it because they do not know that what they are experiencing is in fact already an offence, are there gaps in the law, and how can we help them have the confidence to report to the police? That is why later this year we will be launching a public communications campaign; I understand it will be welcomed by those who work with victims and survivors of violence against women and girls, and I hope it will be welcomed across the House, because this is the campaign through which we can tackle perpetrators' behaviour and also, importantly, give victims the confidence they need if they wish to report such behaviour to the police.

The hon. Lady asked about the online tool. That actually came from a lady called Lucy, who emailed me with it as we were having the national conversation about the terrible tragic events earlier this year, and it has met with a great deal of support from the public. We will be piloting it and will be working closely with those who work with victims and survivors and the police to ensure that there is the appropriate safeguarding framework around it. It is meant to be an anonymous reporting tool where we can pinpoint where we feel unsafe, and then that information can be shared with local commissioners, both local government and indeed

the police, to ensure that these messages are getting through to the police in a way that does not, as I have already set out, mean that women do not always feel confident or able to report.

The hon. Lady asked about support for services that support victims. Again, in that specific pillar of the strategy we set out our commitment to specialist services. She will know, for example, that we have underlined in the Domestic Abuse Act alone our commitment to specialist services for victims of domestic abuse who have had to flee their homes and are living in safe accommodation. She also knows, because we have had this conversation before, about the £27 million that we are investing to create 700 new independent sexual violence adviser and independent domestic violence adviser roles. These are all important steps that will help us support victims.

What I want by the end of this decade, because I genuinely want us to seize the moment that this year and the public conversation that we have had presents, is for us to be able to point to real changes in the attitudes, misogynistic and otherwise, that underpin so much of this offending behaviour. That is how we are going to make real change, alongside the support and the pursuit of perpetrators—that is how we will make a real change and help ensure women and girls are safer in our country.

**Fay Jones (Brecon and Radnorshire) (Con):** I commend my hon. Friend for the measures in her statement and for her personal commitment to this subject. As she mentioned, the Law Commission has today recommended that cyber-flashing be made a criminal offence. It is a pernicious act, and one that we know is a gateway towards more dangerous crimes. As someone who has been flashed in the past, I was appalled to learn that Sarah Everard's murderer was accused of flashing someone six years before he attacked Sarah, so may I urge my hon. Friend to review the commission's recommendations and to work to make this a criminal offence as soon as possible?

**Victoria Atkins:** I am extremely grateful to my hon. Friend, and I thank her for sharing her experiences. It is so important to share our experiences if we feel able to do so, because hopefully that will give confidence to younger women in particular, who may be facing these problems too. I also commend her for her campaign to bring about an offence in relation to cyber-flashing. We have said throughout the Police, Crime, Sentencing and Courts Bill that we will await the Law Commission's findings, and that we will look at them carefully when it has reported. I am delighted to say that it has reported today, and we will look at the findings expeditiously. I very much hope that my hon. Friend's campaign will come to fruition in due course.

**Kirsten Oswald (East Renfrewshire) (SNP):** I thank the Minister for advance sight of her statement. It is welcome to see the UK Government looking further at this issue. These past months, we have had many discussions in this place and more widely on the blight that violence against women and girls is on society, and the lives that it destroys, but this is not a new issue and the statement, welcome though it is, comes with a glaring and inexplicable gap. The UK signed the Istanbul convention almost nine years ago. Five years ago, Dr Eilidh Whiteford, a former SNP MP, brought forward measures obligating the UK to ratify the convention, but despite warm

words, the UK Government remain one of the few EU Governments yet to ratify it, despite repeated pleas from these Benches, so the UK is still not legally bound by its provisions. Does this violence against women and girls strategy mean that this issue will finally be addressed and, if so, when? Warm words do not protect women, but ratifying the Istanbul convention would.

I welcome references to measures to increase prosecutions, but that is just spin unless there are also resources to handle that increase. Delays will simply mean more trauma for victims and less likelihood of convictions as existing delays stack up further. I also ask the Minister to clarify what the strategy will do to overcome the failure of the UK Government to improve support for migrant survivors in their Domestic Abuse Act 2021. What specifically will it do for foreign nationals and those with no recourse to public funds because of UK Government policy choices?

I hear what the Minister says on higher education, but we know that because the UK Government have not acted, abuses of non-disclosure agreements to cover up workplace discrimination remain hugely problematic, two years after the Women and Equalities Committee's inquiry on the issue. What specifically will this strategy do for these women? When will the UK Government bring forward specific steps to deal with this in the employment context, including requiring companies to report on their use of NDAs? These issues could not be more important, and we need to match our words with action in this situation. We need to see action from the UK Government, but I fear that some of the elements of the strategy do not appear to offer the heavy lifting that is required to move far enough forward.

**Victoria Atkins:** May I reassure the hon. Lady? She knows that we have to report to the House each October on our commitments to the Istanbul convention. I am pleased to tell the House that we meet or exceed the expectations of the convention in all but three of the requirements in the convention. Two of the three requirements will be met by the end of this year. We had to pass the extraterritorial jurisdiction measures in the Domestic Abuse Act. That has happened and, with the help of the Scottish Government, they will apply across the United Kingdom. Legislation also needs to be passed in Northern Ireland, and I am told that that will happen by the end of this year. That leaves the support for migrant victims. As the hon. Lady will know, in the Domestic Abuse Act we set out a support for migrant victims scheme, which is due to finish next year, but we take these serious commitments very seriously, unlike other countries. Some other countries do not need to meet the requirements before they ratify, but we do, and I hope and expect, given the commitment in the strategy to ratification, that that is our intention.

We know there are some instances in employment situations where non-disclosure agreements are used legitimately. They must not—I repeat, must not—be used to conceal criminal behaviour, and we want to take this first step with higher education because we are particularly concerned about how some young victims are having to deal with these cases at university.

**Caroline Nokes** (Romsey and Southampton North) (Con) [V]: My hon. Friend will understand my disappointment that there is no current commitment to

outlaw public sexual harassment. My right hon. Friend the Home Secretary, writing in *The Times*, indicated that there would be ongoing work to look at gaps in legislation, but her correspondence to Members this evening omitted it. Please will my hon. Friend the Minister, from the Dispatch Box, commit to making sure that, where gaps are identified, they will be acted upon, and swiftly?

**Victoria Atkins:** As I hope is clear in the strategy, we are looking very thoroughly at the issue of street harassment. We very much hear the concerns of Members on both sides of the House about whether current legislation meets every instance of street sexual harassment that we see in the survey, that we see as constituency MPs and, indeed, that we have perhaps experienced ourselves. That work will be ongoing, and I am sure I will appear at some point before the Women and Equalities Committee, which my right hon. Friend chairs, to provide an update.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I welcome the measures that the Minister has announced, and I welcome her personal commitment. The challenge is whether these measures match the scale of the problem and the scale of the huge response that she has had from women across the country. I, for one, do not want to wait 10 years for major changes to take place. Much of this feels very incremental—just limited pilots and evidence gathering.

In the most awful cases of violence against women, we know that too often the perpetrator has committed previous offences of stalking or domestic abuse, or previous sexual offences. What will the Minister do to make sure that all police forces take much stronger action to identify those repeat perpetrators and intervene early so that lives can be saved?

**Victoria Atkins:** The right hon. Lady is right to highlight the issue of escalating behaviours. On waiting 10 years, this is the beginning of the journey. If one reads the strategy—I appreciate it only came out today—I hope one will see the immediate-term, medium-term and long-term aspirations. As Chair of the Home Affairs Committee, she will know better than anyone that some of the education work and cultural attitudes work will take time.

We cannot pretend that attitudes will change in a matter of months, but we have immediate-term work. The public communications campaign will be launched later this year. We will begin the appointment process for the national policing lead as soon as possible. The online tool pilot is being launched next month. The what works fund is being set up, and it is an interesting fund because I am trying to mirror the excellent work of the youth endowment fund in tackling serious violence. We want to do the same for violence against women and girls and build the evidence base.

I accept the right hon. Lady's point that we cannot wait 10 years, but there is a lot of work before that 10-year period ends. I very much want colleagues on both sides of the House to see this as the beginning of the journey.

**Mr Richard Holden** (North West Durham) (Con): I welcome my hon. Friend's statement on the strategy for tackling violence against women and girls, and I welcome her personal commitment. I am grateful to her and her

[Mr Richard Holden]

ministerial colleagues and officials for meeting me to discuss the new clauses I will address. She is no doubt aware of the campaigners from Karma Nirvana, IKWRO, the Middle Eastern Women and Society Organisation and others who worked with me on my proposed new clauses 1 and 2 of the Health and Care Bill to end so-called virginity testing and hymenoplasty. They, like me, will welcome her statement that we will criminalise virginity testing. We must also look to tackle hymenoplasty, and do it now. Will the Minister examine new clauses 1 and 2 and meet me and colleagues to discuss them again and ensure that further progress can be made in this Session?

**Victoria Atkins:** Yes. I thank my hon. Friend, who has been a diligent campaigner on these issues. I remember meeting him some months ago on precisely these issues and he has dealt with them, if I may say so, in a sensitive and appropriate way, understanding just how delicate some of them are. In terms of virginity testing, I am really pleased that he welcomes that. We will work together, I am sure, with my counterpart in the Department of Health and Social Care to find the appropriate legislative vehicle. On hymenoplasty, we have already spoken to clinicians about that process. Whereas virginity testing has no medical validation, I am told by clinicians that there are circumstances where it is not quite as clearcut—if I can put it that way—as virginity testing, so we have very much undertaken to examine that in great detail with clinicians and the royal colleges to ensure that in relation to that particular practice we arrive at the right result that is medically sound.

**Stella Creasy (Walthamstow) (Lab/Co-op) [V]:** I thank the Minister for her work on this strategy. She will know that if somebody is subjected to abuse or attack because of the colour of their skin, we rightly ask the police to record that and the courts to prosecute it as a form of hate crime. Yet if somebody is subjected to abuse or attack simply for being a woman, they face no such protection under our current system. Will the Minister meet me and campaigners, who are waiting for the imminent report from the Law Commission about how to make misogyny a part of our hate crime rubric in this country, to look at how we can quickly close that gap and give equal protection to everyone everywhere?

**Victoria Atkins:** Yes. I am very happy to meet the hon. Lady and campaigners to discuss that issue. I hope she will recall that when the Domestic Abuse Act went through the House of Lords, we undertook, in response to issues raised in the other place, to ask the police to record issues of gender where the victim felt it was relevant. We look forward to that data, but I am always happy to discuss such matters with her. Indeed, I hope she will find the public communications campaign, for example, a helpful intervention from this strategy. Again, over the longer term we believe that education and changing cultural attitudes is one of the ways we can tackle misogynistic beliefs.

**Alec Shelbrooke (Elmet and Rothwell) (Con):** I welcome my hon. Friend's statement. Focusing on what she said about delivering a stronger system, I wonder if I can urge her to speak with colleagues in other Departments, especially the Ministry of Justice, about the family

court system. Today and yesterday, I have been dealing with constituents who have been subjected to coercive and controlling behaviour. They have finally fled their marriages, and children are involved. Unbelievably, one family court judge dismissed out of hand the coercive behaviour and said it was out of time, and then suggested that my constituent, who had to travel 130 miles to deliver custody of her daughter, could perhaps stay at his house overnight. Will my hon. Friend work with other Departments, because in delivering a stronger system we also have to address the fact that the family courts are really letting down women who have escaped dangerous, coercive and evil behaviour?

**Victoria Atkins:** Not only will I commit to working with the Ministry of Justice, but it has been incredibly important in informing cross-Government work on the strategy. On the family courts, there is an ongoing piece of work arising out of the harm panel report, which was created last year in light of the Domestic Abuse Bill. I am very happy to meet my right hon. Friend to update him on the work of that panel, along with Ministry of Justice colleagues.

**Dr Rupa Huq (Ealing Central and Acton) (Lab) [V]:** In today's *Times*, the Home Secretary wrote:

"Nowhere should be off limits to women and girls. Nobody deserves to be victimised or feel unsafe."

This week the Minister for Covid Vaccine Deployment stated in the House that nobody should be intimidated when accessing legal healthcare, so when will the Government join Australia, Canada and France among others in legislating for consistent national buffer zones around abortion clinics? Surely the status quo, with women and girls protected only in the areas of three local authorities—and they have to stretch antisocial behaviour order provisions in order to do so—creates an unsatisfactory, unequal situation of justice that is subject to legal challenge all the time and cannot stand.

**Victoria Atkins:** The hon. Lady is diligent in her campaigning in this important area. We believe that the public space protection orders regime that is in operation in three local authority areas provides balance in protecting women who are seeking medical care and only that. However, as I have said, the Government are determined to keep this area under review and to ensure that women are not intimidated or harassed.

**Mr Peter Bone (Wellingborough) (Con) [V]:** I thank the Minister for making this statement to the House before the summer recess and for letting us scrutinise her. Girls in this country are trafficked into sexual exploitation—imagine being a girl forced into sexual exploitation. Thankfully, because of the excellent work of police forces and our Modern Slavery Act 2015, forces are breaking up these gangs and rescuing the girls. Unfortunately, we do not support girl victims of human trafficking as well as adult victims. My private Member's Bill, the Human Trafficking (Child Protection) Bill, which will have its Second Reading on 21 January 2022, would put that right. Will the Minister and the Department work with me to ensure that that Bill becomes an Act of Parliament?

**Victoria Atkins:** I thank my hon. Friend, who has been a strong campaigner for some time on modern slavery and on the care of victims of modern slavery.



On the care of children, the national referral mechanism applies to adults, but children go into children's services because of the statutory requirements under the Children Act 1989. I am, however, interested to hear how he believes support could be improved. The Government have, as he may know, set out plans to refresh the modern slavery strategy in the coming months and I would be pleased to meet him to understand where he believes that could be improved.

**Jim Shannon** (Strangford) (DUP): I thank the Minister for her encouraging statement. No one can doubt her clear personal commitment; I appreciate that very much. I welcome this move to take every available step to tackle violence against women and girls; it is not before time. The new strategy involves new legislation to deal with stalking, forced marriage and female genital mutilation, and yet, as the shadow Minister said, more work needs to be done on sexual assault and rape. Recent Home Office statistics show that 83% of sexual assaults go unreported. What additional work will be done to encourage victims to come forward about their assaults? What will be done—I say this respectfully—to fix the lack of trust there is between victims of violence and the policing system?

**Victoria Atkins:** I thank the hon. Gentleman for dealing with some important points in a sensitive way. He will know that, alongside the violence against women and girls strategy, only a matter of weeks ago we published the rape review, which is focused on the end-to-end results of the criminal justice system from the moment at which the police record a crime through to a conviction or the other ways in which a case can be finalised. There is a real action plan in that rape review dealing specifically with rape prosecutions, and that forms part of our work to tackle this.

On building trust, a measure in the Police, Crime, Sentencing and Courts Bill sets out and clarifies the law on the extraction of data from mobile phones. This will not apply for every victim of sexual offences, but for many victims handing over their phone and losing it for months at a time has a real impact on their willingness to continue with the investigation, if indeed they volunteer at all. Through the Bill, we will be able to clarify the law and ensure that victims are treated properly in that regard. Of course, the rape helpline that we have announced in the strategy will also go a long way to helping victims have the immediate support they need, as and when they need it.

**Anum Qaisar-Javed** (Airdrie and Shotts) (SNP): Five years ago an SNP MP passed through Parliament a law obligating the UK to ratify the Istanbul convention. The United Kingdom Government have yet to deliver, despite countless pleas from the SNP Benches. There has been delay after delay. The Minister confirmed that sections have been adopted and are in place. However, after years of waiting the Government should proceed to adopt this completely. Will the Minister therefore provide a clear timetable for ratification today?

**Victoria Atkins:** As I said in response to the hon. Member for East Renfrewshire (Kirsten Oswald), we meet or exceed all the requirements of the convention, except for three areas. One of those has already passed into law through the Domestic Abuse Act 2021; another, in relation to Northern Ireland, will happen by the end of the year; and we are dealing with the third issue by way of the support for the migrant victims scheme.

**Jacob Young** (Redcar) (Con): I welcome today's strategy on tackling violence against women and girls, particularly the focus on and greater education about crimes in higher education and school settings, backed up by an additional £25 million for the safer streets fund. To that end, will the Minister do what she can to support the application to the safer streets fund by Cleveland's police and crime commissioner Steve Turner that looks to increase education provision on violence against women and girls for schools in Middlesbrough, and in Redcar and Cleveland?

**Victoria Atkins:** I probably ought not to support the application, given that I am a Minister in the Department handing out the bids. What I will do is warmly encourage the efforts of police and crime commissioners who are focusing on violence against women and girls as part of their priorities, having recently been elected. It is critical that the national expectations that we have set in this strategy and continue to set in other pieces of cross-Government work are met at a local level. I look forward to the help of my hon. Friend and other colleagues in ensuring that police and crime commissioners are able to do that.

**Tony Lloyd** (Rochdale) (Lab) [V]: Female genital mutilation is a spectacularly horrible crime, yet the possibility of perpetrators—or even those aiding the crime—being brought to justice is very tiny in our society. In the past, I have worked with women who have been victims of this crime, who do not want it for their own families or for other women, but we need a national strategy to combat it. It is not enough to deplore FGM. We have to ensure the multi-agency working that gives us the opportunity to change the culture and ensure that the cutters are brought to justice. What can the Minister do to make sure that we take this agenda forward?

**Victoria Atkins:** The hon. Member will know the work that has been done in recent years—indeed, by my right hon. Friend the Member for Maidenhead—to tackle female genital mutilation and ensure cross-agency working. It is difficult, in that the victims are often very young; they are children, and are facing that criminal behaviour from close family members or friends. Through the mandatory reporting duty, we have set out what we expect of agencies that discover such injuries in the course of their public service. We very much want to support victims—if they feel able to do so—to support prosecutions.

**Dr Kieran Mullan** (Crewe and Nantwich) (Con) [V]: I had the chance to meet Lauri Swindell, who runs the Hop Pole and Imperial pubs in my constituency. Lauri and her staff are passionate about their venues being safe spaces for women and girls, and their approach includes using the Ask for Angela initiative. Could the funds announced today support the promotion of such initiatives locally, as they make a real difference on the ground for women and girls?

**Victoria Atkins:** It is great to hear about the initiatives in my hon. Friend's constituency and, indeed, throughout the country. The Ask for Angela scheme is really effective and we took inspiration from it earlier this year when we launched the Ask for ANI codeword scheme in chemists up and down the country for victims of domestic abuse. I am happy to support my hon. Friend and the landlady he mentioned in her work. The fund is open to

[Victoria Atkins]

police and crime commissioners, local authorities, British Transport police and civil society organisations; that will allow for the development of a variety of innovative initiatives and encourage local partnership working. My hon. Friend's constituency is lucky to have a Member of Parliament who does such a great piece of work with his local landladies.

**Marion Fellows** (Motherwell and Wishaw) (SNP): The UK Government failed to improve support for migrant survivors in their Domestic Abuse Act, so what have they done in their violence against women and girls strategy specifically for foreign nationals and those affected by the Government's absolutely horrendous "no recourse to public funds" policies? The fund that ends next year does not cut it.

**Victoria Atkins:** The hon. Lady knows the range of crimes that are included under the umbrella of violence against women and girls: they range from rape and sexual assault through to female genital mutilation, forced marriage, stalking and so on. Every victim of such crimes must be treated as a victim first and foremost. If they feel able to—they will not always—they can report their offences to the police, and helplines and so on are available to them as well. If we can help them with investigating those crimes, I hope that will be a significant support for them.

**Gareth Davies** (Grantham and Stamford) (Con): I thank the Minister for her statement, for the measures announced and for all her hard work and dedication to this incredibly important issue. Women and girls are the predominant victim of modern slavery and human trafficking. The Government have committed to strengthening the Modern Slavery Act 2015; does the Minister agree that one way we can strengthen that Act is to expand section 54 to include investment portfolios?

**Victoria Atkins:** I have already met my hon. Friend to discuss this area of potential policy development and I am very interested in it. As he rightly says, as we review the modern slavery strategy we will be able to build on the significant success we have had since the introduction of the previous strategy and, indeed, the passing of the Act. My hon. Friend knows that I am looking carefully at his suggestion.

**Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): I thank the Minister for her work and for this long-awaited strategy for tackling violence against women and girls, but as she will be aware, the Labour party put forward a detailed proposal to criminalise street harassment in the Police, Crime, Sentencing and Courts Bill. We need much more than a communications campaign and the online tool, as described in the statement, so will the Government adopt that detailed proposal?

**Victoria Atkins:** I am extremely grateful to the hon. Gentleman for his question. I hope he has heard, as I have said before, the assurances I have given at the Dispatch Box that while we are working on launching the public communications campaign and the other measures, we continue to explore whether a bespoke street-harassment offence is necessary. As I say, some offences already exist that may address some of the concerns, but we are keen to understand what is needed

in addition to legislation, which is why we have responded carefully with the communications campaign, which I hope will see real dividends over time.

**Selaine Saxby** (North Devon) (Con): Does my hon. Friend agree that, in addition to greater resources for our police and agencies, we must tackle misogynistic attitudes in society more broadly? Will she explain how the strategy will help to achieve that?

**Victoria Atkins:** I am so grateful to my hon. Friend, who does so much work in her constituency to help women and girls and to tackle these heinous crimes. We very much want, through the strategy, to build on the existing relationships and sex education that is now mandatory in every school. Indeed, only yesterday I visited Uplands Primary School in Sandhurst and learned about Pantosaurus, the dinosaur who wears pants. That is the first lesson that children as young as five and six have at that school to start to understand about personal privacy, safeguarding and what is healthy and what is not. We are determined that such education continues at school, but of course we have to reach beyond school, which is why there are measures in the strategy such as a public communications campaign and reaching out to universities. We want to try to reach the wider public with some of the attitudes that we all find so concerning.

**Wendy Chamberlain** (North East Fife) (LD): The strategy published today includes a proposal for a new national policing lead on violence against women and girls, but it does not clarify whether this person will have any meaningful powers to improve police practice. The Minister referred to the fact that this was a recommendation from Her Majesty's inspectorate of constabulary and fire and rescue services, but will she tell us what relationship she sees the lead having with HMICFRS? For example, will they have input into its inspections? What powers will the lead have to investigate and address problems within police forces where they have not been reaching best practice? Will the lead have a role in reviewing the recording of aggravations of misogyny, as the Government agreed to do earlier this year?

**Victoria Atkins:** As the hon. Lady will know, the inspectorate's report landed a matter of days, perhaps only a week, ago. We are working through these details, but, as I say, we have absolutely accepted the inspectorate's recommendation that there should be a national policy lead whose sole focus is eliminating violence against women and girls.

**Siobhan Baillie** (Stroud) (Con): On combating virginity testing, I welcome the work of my hon. Friend the Member for North West Durham (Mr Holden), and I want to express my support and praise for the campaigner Nimco Ali, who has done an awful lot behind the scenes on that. Separately, I have said before that Stroud's schoolgirls came to me to raise the issue of public and sexual harassment. They were quite desperate and it was really upsetting; girls are struggling, at school, on the streets and in relationships right now. I welcome the measures in this strategy, but I ask the Minister to use her energy to work across government to deliver safety for our young girls.

**Victoria Atkins:** My hon. Friend is a brilliant advocate for her constituents and in raising these issues with me. On street harassment, as I have said before, we are

looking at every option to try to ensure that women and girls feel supported in reporting such incidents, at whether there is room within legislation in this regard and, importantly, at cracking down on the behaviour of perpetrators. Men must not think—we are talking about some men, a minority—that it is appropriate to behave in the way we have seen in the survey; that must stop. By acting together across the House and across society, we will achieve real change.

**Bob Blackman** (Harrow East) (Con) [V]: I thank my hon. Friend for her statement. She will well know that many victims fail to come forward for fear of retribution by an abusive partner or by gangs or other individuals. What more can she do to ensure that victims of these horrible crimes come forward, so that the police can take action to not only arrest those individuals responsible but to ensure that they go through the courts and the judicial process?

**Victoria Atkins:** My hon. Friend identifies an important theme in this work. I should say that it is work that we set out not just in this strategy; there is a whole body of work that we are doing across government to fight youth violence, in particular, and the work of gangs. Part of that is about ensuring that girls do not fall foul of criminal gangs through exploitative relationships that can harm them greatly. On building confidence, this is where, among other things, the national policing lead can make a real difference, because we must tackle head on this issue of trust in the police and the ability of victims and complainants to put their experience before the police. Interestingly, the analysis we did during the rape review suggested that victims are reporting rape offences more to the police, but we must do more to ensure that people know that the sorts of offences we have heard about today, particularly those in the street, are offences and that they can and must, please, if they are able to, go to the police about them. We can do that through the communications campaign, as well as through education.

**Alex Davies-Jones** (Pontypridd) (Lab): I am grateful for the Minister's hard work in this area; I know it is something that she is passionate about.

Like colleagues, I welcome the long-awaited publication of the violence against women and girls strategy and the announcement that the Government will look at finally making street harassment a crime. However, this issue is so much bigger than legislation. We require urgent action to tackle the attitudes and behaviours that drive male violence. We need to see a complete culture change in this country if we are to truly make women and girls feel safer on our streets. How does the Minister think the strategy will change the lives of women across the country—me included—who feel compelled to tell our friends at the end of a night out, “Just text me when you get home”?

**Victoria Atkins:** The hon. Lady has described just one of many calibrations—behaviours—that we all use and have used to ensure that we get home safely. I have talked before about the immediate term, the medium term and the longer term. The sort of cultural change she is talking about is going to take time. I wish that we could change it overnight or over a couple of days. However, I believe that this strategy sets out our clear

ambition, over this Parliament and beyond, to change those attitudes, to improve the trust of victims and to pursue perpetrators relentlessly. That is how we are going to eliminate violence against women and girls.

**Dame Diana Johnson** (Kingston upon Hull North) (Lab): I have a great deal of respect for the Minister, and I was very pleased that she recently met me, the hon. Member for Wycombe (Mr Baker) and Lisa Squire, the mother of Libby Squire, the Hull University student who was raped and murdered in 2019. It came out in the court case that the man who raped and murdered Libby had been prowling the streets of Hull for 18 months beforehand, committing low-level sexual offences such as indecent exposure, many of which had not been reported. I know that the Minister was particularly moved by the power of what Lisa Squire had to say to her.

I really welcome the strategy if it is going to encourage people to come forward and go to the police for those non-contact, low-level sexual offences, which we know are often the gateway to much more serious sexual offending. However, it will be effective only if it means that the police and the courts are able to take that early intervention. Will that happen under the strategy that the Minister has outlined this evening?

**Victoria Atkins:** I thank the right hon. Lady and my hon. Friend the Member for Wycombe (Mr Baker) for bringing Mrs Squire to meet me. It was an incredibly moving meeting. Indeed, Mrs Squire and parents of other women who have been murdered have set out very clearly the escalation of behaviours before such terrible, awful, horrendous crimes are committed.

We are doing a number of things. The right hon. Lady mentioned the public communications campaign—I know that was something that Mrs Squire was very interested in—but I hope that she will also see in the strategy that we want to review the police management of sex offenders to ensure that it is as effective and safe as it should be. She may note, too, that in the Police, Crime, Sentencing and Courts Bill, we are strengthening sexual risk orders and sexual harm prevention orders, which can be used to manage such offenders in the community.

However, the plea must go out that if you are the victim of a non-contact sexual offence—in common language, that means if someone flashes you, if they are following you, if they are masturbating in front of you, if they are making you feel unsafe in the streets, and it is sexually motivated—please, please, if you feel able to, ring the police so that we can get these crimes recorded and, hopefully, the police can start to find those serial perpetrators before they do something even worse.

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

8.3 pm

*Sitting suspended.*

8.6 pm

*On resuming—*



## Business without Debate

### ELECTORAL COMMISSION

[Relevant documents: *Speaker's Committee on the Electoral Commission, Second Report of 2021, Appointment of an Electoral Commissioner with responsibility for Northern Ireland, HC 522; Speaker's Committee on the Electoral Commission, Third Report of 2021, Re-appointment of an Electoral Commissioner, HC 523.*]

*Motion made, and Question put forthwith (Standing Order No. 118(6), and Order, 13 July),*

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Dr Katy Radford as an Electoral Commissioner with effect from 1 September 2021 for the period ending on 31 August 2025; and that Her Majesty will re-appoint Sarah Chambers as an Electoral Commissioner with effect from 31 March 2022 for the period ending on 30 March 2026.—(*David T. C. Davies.*)

*Question agreed to.*

### DRAFT ONLINE SAFETY BILL (JOINT COMMITTEE)

*Resolved,*

That this House concurs with the Lords Message of 19 July, that it is expedient that a Joint Committee of Lords and Commons be appointed to consider and report on the draft Online Safety Bill (CP 405) presented to both Houses on 12 May.

*Ordered,*

That a Select Committee of six Members be appointed to join with a Committee appointed by the Lords to consider the draft Online Safety Bill.

That the Committee should report by 10 December.

That the Committee shall have power—

- (i) to send for persons, papers and records;
- (ii) to sit notwithstanding any adjournment of the House;
- (iii) to report from time to time;
- (iv) to appoint specialist advisers;
- (v) to adjourn from place to place within the United Kingdom; and

That Debbie Abrahams, Damian Collins, Darren Jones, John Nicolson, Dean Russell and Suzanne Webb be members of the Committee.—(*David T. C. Davies.*)

### PETITIONS

#### Post Office Counter Services in North East Fife

8.6 pm

**Wendy Chamberlain** (North East Fife) (LD): Many of the 29 post offices in North East Fife are still at the heart of small rural communities, and provide vital services to residents, particularly older neighbours in the community, who make use of in-person services. The proposed closure of counters at the Spar branches in Balmullo, Ladybank, Newport and Tom Morris Drive, St Andrews, will have significant consequences for all the communities affected, and it is particularly concerning that the closures come not long after bank branch closures in my seat, which were partly rationalised on the grounds that residents could still access cash services via post office branches. The fact that more than 1,300 people have signed the petition shows how strongly people in North East Fife feel about this, and I present it to Parliament to highlight the importance of the issue to Spar, C.J. Lang and the Post Office, and encourage them proactively to engage to reverse the closures. I therefore

request that the House of Commons urge the Government to engage with the Post Office and C.J. Lang and advise them to withdraw the proposal to close these services in North East Fife.

The petition states:

The petition of residents of the constituency of North East Fife,

Declares that accessible local Post Office counter services are incredibly important; notes that many people rely on these services, particularly older residents; further that the closures of such services would cut off residents from public services; declares that Spar should engage with local and national governments and Post Office Ltd in preserving these services and ultimately reverse the proposal to close the Post Office counter services in Newport-on-Tay, Balmullo, Ladybank and Tom Morris Drive St Andrews.

The petitioners therefore request that the House of Commons urge the Government to engage with Spar and advise them to reverse the proposal to close Post Office counter services in North East Fife.

And the petitioners remain, etc.

[P002678]

#### VAT on Sunscreen

8.7 pm

**Patricia Gibson** (North Ayrshire and Arran) (SNP): The petition states:

The petition of residents of the constituency of North Ayrshire and Arran,

Declares that sunscreen should be reclassified as an essential healthcare item and be exempted from VAT due to the vital role it plays in preventing serious health conditions such as skin cancer; notes that sunscreen is currently classified as a cosmetic product in the UK and is therefore subject to 20% VAT, which adds around £1.50 to the cost of each bottle; further that Cancer Research UK has concluded that being sunburnt once every two years can triple the risk of melanoma skin cancer, and that melanoma skin cancer incidence rates have more than doubled in the UK since the early 1990s; further that 90% of cases of melanoma skin cancer are preventable by being sun safe; further that research conducted by Tesco found that 57% of UK adults think sunscreen is too expensive and 29% said they would wear it daily if it was a little cheaper, with 31% of parents surveyed stating that they cannot always afford to apply sunscreen to the whole family, often deciding to apply it only to their children.

The petitioners therefore request that the House of Commons urge the Government to remove VAT on sunscreen to make it more affordable and to encourage people to protect themselves from the harmful effects of the sun.

And the petitioners remain, etc.

[P002681]

#### Proposals for Higher Taxes on the Super-rich

8.9 pm

**Richard Burgon** (Leeds East) (Lab) [V]: I rise to present a petition, alongside a corresponding petition online that is getting many thousands of signatures from those appalled by the grotesque levels of inequality that scar our country, and from those who are deeply shocked that British billionaires have used this crisis to further enrich themselves to the tune of more than £100 billion while poverty has soared and food bank use has hit record highs. I present the petition on behalf of those who want to see a fairer taxation system as part of building a fairer more inclusive country. The petition states:

The petition of residents of the United Kingdom,

Declares that proposals to introduce higher taxes on the super-rich as a step to tackling the widespread poverty and inequality that scar our society should be considered; further that the COVID-19 pandemic has not only shone a spotlight on the huge inequalities in our society – it has deepened them; notes that in May the Sunday Times Rich List revealed that Britain's billionaires have increased their wealth by £106 billion during the pandemic – that's £290m per day; notes that, in contrast, a record 2.5m food bank parcels were given to people in crisis in the past year; declares that as we come out of this pandemic, if we are to learn the lessons and build a more equal and more inclusive society, then we need to acknowledge that trickle-down economics is flawed and decades of failing tax policy must be tackled.

The petitioners therefore request that the House of Commons urge the Government to take into account the concerns of the petitioners and review proposals to introduce a wealth tax intended to raise tens of billions from the wealthiest in our society, a windfall tax on corporations that made super-profits during the pandemic and a more progressive income tax system including a new 55% income tax rate on all income over £200,000 per year, a 50% income tax rate for those on over £123,000 and 45% rate for income over £80,000.

And the petitioners remain, etc.

[P002683]

### Proposed Loss of Deangate Ridge

8.11 pm

**Kelly Tolhurst** (Rochester and Strood) (Con): I rise to present a petition on behalf of the residents of the United Kingdom, and chiefly from my own constituency of Rochester and Strood, to object to Medway Council's plans to build a relief road through protected green spaces, namely the land at Deangate Ridge, and also to construct a flyover near a busy residential area. The council's proposals are deeply unpopular among my constituents and this petition, which has been signed by more than 4,000 people, shows the strength of feeling against these plans.

If the proposals went ahead, many villages such as High Halstow and Wainscott would be adversely affected. Many residents and councillors have expressed grave concerns over these plans, particularly over their financial viability, their deliverability, the environmental impact of new roads on green spaces and the proximity to the Lodge Hill site of special scientific interest. I hope that this petition will highlight these deep concerns and encourage Government to look closely at the proposals.

The petition states:

The petition of the residents of the United Kingdom,

Declares that the proposals outlined in Medway Council's Housing Infrastructure Fund project to build a relief road and community-destructive flyover should be rejected due to their unsuitability and potential for the plans to damage the environment by destroying a key 'Asset of Community Value', Deangate Ridge Golf and Sports Complex and Lodge Hill SSSI.

The petitioners therefore request that the House of Commons urges the Government to ensure that plans to build a relief road from A228 Peninsula Way to A289 Hasted Road via a flyover at Higham Road, through the former Deangate Ridge Golf and Sports Complex and Lodge Hill SSSI be rejected and the former Deangate Ridge Golf and Sports complex be developed as an asset that would further the social wellbeing and social interests of the local community, such as a Country Park.

And the petitioners remain, etc.

[P002684]

### Forced Repatriation of Chinese Seamen from Liverpool After World War Two

*Motion made, and Question proposed,* That this House do now adjourn.—(*David T.C. Davies.*)

8.14 pm

**Kim Johnson** (Liverpool, Riverside) (Lab) [V]: It is a privilege to bring forward my first Chamber Adjournment debate on an issue of deep concern to both the long-established Chinese community in Liverpool and constituents of Liverpool, Riverside, as well as many communities across the country. I am really disappointed that I cannot be in the Chamber in person this evening. I tested positive for covid over a week ago, and, sadly, I am still self-isolating.

Liverpool is proud to be the home of the longest established Chinese community in Europe, connected to Shanghai, Hong Kong and other ports of the far east by Alfred Holt and Company, a shipping line founded in the mid-19th century. The Chinese community grew quickly into thousands and established Chinatown in the heart of the city. The Imperial Arch's red and gold gateway stands tall today as the largest of its kind in the world outside of China. A thriving community established itself in the heart of Liverpool behind the south docks. Grocery stores, restaurants, lodgings houses and The Nook pub were all busy with Chinese seamen on shore leave and the hundreds, then thousands, who settled and made Liverpool their home.

This year marks the 75th anniversary of the forced repatriation of thousands of Chinese seamen by the Home Office after the second world war, which left many families abandoned without support and with no idea what happened to their loved ones. I first became aware of this injustice over 15 years ago, after listening to personal testimonies from the descendants on a Radio 4 broadcast. Becoming an MP has provided me with the opportunity to support their fight for justice. This was one of the most nakedly racist actions ever undertaken by the British Government and is a shameful stain on our history, yet many of the actual details and the decisions associated with this atrocity are yet to come to light. The families are still searching for answers; it has never been formally acknowledged, investigated or apologised for.

Many of the deported seamen had served in the allied war effort. They put their lives on the line in enemy waters to support the British war effort in our hour of need by keeping us fed, fuelled and safe. During the war as many as 20,000 Chinese seamen worked in the shipping industry out of the Liverpool docks, and they were treated really badly, only receiving half the basic wages of their British crewmates and on worse terms and conditions. They were not granted the standard £10 a month war risk bonus, and as a reward for their bravery, their families and loved ones received less compensation when they died in battle.

The Liverpool Chinese Seamen's Union went on strike and eventually won pay increases in 1942, but their battle for full equality continued. The Chinese seamen would be employed working in the most dangerous jobs in the engine rooms and below decks. Thousands gave their lives during the perilous campaign under heavy bombardment from Nazi U-boats. By the end of the second world war, the Home Office estimated that there

[Kim Johnson]

were around 2,000 decommissioned Chinese seamen. Those who survived the war returned to Liverpool, where many had established relationships with local women. They set up home and started families, but from late 1945, hundreds suddenly disappeared with barely a trace.

Unknown to the families, behind closed doors, in the corridors of power, decisions to remove their unwelcome presence were set in motion. Intent on expelling these so-called “undesirables”, the Home Office, under the post-war Attlee Government, issued instructions to deny their right to work onshore. Immigration officers began to amend the papers carried by Chinese seamen. This harassment, however, did not go far enough to produce the intended result, so a plan was set in motion in the depths of this Parliament for mass forcible repatriation.

In October 1945, a secret meeting was called in Whitehall, which sparked the opening of a new file, titled “Compulsory repatriation of undesirable Chinese seamen”. The Home Office decreed that its contents were not to be discussed in the House of Commons, the Lords or with the press, or to be acknowledged to the public. At this meeting, it was alleged that the seamen had caused trouble with the police, and that their wives were no more than prostitutes, but no evidence has ever been produced to justify those scandalous claims. Their revelation has caused untold distress to the descendants of these seamen, many of whom were brought up by their stalwart mothers, facing poverty and isolation after their fathers were forcibly repatriated.

The following July, the Liverpool constabulary carried out the orders issued by the British Government to indiscriminately round up and forcibly repatriate thousands of Chinese seamen on Merseyside. Along with the official records, oral testimonies from Liverpoolians who witnessed the events provide accounts of immigration wagons prowling the streets of Liverpool and seizing men by force, police forcing their way into boarding houses, and home visits from undercover officers to seize documents and erase any record of the deported seamen.

We know that about 2,000 seamen were deported, snatched from their homes and their loved ones and dumped unceremoniously on the shores of a homeland that many had left decades before. Their families were never told what was happening; they were never given a chance to object, or even a chance to say goodbye. Most of the Chinese seamen’s British wives and partners went to their graves never knowing the truth, left to believe that their husbands had abandoned them along with their children, suffering immeasurable trauma from the actions of the British Government. Only decades later, when declassified official records revealed the shocking truth, did the children begin to understand what had happened after the war and begin to make sense of the wrongs that had been done to them, causing untold grief for the remaining family members—but, for all the painful revelations that have been uncovered, much is still unknown.

I want to take this opportunity to pay tribute to some of the descendants for their tireless efforts to uncover this grave injustice—Peter Foo, Yvonne Foley, Judy Kinnin, Perry Lee, Brian Wong, Linda Gates, Maria Lin-Wong, Rosa Wong and Keith Cocklin, alongside many others, as well as to Zi Lan Liao and the Pagoda Chinese

Community Centre in Liverpool Riverside—and for shedding some light on what happened. I pay tribute to them for their extensive research in near-impossible circumstances, and their commitment to righting this wrong and winning some form of justice for all those whose fathers and husbands were wrenched from them by the British state. Their painstaking investigations have been invaluable in bringing a shameful episode of British history to light, but they have received no official help with this immense task. However, despite the tireless efforts of many of the children—a number of whom are my constituents—tracing the stories of their fathers has proved incredibly difficult. Shipping lists are incomplete, and inconsistent naming systems full of errors mean that many have been lost to history.

At a time of increased race hate attacks on our east Asian communities owing to racism stoked by covid, it is vital that we fight for long overdue justice for the Chinese community in Liverpool by uncovering and acknowledging this shameful history of state violence. I have made several attempts to call for a formal acknowledgement and apology from the Government for these injustices on the Floor of the House. I have asked the Prime Minister directly for an acknowledgement and an apology during Prime Minister’s questions, but my request was met with bluster and a clear lack of understanding. I have also written to the Leader of the Opposition asking him to apologise on behalf of the Labour party, on whose watch this happened.

Will the Minister today, on behalf of his Government, commit to launching an inquiry into the decision to forcibly repatriate these seamen after the second world war, as a chance to set the record straight, formally acknowledge these events, and issue a full and formal apology for these grave injustices, so that the families can finally get the answers they have been seeking? Will he also agree to meet me and the families who have waited a lifetime for justice? Many are now in their 70s, and, sadly, many have died. Does the Minister agree that justice delayed is justice denied?

8.23 pm

**The Parliamentary Under-Secretary of State for the Home Department (Kevin Foster):** I congratulate the hon. Member for Liverpool, Riverside (Kim Johnson) on securing the debate, and on being such a passionate advocate on this issue. I am sure that we all wish her a swift recovery from the coronavirus, although, as we have just seen, covid does not seem to be having too much of an impact on her.

I also think it worth paying tribute to former Members, such as the former Member for Liverpool, Wavertree, Luciana Berger, and the former Member for Liverpool, West Derby, Stephen Twigg, who brought this issue to the attention of my predecessors. While it is right that we discuss it on the 75th anniversary of the deportations, I know this is not the first time it has been raised on the Floor of the House. The hon. Member’s predecessor, the indomitable Bessie Braddock, Member of Parliament for the wonderfully titled constituency Liverpool Exchange, first raised this with the then post-war Labour Government back in 1946. It was with great interest and admiration that I read about Mrs Marion Lee, who in August 1946 helped to create an organisation to campaign for the rights of Chinese seamen’s families, which must have been particularly brave given wider societal attitudes at



that time. I also pay tribute, as the hon. Member did, to Peter Foo and others in Liverpool who have campaigned long and hard on this issue in the search for answers about what happened.

I do recognise the strength of feeling on Merseyside about what happened during this post-war period. I hear the hon. Member's concerns and I will come on to some next steps later. I am glad that she has had a further opportunity to place her views and what happened at that time on record. I am also pleased that our current immigration rules and equalities legislation would preclude this type of behaviour from occurring now. Furthermore, I will ensure that her letter to the Home Secretary is responded to as soon as possible.

The Chinese community have had such a wonderful and welcome impact on our culture and are integral to modern Britain. I am proud that so many Chinese nationals have now made Britain their choice of destination for study, with 1 million student visas issued since 2010; their choice of destination to work, with over 55,000 work visas issued since 2010; and, ultimately, their choice of home, with over 60,000 grants of settlement and over 45,000 grants of citizenship. Our British nationals overseas group reflects the UK's historical moral commitment to the people of Hong Kong who chose to retain ties to the UK by taking up this status at the point of Hong Kong's handover to China in 1997.

Turning to the background, back in 1946 there were some 15,000 to 20,000 Chinese seamen based in the city of Liverpool. Chinese seamen made up almost 15% of the entire manpower of the merchant fleet at that time. I understand that the seamen in question were subject to the wartime regulations, which included what we would now regard as strict disciplinary conditions to obey orders to join ship and contractual obligations to return to their home country. Sadly, that meant that they faced not only the perils of war, but the overt racism that was common at that time. All too often, they were the ones literally at the bottom of the ship, on the lower decks, and it is all too easy to work out what their fate would be if they were there when a torpedo struck their ship. That is why I am always proud that my own branch of the Royal British Legion, the Paignton branch, commemorates Merchant Navy Day each year, alongside the other commemorations to remember all those who serve, to include the men who gave their lives trying to keep this country fed and supplied at the height of world war two.

**Sarah Owen** (Luton North) (Lab): I thank my hon. Friend the Member for Liverpool, Riverside (Kim Johnson) for bringing this historical injustice to the House and her brilliant campaigning on behalf of her constituents. I know it means so much to the east and south-east Asian communities living in the UK now. These Chinese merchant seamen were subjected to the cruellest racism, which we have seen rear its ugly head again during the pandemic. Will the Minister take this opportunity to condemn the anti-Asian racism that we have seen raise its head again during the pandemic, because a historical injustice has taken place and it is time that we learned lessons and actually saw progress on this issue?

**Kevin Foster**: I certainly join the hon. Member in condemning those who seek to use any time of crisis as an opportunity to sow division, to exacerbate community relations or to peddle their own brand of prejudice and

try to blame others for the situations that we face. Whatever anyone thinks of the decisions of the Chinese Government, that is very different from then seeking to stoke hatred against the people of China and against the many people of Chinese heritage who have made the UK their home, who are British and who are part of what our British values should be—that we are a welcoming society that looks at people as who they are, not what the colour of their skin is.

The Chinese seamen who had been in the Merchant Navy during the war form part of the vast numbers of people displaced at the end of the conflict. This included members of the armed forces, refugees, prisoners of war and, of course, merchant seamen of all nations. The records relating to the activity that happened 75 years ago are incomplete. I am somewhat reliant on the same archive material that hon. Members and their constituents have access to, given that Home Office documents and records have been moved to the National Archives in Kew. And given the passage of time, people will of course realise that those directly involved clearly no longer work in the Home Office. Many will have died and, even if they are still alive, the youngest that they are likely to be is in their late 90s and probably aged well over 100.

The relevant powers used came from the Essential Work (Merchant Navy) Order, which came into force on 26 May 1941 and was owned by the then Ministry of Labour. The order was made under the Defence (General) Regulations 1939. The Home Office had always left the management and legality of the system to the then major shipping countries. This was not a matter relating to immigration rules as such, given that the modern concept of immigration control would not emerge until some decades later, but one which, according to archived historical records, was discussed by Home Office officials in Whitehall and immigration officers in Liverpool. Having looked at some of those documents, the language used to describe both merchant seamen and their wives in official records is not what would be acceptable today.

What those records also show is that a programme of repatriations did take place, starting in November 1946 and continuing for much of 1947. They were not confined to Chinese nationals and were against the backdrop of the wider work of demobilising and dealing with displaced people at the end of the war. There is contemporaneous evidence to suggest the then Ministry of Transport attempted to secure work for the merchant seamen and, during the initial repatriation process between November and December 1945, a number of Chinese seamen were identified as having British wives and their removal was rightly deferred. There is evidence to suggest that no Chinese merchant seamen who had British wives were deported, although I appreciate that some were later deported due to their criminal activity. But given the passage of time, we cannot say for certain from official records that this did not happen, and I am aware of the comments and particularly the evidence that the hon. Member for Liverpool, Riverside cited.

**Navendu Mishra** (Stockport) (Lab): I congratulate my good friend, my hon. Friend the Member for Liverpool, Riverside (Kim Johnson), on securing this very important debate. I would also like to pay tribute to the work of my good comrade, my hon. Friend the Member for Luton North (Sarah Owen), on this issue. I wonder if the Minister agrees with me that this historic injustice is

[Navendu Mishra]

a blatant form of racism against the Chinese seamen. Would he come forward with a full acknowledgement and apology for this community?

**Kevin Foster:** I thank the hon. Member for his comments. It is hard to come to any other conclusion from reading the paperwork of the time, and let us be clear that, at the time, racism was normalised in society. It was still perfectly lawful to deny someone a job based purely on their race or ethnicity, and it is hard to not draw a conclusion from the way people are referred to that it is explicit. They are consistently referred to as “Chinese seamen”, not “unemployed seamen” or “seamen now surplus to requirements”. Consistently through the documents, “Chinese seamen” are talked about. As I touched on, there were wider repatriations going on at the end of the war, but it is very clear to see and, certainly from some of that documents that I have read, the conclusion is inescapable that ethnicity, in terms of being Chinese, was a clear factor in some of the decisions being taken. Some derogatory comments were made against those women who had married. It is hard to believe that those comments would have been made against perhaps, for the sake of argument, American or Canadian seamen who happened to be in Liverpool at the time. I will come on to some of my thoughts on the wider position and potentially what further action we could take later.

We must learn from the past to inform the present. The Home Office has defined and published our vision and mission of creating a safe, fair and prosperous UK, and we have set out our new core values of being a Department that is compassionate, courageous, collaborative and respectful. We recently launched the One Home Office transformation programme as part of the sweeping reforms we are making in the Department. Central to this programme is the transformation of our culture towards a more open and compassionate Department to build the Department into one that the British people look up to and admire.

We are also taking steps to ensure that we consistently involve communities and stakeholders in our policy development by identifying who the stakeholders or impacted groups are across different business areas and then conducting meaningful engagement with those communities. Importantly in relation to this issue, as part of the Home Office comprehensive improvement plan in response to the Windrush lessons learned review, every member of Home Office staff will undertake training on the history of migration and race in the UK so they can better understand the impact of departmental decisions, including when developing and applying immigration policy.

I have heard at some length what the hon. Member for Liverpool, Riverside says, and I have heard what has also been stated in the Chamber. I am very happy, and

very keen actually, to say that if the hon. Member would like to pass on details of any particular cases, we would be happy to look into them further at the Home Office, bearing in mind, as she touched on in her own speech, that the historical records may be incomplete. They are not there in their entirety, and of course with the passage of time, as I touched on earlier, we cannot now realistically speak to those who were involved in these operations, given that we do not believe any of them are still left alive.

In relation to those records, I can, however, confirm that I have asked officials in the Home Office to undertake research into this action, and I have asked them to report back after recess. I will come back to the hon. Member with the outcome of this research and any recommendations it provides to me, or at least try to give some closure to the children who survive. I have been particularly struck by the stories of those affected by this issue who, not unreasonably after 75 years, just want answers: what happened to their dad, and what happened at that time? That is the thing, although I have to say that I do not think I can promise we will be able to do that for everyone, given the passage of time. As I say, the records, sadly, are not complete, but we would certainly be happy to engage with them—and I would certainly be happy to meet the hon. Member—to hear some of their evidence, see if that is something we can use and, as I say, see if we can bring at least some information and some closure to them as part of this process.

Following this review, I will ensure that the post-war deportation and repatriation of Chinese merchant seamen is captured as part of the material used to train Home Office staff members on the history of migration and race in the UK that I have just mentioned. I think it is important that we learn from the past. We would all sit here now and say that this is not a policy that would be implemented today, and it is absolutely shocking that those who had literally risked their lives throughout the battle of the Atlantic then found themselves treated in that manner. I think it is right that we capture this and ensure that those taking decisions in the future are aware of where we have come from as a nation as we move forward in our mission.

Let me conclude by again expressing my gratitude to the hon. Member for raising this important issue in the House this evening. On behalf of the Government, I express our deep regret that some of those who had faced the most extreme dangers of war to keep our country supplied in its darkest hours were treated in this way.

*Question put and agreed to.*

8.38 pm

*House adjourned.*

# Westminster Hall

Wednesday 21 July 2021

[MR NIGEL EVANS *in the Chair*]

## Channel 4: Privatisation

*Virtual participation in proceedings commenced ( Order, 25 February).*

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

9.31 am

**Mr Deputy Speaker (Mr Nigel Evans):** Members will be aware that social distancing is no longer in operation. I remind Members that Mr Speaker has encouraged us to wear masks where at all possible. We now go to Dame Angela Eagle who will move the motion.

9.32 am

**Dame Angela Eagle (Wallasey) (Lab):** I beg to move, That this House has considered privatisation of Channel 4.

I am very relieved to serve under your chairmanship, Mr Deputy Speaker, and thankful to have secured this timely debate on the future of Channel 4.

Ministers have made it clear, for the sixth time, that they want to privatise Channel 4. They have issued what they ludicrously describe as a consultation document, in which they reveal that their preference is wholesale, 100% privatisation of Channel 4. They have also decreed that the exercise will close on 14 September, which leaves little parliamentary time to resist this act of wanton cultural vandalism and leaves the public only the summer holiday period in which to notice the existential threat that the Government's actions pose to one of the most successful experiments in UK broadcasting history.

Channel 4 was established in 1982 with an unusual structure and remit. It is Government owned but wholly commercially funded, which means that it costs the taxpayer nothing. More important, Channel 4 has no shareholders and is free to reinvest all the surplus it can generate back into content production. That enables it to develop adventurous and experimental programming that would never find more conventional commercial backing and would therefore never see the light of day if Channel 4 did not exist in its current form.

Over the years, Channel 4 has developed such programming with some panache, and as a consequence the UK has a thriving cultural pool of TV and film production talent and punches well above its weight in the soft-power stakes of cultural influence on the global stage. Channel 4 has also nurtured a younger audience, which makes it especially attractive to advertisers and to those who wish to sponsor content.

Channel 4's public service broadcasting remit obliges it, among other things, to be innovative, inspire change, nurture talent and offer a platform for alternative, culturally diverse voices. In the 39 years since its creation, Channel 4 has fulfilled its remit—and more. It has become a pint-sized film powerhouse with 37 Oscars and 84 BAFTAs. Film4, its production arm, has co-financed successes such as “The Favourite”, “Slumdog Millionaire” and “12 Years a Slave”, to name but a few. Its successful TV output this year alone includes the AIDS drama “It's a Sin”; a comedy about a female Muslim punk band, “We

Are Lady Parts”; and the magnificent “Grayson's Art Club”, which got many of us through the lockdown in better shape than we would have been in without it.

The support the channel has given to the Paralympics has been inspirational and genuinely groundbreaking. Its news output, although controversial with Conservative MPs, includes “Unreported World”, the Heineken of news because it reaches the parts that others simply do not go to.

Since Channel 4 is prevented from undertaking any in-house production, it has played a leading role in growing the UK's world-leading independent TV production sector. It works with more than 300 production companies a year, and has been responsible for directly investing £12 billion in the independent production sector since being established in 1982. That supports 10,000 jobs in the supply chain, a third of which are in the nations and regions of the UK. It also means that Channel 4 effectively acts as a kind of early-stage venture capital fund that takes risks and is able to finance innovation.

It is absolutely clear that the channel's more risky and experimental programming would never see the light of day if it had to search for commercial backing. If it were not for Channel 4, many exciting and successful careers for writers, directors and performers might simply never have happened. Crucially, the country would have been much poorer in cultural terms if such unusual, diverse voices and talents had remained undiscovered and unfulfilled, their voices and viewpoints stifled and unheard. That model has proved to be robust and resilient, and it has come through the pandemic in good shape, so why on earth are the Government seemingly hellbent on destroying such a successful and innovative system?

Only five years ago, after an 18-month review, the then Culture Secretary, the right hon. Member for Staffordshire Moorlands (Karen Bradley), described Channel 4 as a “precious public asset” and declined to privatise it. She did, however, require it to establish hubs in the regions, which it is doing in Glasgow, Bristol and Manchester, alongside a new national headquarters in Leeds. Any sale is likely to reverse that decentralisation to the regions and would destroy the hubs before they had had a chance to establish themselves. That is a peculiar manifestation of the Government's self-proclaimed mission to level up, whatever we think that oft-used slogan actually means. Why destroy a unique institution that more than pulls its weight in the national interest?

Ministers have been desperate to find arguments to revive the privatisation threat for a sixth time, and appear obsessed with completing this irreversible destruction despite the fact that there is no merit whatever in the proposal. The Minister for Media and Data, whose response to the debate I eagerly await, has had it in for the channel for decades. Last year, he told an audience at the Tory party conference that the channel was struggling financially, but it is not. It has just returned its highest ever pre-tax surplus of £74 million, despite the disruption caused by the pandemic.

Ministers and some Tory MPs have also attempted to justify their obsession with an irreversible privatisation by claiming that UK media players need scale to compete with the Americans, but not all of them do. Moreover, Channel 4 is competing superbly well with the Americans in their own backyard, as its haul of Oscars shows. It is



[*Dame Angela Eagle*]

not trying to be a huge, mega-global media player. That was never its purpose. It occupies an incredibly valuable niche of distinctively British programming with a distinctive voice of its own. All 4, Channel 4's advertising-funded video-on-demand service, has just posted results that demonstrate a 25% increase in views of its streaming services. Channel 4's social platforms have had 4.2 billion content views. That once more demonstrates that Channel 4 is evolving to compete in the rapidly changing media environment of on-demand without changing its structure or ownership. Ministers have claimed that Channel 4 needs access to capital to compete, but its executives have denied that that is the case, and its record of producing innovative programming in a unique way bears them out.

Privatisation is often justified as a money-raising effort, but as Channel 4 does not produce content in-house, it has no lucrative back catalogue, and its value has been estimated at between £1 billion and £2 billion. That will make scarcely a dent against the £400 billion that the Government have borrowed and splashed around with such abandon during the pandemic, so money raising cannot be a reason behind the Government's intention either. What on earth is going on? Why are Ministers hellbent on this destructive act?

When we look at the flimsy arguments that Ministers have used to justify this cultural vandalism, it is hard not to draw the more obvious political conclusion that the Government wish to destroy Channel 4 because they do not like the fact that it caters for diverse audiences and different viewpoints—that they are pursuing a hegemonic media project to control public discourse and they do not like dissenting voices.

There are some hints around. The output of Channel 4 has been described by one Tory MP as woke rubbish. The clue is in the dripping contempt for anything different. Anything that does not share the current Tory world view is beyond the pale and ripe for destruction.

**Mr Andrew Mitchell** (Sutton Coldfield) (Con): I understand what the hon. Lady is saying, but she must also, I think, reflect the fact that these are Government proposals. Many of us in the Conservative party are questioning them in the same way that she is and will be very interested in what the Minister has to say in winding-up the debate. She must not characterise this as a “Tories versus Channel 4” debate.

**Dame Angela Eagle:** I look forward to the right hon. Gentleman being one of, I hope, more than 40 Conservative MPs who appear in the Lobby to vote against any such privatisation proposals. If he can raise that number, I hope to be in the Lobby with him.

It is certainly the case, though, that “Channel 4 News” has refused to be cowed by the Government's none-too-subtle attempts to intimidate it. Those manifested themselves most notoriously during the 2019 general election when—this may be the real reason that we are seeing what we are—the Prime Minister was replaced by a melting ice sculpture in the Channel 4 leaders' debate on climate change, which he had characteristically shirked. Following that incident, an unnamed Tory source briefed that Channel 4 would be privatised as

punishment for lampooning the prime ministerial no-show. A complaint was made to Ofcom, but it was subsequently thrown out.

To silence such dissent in the future, the Government have decided that Channel 4 will be privatised, and Ofcom taken over by new, hard-line appointees. The BBC has already been cowed. Our national discourse is being drained of different voices as a deliberate act of political ideology. That reminds me more of the authoritarian events going on in Hungary than of something I ever expected to witness in the UK.

I hope the Government will step back from the brink that they have moved towards. For Channel 4, privatisation will be irreversible—an act of vandalism that does irreparable damage to a model that has worked well and provided a unique source of innovation and support, nurturing a vibrant independent production industry that should be the pride of our country. Already, the big beasts—Disney, Netflix, Discovery, Google and Amazon—are beginning to circle, and the Minister for Media and Data is spending his time facilitating the interests of those corporate big beasts by hinting that in-house production will be allowed following privatisation and that Channel 4's “edgy” remit will be changed.

So there we have it: a sale that threatens to destroy in one fell swoop the independent production industry that Channel 4's remit and inability to produce in-house have fostered in the UK for the past 40 years. That is deliberate vandalism of all that is unique and successful about Channel 4. If privatisation happens, the bland dullness of US corporate regurgitation may well await us all.

That may serve the immediate interests of what some in the Conservative party believe, but it does not serve the interests of the country. How does the Minister think that it is in the country's cultural interests to destroy Channel 4? Will his Department prepare and publish an impact assessment of its privatisation plans? How do the Government intend to change the remit of Channel 4 to facilitate a sale? How will privatisation protect innovative and experimental programming that comes from diverse and often unheard voices?

Ministers have also announced that the current ban on in-house production could end with privatisation. That would put the UK's thriving independent production sector and the 10,000 jobs that it supports directly at risk. How will the Government protect the sector? Finally, how will flogging off Channel 4, possibly to one of the corporate digital giants, preserve the UK's unique voice in the age of bland corporate entertainment?

I look forward to hearing the Minister's detailed answers.

**Mr Deputy Speaker (Mr Nigel Evans):** The winding-up speeches will begin at 10.28 am. Therefore, given the number of Members who have indicated on the call list that they wish to speak, I will introduce a four-minute limit for speeches. For those who have not already done so, please feel free to remove your jackets, as it is unseasonably warm, yet summer.

9.46 am

**Sir Peter Bottomley** (Worthing West) (Con): I endorse much of what the hon. Member for Wallasey (Dame Angela Eagle) has said.

Nearly 20 years before I was elected to this House, when I was aged 12, I put stamps on envelopes to help to save the Third Programme, which then became Radio 3. The Minister may point out that when Channel 4 started broadcasting, I had been in the House for—I think—seven years.

There have been a number of considerations of privatising Channel 4, under Margaret Thatcher's Government, John Major's Government and Tony Blair's Government. I think that the public records, now that they are open, will show that in 1996, when my wife was the Heritage Secretary, most of the Cabinet Sub-Committee agreed to privatise Channel 4 for about £1 billion. She and the Chancellor had a discussion, and more and more money was offered in exchange for other cultural projects. She had to explain that privatising Channel 4 was not a question of money; it was a question of right or wrong.

The only thing that will not happen if and—I hope—when Channel 4 is not privatised is that the Americans will not take it over. I was influenced in my youth by a man called Graham Spry, the legendary father of Canadian national broadcasting. When the network of local radio stations in Canada was put together, he said, "The choice is between the state and the United States".

I have heard no argument from the Minister or from anybody else that allowing Channel 4 to be taken over by a US mega-conglomerate of broadcasting or entertainment would be in this country's national interest, in the interests of those who produce programmes for Channel 4 or in the interests of those who watch it. We are not just talking about the existing audience for Channel 4, and its many programmes and many ways of putting those programmes out; we are talking about future viewers and listeners.

I will not go through the programmes that Channel 4 has made that are of value; I will not even go through the things it has done that have annoyed me. But the fact that an MP could be annoyed by what they see in an entertainment programme or a news programme is just par for the course. Those programmes are not there to make us happy the whole time; they are there to alert others to what is going on and to make others think, and hopefully to make us think as well.

If one goes through the history of some of the stories that "Channel 4 News" has broken in its individual way, one can see that it has had a good impact. If what it is doing is wrong, it is exposed and its makers will either feel ashamed or apologise, and there is always Ofcom to regulate it. However, if we count up the number of times when its distinctive approach has been of value to the country—I would argue to the Government as well, but that is less important; it is its value to the country that matters—we see that the model chosen for Channel 4 counts.

As the Minister may remind us—and, by the way, the Wikipedia article on Channel 4 needs significant updating—we were expecting a second commercial channel for 10, 15 or 20 years before it came; the button for it was there on the television sets. The way Channel 4 has managed to adapt and evolve has been important, and I pay tribute to those who have led that, to the different chairs and chief executives of Channel 4. On balance, it has clearly been a successful method of allowing for flexibility that is distinctive from the normal commercial channels in this country, and from the BBC.

The Minister needs to explain how privatisation will lead to more content investment and more jobs if the independent producers say that they feel threatened, how content investment will come, and why the Government are planning to change some of the restrictions on Channel 4 so that it could, in the short term, apparently have greater income, which may give a better multiple to the price that might be obtained if it were to be floated off on the market.

9.50 am

**Alison Thewliss** (Glasgow Central) (SNP): I would like to pick up where the hon. Member for Worthing West (Sir Peter Bottomley) left off, because I was two months old when Channel 4 began broadcasting. I have grown up with it, and I think it is a fantastic channel. I am incredibly proud that Channel 4 has its creative hub in my constituency, so I stand to support its work, the £200 million that it has spent on Scottish productions since 2007, its commitment to increase spend in Scotland, and its bringing on of young talent, which is incredibly important to the industry.

I was really impressed when I went to visit one of the initiatives that Channel 4 ran to bring talent stream into TV, where it is still a challenge to work with under-represented groups. It is working very hard to bring folk into the industry. As well as being based in Glasgow Central, Channel 4 is important for independent production companies in my constituency because it has invested in indies through the alpha fund, the emerging indie fund and the indie growth fund. Those indies take risks and do different types of broadcasting, but it is the public service broadcasting model that underpins all that work.

Last year, Channel 4 worked with 161 production companies up and down the country and in their communities. Although people might see the front door of Channel 4, they do not always see the front door of the production companies that employ so many more people in skilled jobs. Blazing Griffin is one such company based in my constituency. It is a medium-sized production company that specialises in post-production and video games, and it has 60 full-time employees in Glasgow. When I spoke to people there yesterday, they highlighted the importance of the regulated environment in which Channel 4 exists and made specific reference to the terms of trade, which mean that Channel 4 does not own its copyright. That gives production companies a huge advantage, because they can own their intellectual property and sell it domestically and internationally. That contributes to international trade for this country, which I think the Government have completely forgotten about. As hon. Members have pointed out, privatisation may mean that that unique selling point will vanish overnight and destroy, at a stroke, a hugely successful industry.

[*YVONNE FOVARGUE in the Chair*]

Independent production companies have gone from making a contribution of £600 million in 2001 to £3 billion in 2019, and the UK punches well above its weight in that contribution. Naysun Alae-Carew of Blazing Griffin pointed out to me that the story of Channel 4 is not yet complete. The early fruits of its investment in the nations and regions and in young talent have not yet been completed, and it would be premature of the Government to try to flog off the channel and pull the plug at this

[Alison Thewliss]

stage because there is a lot more to do in order to bring new voices to television, to bring in the nations and regions, and to bring black, Asian and minority-ethnic talent and working-class talent into TV. Channel 4, almost uniquely, is absolutely committed to doing that.

Blazing Griffin is working in a long-term, full-time and high-quality area in post-production jobs, and it points out that we need to look beyond the crew and location work that we often see at the front of TV, and to increase the spread of highly skilled, very stable and very lucrative jobs in areas such as post-production. As Blazing Griffin has pointed out, the Channel 4 model is absolutely crucial to that.

A lot has been said about Netflix, but Netflix also does post-production in the UK, and can do so only because of the Channel 4 ecosystem. Naysun Alae-Carew pointed out to me yesterday that when US states with incentives or short-term measures cut their investment—New Mexico was given as an example—the production companies and big corporates just move on to the next state. It would be incredible if the UK Government decided to pull the plug and allow a highly successful, talented and skilled industry in this country to fold for short-term gain. It would devastate the industry here, so I urge the Minister to consider the full ecosystem that exists because of the unique position that Channel 4 is in.

9.54 am

**Mr Andrew Mitchell** (Sutton Coldfield) (Con): I draw the House's attention to my interests as set out in the register. I approach this debate in a slightly less certain and more inquiring way than the very eloquent mover of the motion, the hon. Member for Wallasey (Dame Angela Eagle). I ask myself, what sort of media do we want to serve our constituents? My own experiences of the media are quite well balanced—I have suffered but I have also benefited enormously from the media.

All around the world, the lesson is that the strongest, safest societies have independent, raucous, cynical, largely unfettered and disrespectful media. That is what keeps us safe as citizens and defends our human rights and civil liberties. The question is, where does Channel 4 fit into that? It caters for minority tastes and diversity in modern Britain. It aids inclusivity. Its news quality is outstanding. In independent surveys it is the most trusted outlet; look at the experience of people like Cathy Newman, Jon Snow, Gary Gibbon and Matt Frei. I draw hon. Members' attention to the coverage of Syria, and the depth and the decent length of interviews on what is the greatest humanitarian catastrophe that the world has faced in the last two decades—the numbers on the move into Europe are absolutely staggering.

I draw hon. Members' attention to "For Sama", a film made by Channel 4 that would not have been made by other outlets. It is brilliant, moving and was shown in Parliament. We have seen what Channel 4 has done for Paralympic sports and on the Sri Lankan atrocities. As recently as last night, it was praised by John Kerry for the Exxon revelations.

Channel 4 is different from the BBC. It is true that all around the world the BBC is venerated—look at the work of the BBC World Service. When I had responsibility

for these matters, I increased its funding ninefold because it is so important. The hugely elevated level of international coverage under James Landale is known to us all but, unlike Channel 4, the BBC is extremely establishment. It is often criticised by colleagues, particularly colleagues in Government, for being biased. But the BBC tries to hold the Government to account, and I would argue that in some ways it is too close to the Government—it may pull its punches because it is worried about the funding model or, indeed the charter. Channel 4 occupies a unique position in our national media.

I come to my questions for the Minister, who is extremely experienced in this area, and I hope that he will answer them. First, will he ensure that there is an impact assessment before rather than after the decision is made? Secondly, what evidence does he have that privatisation will encourage more content investment and more jobs? All previous reports, as the hon. Lady said, including the Government's own from 2017, concluded that Channel 4's remit is better served in public ownership.

Fourthly, have the Government addressed the genuine dilemma—I speak here as a strong supporter of capitalism—of whether there could be a conflict of interest in pursuing public policy objectives where the pursuit of profit is the underlying model? Channel 4 does not take money from the taxpayer; it is publicly owned but commercially funded and 100% of its revenue is reinvested in the organisation. It has a new headquarters, not in Birmingham, I regret, but in Leeds, which is out of London—that is very important. It is a huge boost to the British film industry through Film4 and its commissions rather than produces its own programmes, which hugely stimulates and expands the private sector. Those are important matters and I hope very much that in making this case, the Minister will address them.

9.59 am

**Mick Whitley** (Birkenhead) (Lab) [V]: It is a pleasure to serve with you in the Chair, Ms Fovargue. I thank my hon. Friend the Member for Wallasey (Dame Angela Eagle) for securing this important debate. As broadcasters including Sir David Attenborough have warned, the privatisation of Channel 4 would have disastrous and far-reaching consequences for the film and television sector. The UK's creative industries are one of the fastest growing sectors of the economy, widely admired across the world. Channel 4 sits at the heart, with its distinct remit to reinvest profits into commissioning. All that would be jeopardised by privatisation.

The claim that the consultation now under way is a response to a changing broadcasting landscape is not believable. The Minister first advocated privatisation all the way back in 1996. His attempts to push through privatisation when he was Culture Secretary were frustrated only because David Cameron, the Prime Minister who sold off Royal Mail for a pittance, recognised the irreparable harm that would do to the wider cultural sector.

In fact, despite all the challenges posed by the rise of the streaming giants, Channel 4 continues to thrive, both critically and commercially. Last year, the channel recorded a record £74 million pre-tax surplus, while also bagging a prime-time Emmy for its coverage of the deteriorating situation in Hong Kong. Viewing figures for the terrestrial channels and All 4 continue to rise. The Minister is confecting a crisis where none is, in order to provide a flimsy pretext for privatisation.



The Minister should come clean about the Government's motivations. This is not about money; it is about ideology. He wants Channel 4 to be consigned to the dustbin of history because it is simply too good at doing what it is supposed to do. For four decades it has been a leading provider of innovative content that resonates, not just with communities across Britain but across the globe. It is a showcase of what is possible when things are run in the interests of the public good and not for private profit. Since its inception, "Channel 4 News" has spoken truth to power and exposed injustices and corruption at home and abroad. That is something that this Government and this Prime Minister simply cannot stand.

10.1 am

**Andy Carter** (Warrington South) (Con) [V]: It is a pleasure to speak in this debate and I thank the hon. Member for Wallasey (Dame Angela Eagle) for securing it. I am pleased to appear via a TV screen for a debate about TV.

One thing I learned early in my career running a media business is the value of taking risks, the need for platform commissioners to try different, find new talent and be experimental with subject matter. That is what gives creative businesses their edge. It is imperative that we regularly review the broadcasting landscape; technology is changing at great pace. It is also important to recognise that no business can exist in aspic. To suggest that nothing should ever change at Channel 4 would frankly be ridiculous, particularly given the significant shifts that we have seen on a global basis, the rise of platforms and the arrival of media organisations, such as Amazon and Netflix, in the past decade.

However, it is easy to overlook the unique nature of Channel 4, which has massive benefits to UK plc. I want to stress that my comments are not particularly related to the popular programmes seen on Channel 4, such as "Gogglebox" or "The Great British Bake Off", which I am sure would find a place on any mainstream broadcast channel. We are fortunate in the UK to have a public service broadcasting ethos that runs through the core of our broadcasting networks. I strongly support Channel 4's continued work in that area, even when sometimes I do not agree with the tone or the approach the channel takes. It is important that we have plurality of voices and ideas. The space and time Channel 4 gives to new, different and sometimes challenging content, from emerging producers across the UK, is what makes Channel 4 particularly valuable among the wide range of publishers that are available today.

Channel 4's unique design in the 1980s, under a Conservative Government, has turned Channel 4 into one of the most creative platforms on the planet. That has immense benefit to GB plc, and to thousands of small businesses in constituencies such as mine, up and down the country. Channel 4's model as a content commissioner from external production companies means it does not make any of its own programmes and it therefore allows independent producers to retain intellectual property rights. It is IP that has real value. Channel 4 provides that seed funding for production companies, funnelling money generated from advertising directly into the creative sector. That publisher-broadcaster model is unique among public service broadcasters. Having run a media business, I struggle to see how the idea of not owning IP would be compatible with a model that prioritised profit.

The Government consultation asked for views on removing the publisher-broadcaster element of Channel 4's model. I worry that making that change will damage the super-creativity of the sector, forcing out new, untested content producers who, without the opportunity to produce something for Channel 4 to be broadcast—perhaps off-peak in the early hours of Sunday morning—would not get the break that would lead them to produce bigger and better content that might become a global hit, produced here in the UK.

I am keen to highlight the investment in British film. Channel 4 spends more on UK film than any other broadcaster based in this country. It is rather good at it too. Film4 has collectively won 37 academy awards and 84 BAFTAs. In 2021, "The Father" won best actor and screenplay at the Oscars.

I conclude by asking the Minister a couple of questions. How does he envisage the remit of Channel 4 changing were it to be privatised? I am experienced enough to know that many owners buy a media product and then their first port of call is Ofcom to ask for a licence change. How will the Minister ensure that that does not happen? What impact does he envisage on smaller independent production companies, were Channel 4 to be privatised, and how might he mitigate those changes?

10.5 am

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): It is a pleasure to serve under your chairmanship, Ms Fovargue.

I am a child of the '50s and '60s. If we cast our minds back, there was a great deal of American stuff on our television—"The Lucy Show", "Batman", Dick Van Dyke, and on and on it went. Just before the pandemic, I and others from this place had occasion to visit NASA in Florida. After the day was done, we had dinner with the astronauts, all the NASA officials and their wives. Over pudding, the wives talked about the shows they really liked. They said that we had some "swell stuff" coming across the Atlantic.

While we have name-checked some of the great shows that Channel 4 has produced, I will add two more films: "The Madness of King George" and "Four Weddings and a Funeral". One of the American wives looked at me and said, "You know, you just remind me of one of the characters in that 'Four Weddings and a Funeral'." I thought she meant Hugh Grant, but she said, "No, the goofy preacher guy." This is soft power, which has already been alluded to. It is a real change from what went before when we had so much American telly on British telly. We know just how important that is to this country.

That was about looking outward. Looking inward, Members have mentioned what is achieved through delivering public service content that speaks to the nation. "Gogglebox" has been mentioned, as have "Channel 4 News" and "The Great British Bake Off". Think what an impact it has had on people's lives. The Paralympics have changed our attitudes towards disability. It is arguable that "It's a Sin" has led to a rise in HIV testing. It has been good for the nation.

All the other points have been touched on. It is private money in a public enterprise, and all that money is reinvested. That is incredibly important. Look how well Channel 4 did during the pandemic. It passed through with flying colours and has repaid all the furlough money, which is really something.

[Jamie Stone]

I conclude with one of my favourite quotes, which is a message I send, with the greatest politeness, to the Minister. It is a conversation between Mr Charles James Fox, the erstwhile leader of my party in the 18th and early 19th centuries, and Mr William Pitt the Younger, arguably one of the greatest Prime Ministers that the country has ever seen and a Conservative, from “The Madness of King George”:

“FOX: Do you enjoy all this flummery, Mr Pitt?

PITT: No, Mr Fox.

FOX: Do you enjoy anything, Mr Pitt?

PITT: A balance sheet, Mr Fox. I enjoy a good balance sheet.”

Channel 4 pays its way and reinvests its money, and that strikes me as something that is unusual and very good for this country. We chuck Channel 4 under a bus at our greatest peril.

10.9 am

**Alex Sobel** (Leeds North West) (Lab/Co-op): The 31 October 2018 was a day of profound joy in Yorkshire. It was the day when Channel 4 announced that Leeds would be its new home. It is not often that we celebrate something started by Maggie Thatcher in Leeds. Just three years later, we hear that Channel 4 may be privatised, with little realistic prospect that some global media company will want to headquarter its new UK asset, with the largest free streaming service in the UK, in Yorkshire. In a small space of time, all the work done and investment decisions made, which are benefiting some of the most left-behind communities in the country, will be undone so the Government can tick some culture war box that says everything has to be run by space cowboy billionaires or sovereign wealth funds who do not care about our sovereignty.

Channel 4’s publicly owned but entirely commercially funded model means it can operate in a way that no other British broadcaster can: it puts public service before profit at zero cost to the taxpayer. It is for and owned by the people. This distinctive model generates economic, cultural and social impact in Yorkshire and across the UK. Channel 4, as it stands, will not put a billionaire into space, but it will give thousands of jobs to Yorkshire folk.

What has Channel 4 achieved through its unique commercial funding model for Yorkshire and other centres outside London? Some £843 million has been invested in production in the north of England since 2009. Channel 4 will have around 400 roles based outside London by the end of this year. The new national headquarters has already been the catalyst for a clustering of TV, film and creative organisations in our region. It includes a number of independent production companies, the new UKTV Leeds hub, the trade association PACT—the Producers Alliance for Cinema and Television—opening a new office and the country’s first Centre of Screen Excellence.

Channel 4’s new emerging indie fund is designed to help indies outside London to break through key stages of growth. The emerging indie fund replaced the alpha fund, which invested in many production companies in the north of England over the years, supporting early development and growth. The indie accelerator provides development funding and bespoke support for 10 indies with black, Asian and minority ethnic leadership, including

ClockWork in Leeds. The indie growth fund supports the UK’s independent creative sector by investing in UK-based small and medium-sized enterprises, taking minority stakes to help them grow their businesses to the next stage. Growth fund investments include Yorkshire-based companies Candour, Duck Soup and True North.

What has that meant for public sector broadcasting during covid? Leeds-based Candour Productions produced “The Truth About Long Covid”, which was filmed entirely in Bradford, and Leeds start-up ClockWork Films produced “Ramadan in Lockdown”. Channel 4 only commissions content from external production companies and therefore allows independent producers to retain the IP. Channel 4 funnels the money generated from advertising directly into the creative sector. This publisher-broadcaster model is unique among public service broadcasters but would not be compatible with a model that prioritises profit.

Channel 4’s model is robust and highly resilient. It has been tested by the pandemic and a sharp decline in advertising spend, alongside the rest of sector, but Channel 4 ended 2020 with a significant financial surplus. The corporation was able to repay its furlough payments and avoid the drastic measures taken by other media organisations, such as mass lay-offs or pay cuts for junior staff. In a privatised future, the victims would be British staff at the expense of foreign billionaires. Its model allows Channel 4 to put public service at the core of everything it does.

Thus far, the Minister has not produced an economic impact assessment for privatisation, nor a plan for one prior to making the decision. Perhaps today will be the day. We all suspect that there will not be one, as it would show that, rather than levelling up Yorkshire, privatisation will significantly level it down, with a dismantling of our independent production sector replaced by foreign imports and the old boys of Soho making our programmes once more. That is why I am working with Tracy Brabin and our metro Mayors across the north, as well as the Co-op party, to look at mutualisation, not only to keep Channel 4 in Yorkshire but to keep it in public hands. That is the only way to guarantee its unique offer into the future. If this privatisation goes ahead, it will be the tombstone of this Government’s cultural policy.

10.13 am

**Brendan O’Hara** (Argyll and Bute) (SNP): I thank the hon. Member for Wallasey (Dame Angela Eagle) for securing this debate on what she described as the wanton cultural vandalism that the UK Government are planning. The UK Government’s plan to privatise Channel 4 is completely unjustified. It is politically motivated and totally vindictive. When viewed in the wider context of other legislation going through Parliament on voter suppression, the right to peaceful protest and undermining the Electoral Commission, it is deeply worrying for our democracy.

Not only is this further evidence of a Government allergic to criticism and terrified of independent scrutiny; they are also ideologically driven to undermine anything that proves that public service can be delivered by a publicly owned organisation. By any measure, Channel 4 is and has been a success. It has more than met the remit it was given. As we have heard, it has been responsible for some of the greatest creative and commercial successes in UK television and film in the past 40 years. It has

given creative opportunities to people who otherwise would never have had their voice or ideas heard, and it has taken a London-centric industry and reminded it that there is life on these islands beyond London. In short, Channel 4 has achieved what it was asked to do, and viewers like what it does.

Why are this Government so determined to change something that has been a demonstrable success? It is not for the money: the way Channel 4 is structured means that it does not have shelves of tapes or mountains of intellectual property rights waiting to attract a potential buyer. Any money generated would likely be absolutely minimal.

It is beyond credible that the UK Government honestly believe that UK viewers would be better served by Channel 4 being subsumed by one of the huge international TV conglomerates. As it is currently constituted, Channel 4 can experiment with format and take risks with new writers, and it can occasionally bomb without having to explain why profits might be down this year to an angry accountant representing a consortium of international investors. Let us be honest: not one of those multinational TV giants will give two hoots for the hugely successful model of spending outside London and supporting independent film and television production in the nations and regions.

The Government also know that even though Ofcom found that the multi-award winning “Channel 4 News” has been one of the most trusted media sources of information during the pandemic, no giant profit-driven multinational TV conglomerate will invest the money to continue to support it. That is where this begins to make sense: in the absence of any commercial, creative or public interest reasons for privatising Channel 4, one can conclude only that the motivation is politically driven spite. Channel 4 is the one thing that the Government fear most: a public service broadcaster that delivers good, informed and wholly independent news, and that makes people think, question and challenge what is going on around them.

Unlike the BBC, Channel 4’s greatest strength is that it provides that public service without relying on the UK Government for its finance. Unfortunately, its greatest strength has become its greatest weakness. This Government are gerrymandering the electoral map, curtailing citizens’ right to protest, and removing the teeth of the country’s electoral watchdog, so the last the thing they want is an independent non-compliant media. That, more than anything else, explains why they are determined to privatise Channel 4. The Government know that if they do, it will not come back, but has that not been their intention from the very start?

10.17 am

**John McDonnell** (Hayes and Harlington) (Lab) [V]: I am secretary of the National Union of Journalists parliamentary group, so naturally, when this issue came up again, I sought a meeting with those at the NUJ and talked with them about their views, and they consulted their members. I think we are all in the same position: we just cannot believe that this matter has come around yet again—especially those of us who were involved in the 2016 discussions, when we thought that the future of Channel 4 had been sensibly resolved. The privatisation seems to be a particular obsession of the Minister—it is almost as though he needs some counselling. It has

become an addictive obsession that he has been pursuing since the 1990s, as others have said, and it is completely irrational.

From the trade union point of view, we look at the security of jobs and the economics of the organisation that we are negotiating with. When looking at the economic performance of Channel 4, I cannot for the life of me understand what the problem is for the Government. The latest figures show a record £74 million pre-tax surplus. As other hon. Members have said, including my hon. Friend the Member for Leeds North West (Alex Sobel), Channel 4 is now opening up offices around the country—hubs in Leeds, Glasgow and Bristol—and is doing exactly what the Government want by investing in the regions as part of the levelling-up strategy. Channel 4 is economically sound and completely in line with the Government’s policy direction.

Channel 4 provided 10,600 jobs across the UK in 2019, of which 3,000 were jobs supported by Channel 4 in the nations and regions. As the hon. Member for Warrington South (Andy Carter) set out, it is working with private sector producers to bring forward talent on an eminent scale. It has done so successfully, and has been well rewarded by the various independent bodies that adjudicate on these matters.

It is very difficult to understand the rationale for the Government’s pursuit of this privatisation. Others have given their views about the range of attitudes. The Father of the House has demonstrated yet again his wide-ranging experience of what has been going on over decades. The right hon. Member for Sutton Coldfield (Mr Mitchell), in a very balanced way, indicated the concerns that he and many others in the Conservative party have. Paul Siegert, the NUJ’s national broadcasting organiser, gave a true reflection of its members’ views in saying:

“It’s hard to see any justification for privatising Channel Four other than ideology. Channel 4 has achieved what it was asked to do and has proved a hit with viewers.”

If it is not broken, why are the Government proposing the fix of privatisation? Four years ago—I remember this, because I was there—the Government said that Channel 4 would continue to be owned by the public. In our view, they should honour that promise. I hope they see sense. I have to say that the consultation that is going on, particularly over the summer period, flies against all the rules of consultations.

Let me ask one final question of the Minister. At the moment, the Government are being advised by a panel they set up on the future of public service broadcasting. The panel does not publish its minutes and is not meeting in public. Why is that happening? Why is it not more open and transparent? Why can the Minister not explain the role of the panel, and indeed its composition? That generates concerns that there is more to this than any rational thought about the future of broadcasting. It is more about ideology, and maybe an element of political spite.

**Yvonne Fovargue (in the Chair):** I remind Members that I will be calling the SNP spokesperson at 10.28 am.

10.21 am

**Jim Shannon** (Strangford) (DUP): I appreciate the opportunity to speak on this matter. I thank the hon. Member for Wallasey (Dame Angela Eagle) for leading this debate on the privatisation of Channel 4.



[Jim Shannon]

Channel 4 has been around for many years and has provided many years of entertainment to the British public. It was introduced in 1982 under Thatcher's Government, and was set to lead as the second largest commercial broadcaster in the UK. It followed ITV, after its birth in '54.

Television and visual entertainment have proven incredibly necessary throughout the covid-19 pandemic. They have become a much-valued tool for many people, and we were most definitely thankful for them during lockdown.

Recent statistics show that 16% to 17% of Channel 4 viewers are aged 16 to 34, showing that there is a keen interest in Channel 4 shows, particularly among the younger generation. Interestingly, recent figures show that the quarterly reach of Channel 4 television in the United Kingdom is now some 51.1 million viewers, highlighting that there is still a call for the channel itself.

In recent years, large television broadcasters have proven dominant in the TV industry. Others have referred to Netflix, iPlayer, BritBox and so on. As a traditionalist, I usually watch the channels in front of me. I just about control the handset for switching channels. Fewer people are watching channels such as the BBC and Channel 4. I wonder why that is. We all watch television programmes that we are interested in. I have to admit that there are few programmes that I would be inclined to watch on Channel 4, and in all honesty there are certain things that I take exception to, but I do watch it for the films and the news, because they are both good. It provides an opportunity to follow those.

However, I would like to praise Channel 4 for the work it does with Stand Up to Cancer and charity TV programmes. There are many things that it should be commended for—not forgetting, of course, “The Great British Bake Off”, which is a household favourite, not because I can cook or bake but because I like to watch those who can.

I would not be against the privatisation of any channel if it meant that there were programmes available to cover interests for a range of people, regardless of age or political beliefs. Some of my constituents have been in touch with me ahead of this debate and have expressed the same concern: that there is simply not much that they would choose to watch. We have to have a channel that gives variety and opportunity, and that people are inclined to watch.

One brilliant factor is that Channel 4 runs solely on commercial, self-organised funds. An issue that has come to light, perhaps for older members of the public, is the payment to have no advertisements for Channel 4 on-demand. Many will inquire whether those fees would still be incurred after privatisation, so any change could well mean a change in the cost for those who view the programmes they wish to watch on Channel 4. On the other hand, many would argue that Channel 4 could become a for-profit company, with the programme quality drastically decreasing. That is a concern that I have and that others have also expressed. We also have to consider whether the producers of programmes would be comfortable airing their shows via private means.

I thank Channel 4 for all the entertainment that it has provided for us. It should be credited for offering a free channel that we in the UK are able to take advantage of

to watch the programmes that we desire to watch. However, I also feel that, if a service is national and available to all, its content should also be suited to all. That is something that I would like to see. When it can be argued that some of the programmes are inaccessible for some sections of the community, a call for reform or change is required.

There is certainly scope for the channel to remain. The figures show that Channel 4's share of viewing among black and minority ethnic audiences has grown by 3% over 2020, which is good news, and that its 16-34 linear viewing share in all time has grown by 9% on 2019—more than any other terrestrial channel. However, when this does not cover the national population, there are suggestions that privatisation could improve viewing demographics. I urge the Government to keep that in mind and put our constituents' views at the forefront of decision making.

10.26 am

**John Nicolson** (Ochil and South Perthshire) (SNP) [V]: Here we go again. Only four years ago, in what turned out to be the Government and Channel 4's phoney war, the privatising zealots were licking their lips at the thought of a corporate takeover at Channel 4, a much-loved public service broadcaster. After all, bus, water and rail privatisations under the Tories had been such resounding successes, so why not turn to yet another institution about which they knew absolutely nothing? In the end, the privatising zealots backed off. Why? The then Secretary of State told us at the time that Channel 4 works, that it delivers on its remit and that privatising it would involve too much grief for too little financial return.

In the intervening years, nothing has changed—well, apart from an 80-seat Tory majority and an enhanced desire to clip the wings of a pesky station with a news outlet that No. 10 fears for its independence and high journalistic standards. The thing is that Channel 4 does work. The Conservatives are fond of reminding us that they set it up. They did, and it delivers on the remit that it was given.

On diversity in programming and staffing, Channel 4 has been a trailblazer for women, black and minority ethnic people, and lesbian, gay, bisexual and transgender people, as well as people living with disabilities. According to Ofcom, Channel 4 employs a greater proportion of women than any other public service broadcaster. The same is true of staff with disabilities. In 2019, Channel 4 also committed to doubling its target for employing staff with disabilities from 6% to 12%. According to last year's Ofcom report, more than 10% of staff at Channel 4 were living with disabilities. Channel 4 News has a higher proportion of black, Asian and minority ethnic viewers than any other public broadcaster in the UK.

Channel 4's commitment to diversity stems from its statutory remit to appeal to culturally diverse groups, to offer alternative perspectives and to nurture new talent. That is underpinned by Channel 4's unique not-for-profit model. It is lamentable, therefore, that only months after we discovered that the BBC has so far spent over £1 million in legal fees fighting equal pay cases, the UK Government are now seeking to put one of our best and most diverse public service broadcasters at risk through a threatened, albeit sleekly planned, privatisation.

I came out as gay—the first BBC network TV presenter to do so—when I was presenting BBC Breakfast on BBC 1. My bosses were furious, and my BBC Breakfast presenting gig was soon over. By contrast, over at Channel 4, the company was blazing a different, more inclusive trail. In February 1999, the first episode of the award-winning series “Queer as Folk” aired. Written by Russell T. Davies, the series chronicles the lives of three gay characters living in Manchester, and it marked a significant watershed moment for LGBT programming across these islands. For the first time, young gay men had people like themselves portrayed proudly onscreen. Fast forward to 2021, and both Channel 4 and Russell T. were breaking new ground again with the incredible “It’s a Sin”, which powerfully depicted the human impact of the HIV/Aids epidemic. What is more, the show has been credited with an upsurge in HIV testing, taking the channel’s public service obligations to a whole new level.

In news and current affairs, Channel 4 has also been trailblazing, with outstanding, high-quality factual output, in particular “Channel 4 News” and “Unreported World”. In an age of festering misinformation and disinformation and plummeting trust in the media, impartial and accurate public service broadcasting has never been so important. Public service broadcasters such as Channel 4 have been lifelines during the pandemic, providing coverage of daily briefings from leaders in all our nations across the UK. Huge efforts have been made to ensure that expert voices are featured and truthful information provided, in accordance with the public service broadcasting ethos.

As the vaccine is rolled out, Channel 4 coverage could not be more appreciated. In a world where anyone can spread disinformation and misinformation about covid, it is vital that we bolster the presence of our public service broadcasters on TV and online as a means of combating it.

The privatisation of Channel 4 would almost inevitably mean cuts. No privatised company would fund “Unreported World” or the Channel 4 daily news programme at its current length. Of course, that is perhaps what the Government want. A privatised Channel 4 would bring more commercially lucrative entertainment output. It might mean editorial lines being subjected to the whims of advertising and profit. We cannot afford to lose a second of factual programming in the dangerous times in which we live.

The Government have presented no serious case for the privatisation of Channel 4. If they press ahead, privatisation would see profit put first. It would mean slashing the half a billion pounds which go annually to independent production companies. There would also be a centralisation of Channel 4’s headquarters—the very antithesis of levelling up. Perhaps most concerning of all, we would likely see cuts to Channel 4’s hard-hitting news and current affairs programming, which effectively hold this Government to account. I suspect that is why the UK Government are so passionate about the prospect of privatisation. With record profits recorded last year and not a single penny taken from the taxpayer, it is certainly not to satisfy any public demand to tinker with—or attack—this much-loved public institution.

We all know what this is about for the Government. It is revenge—payback time, as the hon. Member for Solihull (Julian Knight), the Conservative Chair of the DCMS Committee has suggested. Channel 4 is all the things it is meant to be: innovative, inclusive, and, above

all else, independent. The Secretary of State wants it brought under control. It is time for us as MPs to defend independent programme-making and journalism.

**Yvonne Fovargue (in the Chair):** I confirm that we can go on until 11 am if necessary for this debate.

10.33 am

**Christian Matheson (City of Chester) (Lab):** It is a great pleasure to serve under your chairmanship, Mrs Fovargue. I congratulate my hon. Friend the Member for Wallasey (Dame Angela Eagle) on her outstanding introduction. I thank all hon. Members who have contributed today, particularly my hon. Friends the Members for Birkenhead (Mick Whitley) and for Leeds North West (Alex Sobel) and my right hon. Friend the Member for Hayes and Harlington (John McDonnell). I was expecting my good friend the hon. Member for Strangford (Jim Shannon) to mention “Derry Girls” in his speech, so passionate is he about Northern Ireland. I am sure at some point he will.

British television is renowned and envied around the world, and Channel 4 is no exception. For nearly four decades, Channel 4 has given us an endless list of brilliant, progressive and world-leading programmes. It is a British success story which gives small British independent companies with a drive of entrepreneurship and innovation an opportunity to take on the world.

Channel 4 was established to provide distinctive and challenging output to complement the then three main channels and to drive forward growth in the independent TV production sector. By any measure, and as hon. Members have suggested, it has far exceeded those goals. Channel 4’s remit remains clear and its output sharp, challenging, diverse and entertaining. It is there to appeal to a wider and younger audience and, according to Ofcom, it is doing very well to fulfil that purpose.

Like my hon. Friend the Member for Leeds North West, I do not often praise Margaret Thatcher, but I cannot deny that her changes to the broadcasting landscape gave us Channel 4. However, although the channel was launched under a Conservative Government, successive Conservative Governments have threatened to sell it off and privatise it; I believe that this is the sixth attempt to do so. “Yet again” was the phrase used by my right hon. Friend the Member for Hayes and Harlington. This time, the Government seem more determined than ever to succeed, despite completely—

**Mr Mitchell:** I hope the hon. Gentleman is not opposing this proposal on the grounds of privatisation per se, because it is for the Minister to tell us whether privatisation could add to the many points that have been raised in support of Channel 4. Will he make it clear that he would not oppose privatisation if he thought that it would benefit the objectives that we all want to see Channel 4 fulfil?

**Christian Matheson:** I am grateful to the right hon. Gentleman for that intervention. I have a presumption against privatising successful public assets, simply because among Conservatives there is an ideological presumption in favour of privatisation. However, if he will bear with me, he may well find that I address that point in my speech—at least, I hope I do.

[*Christian Matheson*]

It may well be right once in a while to review the make-up of Channel 4. However, it seems that the Government have simply presented a done-deal proposal rather than an inclusive and thought-out consultation. The decision to press ahead with the proposal to privatise Channel 4 has surprised many in the industry, as there does not seem to be any solid evidence behind the Government's proposals. In fact, as we have heard, Channel 4 has just had one of its best financial years on record.

Many people do not realise that Channel 4 is publicly owned but funds itself almost entirely through advertising, and it reinvests any profits into new British programming. In other words, although it is publicly owned, it does not cost the taxpayer a single penny. When the advertising market dropped last year because of the coronavirus pandemic, the Government saw an opportunity to attack the broadcaster once again. However, despite the hit to advertising spend, Channel 4 has bounced back stronger than ever. It has reported a record £74 million pre-tax surplus and an increase in viewing figures across all its platforms, and it is on track to top £1 billion in revenues for the first time this year. Its streaming viewers are up by 30% on last year, the linear portfolio is up by 4% and there have been 4.2 billion content views on social platforms.

As hon. Members have alluded to, we are all aware that the Government have had a bumpy relationship with “Channel 4 News” and a number of close run-ins with it—indeed, that is true not just for the Government, but for MPs from across the political spectrum. However, the Government cannot simply run away from scrutiny and throw a tantrum every time they dislike something. The Conservatives—or, I say with respect to the right hon. Member for Sutton Coldfield, some Conservatives—complain about a cancel culture, but this is a perfect example of the sinister trend with this Government of closing down or selling off any mechanism that can scrutinise or oppose them. In view of the figures mentioned earlier and the information available, can the Minister assure us that any decisions on the future of Channel 4 are made on the basis of concrete evidence and not simply based on an ideological vendetta against the broadcaster?

Not only do the Government's proposals make no sense, but they would be catastrophic for the creative sector, particularly independent British TV companies. Channel 4's success has been instrumental in helping to grow the UK's world-beating creative industry. The channel has invested £12 billion in the independent production sector, and each year it works with more than 300 production companies.

Channel 4 has also been investing in regional TV and production, and giving voice to communities right across the UK, long before “levelling up” became the latest empty Tory slogan; other hon. Members have already mentioned that today. The channel is crucial in both representing people and providing jobs for people right across the country.

As well as people directly employed by Channel 4, the channel supports over 10,000 jobs in the supply chain, 3,000 of which are in the UK's nations and regions. As hon. Members have mentioned, Channel 4 is now a truly national organisation. As my hon. Friend the

Member for Leeds North West has said, it has opened up its new headquarters in Leeds; he and Tracy Brabin, our former parliamentary colleague, are fighting hard to support that move. Channel 4 has set up creative hubs in Glasgow and Bristol, to make the channel more reflective of UK life. Nearly 400 Channel 4 roles will be located outside London by the end of 2021, and the channel is also committed to investing at least 50% of its spend outside London from 2023, bringing jobs and investment to all parts of the UK.

Changing the very DNA of Channel 4 will mean that indie TV production companies simply will not have the opportunities that they have now. They will be hit by a double whammy. Not only will they not be able to make programmes, but they will not even be able to own the IP, and they will essentially become service provider companies to potential buyers. The plan would suppress the brilliant entrepreneurship and innovation of the UK's production industry. If the Government's proposals go ahead, they will clip the wings of one of the most successful industries in Britain.

The creative industries are a key growth area and will be crucial to the UK's economic recovery after the pandemic. Office for National Statistics data show that in summer 2019, 9% growth in the TV and film sector was key to the UK avoiding recession. The sector has been growing at five times the rate of the UK economy and contributes £111.7 billion to it. As my hon. Friend the Member for Leeds North West and the right hon. Member for Sutton Coldfield (Mr Mitchell) have asked, what assessment has the Department made of the impact of its proposal on the wider creative sector? Was an impact assessment made when drawing up the proposal?

The proposal would also impact on the UK on the global stage. Channel 4 is a national asset with a global reach. As an exporter of uniquely produced content, Channel 4 projects British talent, culture and soft power around the world, as was mentioned by the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone). It was created to reflect the cultural diversity of the UK through programming, boosting Britain's reputation overseas and showcasing British values to the rest of the world.

Channel 4 has commissioned formats and shows that producers can then sell around the world, helping to launch hundreds of UK creative businesses on to the global stage and generating British IP. The UK independent sector is now worth £3 billion, and it exports soft power around the world through formats, talent and sales.

There is also success at the award ceremonies. Channel 4 spends more on British film than any other UK broadcaster does. Film4 films have collectively won 37 Academy awards and 84 BAFTAs. As the hon. Member for Warrington South (Andy Carter) mentioned, in 2021 “The Father” won best actor and best screenplay at the Oscars. From the outside it looks as though the Government are punishing success. In reality, they are passing on British success to their mates and big companies in America, once again showing where their true loyalties lie.

We all know that big foreign tech companies have only money on their minds, so I simply cannot see them showing any sympathy for Channel 4's current remit and structure. That is bad news for the TV production industry and the unrepresented voices in the UK. We cannot lose Channel 4's distinctive remit and let it simply become Channel 4.5—in other words, like Channel 5.



The Government may well argue that this change needs to be made for Channel 4 to be able to keep up and compete with giants such as Netflix, Amazon and Disney+, but they are simply missing the point. Channel 4 was created to be different, diverse and daring, and to champion the under-represented voices of this country. It does not need to splash millions of pounds to compete with Netflix. It simply needs to do what it does best—make fundamentally British content that speaks to and represents British audiences. As we heard, a prime example of this is the fantastic “It’s a Sin”, a masterpiece that broke down barriers and demonstrated the true brilliance and success of Channel 4 and the British TV production industry.

Our TV industry is a British success story. We cannot allow the Government to place a huge “For sale” sign on Channel 4 and lose it to the highest bidder. Great British TV belongs in the UK, and I would very much like it to stay that way.

10.43 am

**The Minister for Media and Data (Mr John Whittingdale):**

I thank you, Ms Fovargue, and Mr Deputy Speaker, for presiding over our debate. Neither of you expected to be in this position today, so we appreciate your giving up the time to join us. I also thank the hon. Member for Wallasey (Dame Angela Eagle) for securing this debate. As she says, it is a very important subject, so I am glad that the House has an opportunity to debate it.

However, I do not think a single speaker has talked about the revolution taking place in television at the moment. Every speech has been backward looking. Each one has been a list of admittedly terrific programming over the past 40 years, but there has been no looking forward and no reference to what is happening to television viewing and how the landscape is changing. Linear viewing is in rapid decline. Young people are no longer looking at scheduled programmes on the traditional broadcast channels. The competition for eyeballs, which comes from streaming services, a new one of which joins the market almost every few months, is completely changing. Therefore, what we intend and wish to do is look forward. Yes, Channel 4 has a terrific record and is doing well at the moment, but it is the Government’s job to ensure that Channel 4 has a viable future going forward—not this year or next, but in 10 years. That is the purpose of the consultation.

**Sir Peter Bottomley:** I think the Minister can be assured that each Member present has read the consultation document. We know that the Government say the structure of broadcasting has changed. We have seen that All 4 has 41%, which is only a little lower than Netflix. Channel 4 is doing all those things. At every paragraph, the Government say, “Change the ownership, and we’ll do xyz.” The only example given by the Government is Royal Mail, looking backwards to 2013. The Minister is right in thinking that we understand what he is going to say, because we have read his document. We are challenging the idea that a new owner is necessary.

**Mr Whittingdale:** I will come to that. I am sure my hon. Friend has read the consultation document, and it is extraordinary that the arguments, which I believe are strong, have not actually been addressed by any speaker so far.

**Mr Mitchell:** The point is that we are looking forward. Will the Minister address two arguments? First, I made the point about Syria—

**Mr Whittingdale:** I am going to come to those points.

**Mr Mitchell:** Only Channel 4 provided the seriousness that was needed on that subject. Secondly, the Minister will find that young people and people across society are accessing “Channel 4 News” in many modern and futuristic ways, so his point about Members being uninformed and looking backwards might require a little elucidation.

**Mr Whittingdale:** If my right hon. Friend will forgive me, I am going to come to those points. Given the limitations of time, I am anxious to do so.

I do not dispute the list of programmes, many of which are great, made by Channel 4 over the past 40 years. There are some real jewels among a lot of other programming. It was once said that Channel 4 is a public service tail wagged by a very large commercial dog, and that is the consequence of the model under which it operates. I have enjoyed things such as “It’s a Sin” and “Gogglebox”, and I want to talk specifically about “Channel 4 News”.

Occasionally, I have been cross with “Channel 4 News”. I have been just as cross with Sky News and BBC News. Channel 4 is an essential contributor to plurality. It is worth bearing in mind—again, this has not been recognised in the debate—that “Channel 4 News” is not actually produced by Channel 4. It is an ITN production, and ITN has done a terrific job in providing news programming that is different from the other broadcast news services. It has also been extremely successful internationally, as it has an Oscar-nominated newsroom and has won five Emmy awards.

**Brendan O’Hara:** Will the Minister give way?

**Mr Whittingdale:** If the hon. Gentleman will forgive me, I am not going to have time to give way.

I absolutely pay tribute to ITN for the work it has done for Channel 4, and it is certainly our intention that, whatever happens to Channel 4, news should remain a major part of its schedule. However, there have been huge changes. When Channel 4 was created, there was a choice between the BBC and ITV. Channel 4 was founded by a Conservative Government in 1982 to provide alternative viewpoints, and it has been very successful in doing that. Since that time, we have seen the advent of satellite television and the coming of digital terrestrial television. Now we have the streaming services, so there has been a huge explosion in choice. Some of that content, which was originally not available and which Channel 4 was set up to provide, is now available in a large number of different places, so Channel 4 needs to adapt to that.

The latest Ofcom report on the future of public service broadcasting states:

“Rapid change in the industry—driven by global commercial trends and a transformation in viewing habits—is making it harder for public service broadcasters to compete for audiences and maintain their current offer... Change needs to happen—and fast.”

[Mr Whittingdale]

That is why we have set up the review of public service broadcasting, and why it is right to consider whether Channel 4 is best placed to continue to thrive under the current ownership model, because there are some worrying signs.

Channel 4 is entirely dependent on advertising, unlike other broadcasters such as ITV, which has successfully diversified into production, or the BBC, which can rely on the licence fee. Channel 4 relies on advertising. More than 90% of its revenue comes from linear TV advertising, and advertising is under pressure. It is likely to come under greater pressure, in part due to the actions that Parliament is going to take in restricting advertising spending on, for instance, foods that are high in fat, salt and sugar, and possibly such spending with respect to gambling, which we are considering at the moment. Therefore, that model is already coming under pressure.

Competition from the streaming services is almost inevitably going to lead to a decline in audience share over time as more and more content is provided by such services, which can outspend Channel 4 by a factor of 10 with respect to how much they can invest in high-quality content.

Reference was made to Channel 4's performance. Yes, it did well to record a profit this year, but it is worth bearing in mind how it did so. It is not difficult to continue to make a profit if spending on content is cut by £138 million. That is what happened. Channel 4 slashed the budget on content. It did not, incidentally, slash the budget on employment expenditure, which actually went up—all the money came out of content spend. It is difficult to see how that it is going to be able to return to a position of spending the amount that it was previously. Yes, Channel 4 has been supporting independent producers, although the figure that was quoted of support for more than 300 independent producers is not actually correct. The annual report shows that 161 production companies have been supported that actually meet the definition of indies.

Yes, Channel 4 has moved its headquarters to Leeds—against great resistance—and the hon. Member for Leeds North West (Alex Sobel) is right to celebrate the fact that he has a new building there, but it is worth bearing in mind that Channel 4 still has a very large and expensive building about 100 yards from where we are today. Therefore, if it is properly committed in that regard, there is a case for it to move more employees and to do more outside London.

There is a question whether private ownership might result in greater investment. I was surprised to hear from my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) that he questions whether it is possible to fulfil public policy purposes and to satisfy shareholders. He will know that any number of utility companies are doing exactly that. I point to examples such as the telecommunications companies, the electricity companies and the gas companies.

**Mr Mitchell:** Will the Minister give way?

**Mr Whittingdale:** I do not think I am going to have time.

I also point to Channel 5. Its spend on content was very small while it was under UK ownership, but when it was bought by Viacom, it became channel of the year and there has been a massive investment.

The one thing I make categorically clear is the reason the Government are looking at the future ownership of Channel 4, which is that we wish to sustain Channel 4. We are concerned that, in the longer term, the model is going to come under ever-increasing pressure and will be unable to deliver the content that we all want to see.

**Dame Angela Eagle:** Will the Minister give way?

**Mr Whittingdale:** I am afraid I do not have time.

I want to make it absolutely clear that there is no political agenda attached to this. I am completely committed to an independent Channel 4, and I welcome the fact that it has a questioning news programme. This is not motivated in any way by a political agenda or ideology. It is about sustaining Channel 4 and making sure that it has a viable future. That is why we are having a consultation. It is a consultation.

I want to answer the point about remit. We are asking a question about whether the remit might or might not be amended to take account of changes. It is not a question of removing the remit. In some areas, there may well be a case for strengthening the remit, and there is absolutely no intention to strip the remit away. The remit will be there. Whether it is tweaked in some way, perhaps to increase the requirements for production outside London, is something that we are asking questions about.

I also want to answer the question about the impact assessment. The impact assessment will be determined by the answers to those questions. An impact assessment cannot be carried out before those things have been decided—for instance, what the remit should be, as that will have a huge effect on the impact. All those matters are subject to an open consultation, with no decision taken.

The hon. Member for Wallasey referred to lack of parliamentary time. I can promise her that, if it is decided to change the model, that will require primary legislation. There will be no lack of opportunity for Parliament to debate any changes that we decide to make. There will be an impact assessment at that time. No decision has been taken. It is the job of Government to look forward and to ask how we can best ensure that Channel 4 has a viable future. That is what we are doing.

10.55 am

**Dame Angela Eagle:** It is a great pleasure to serve under your chairmanship, Ms Fovargue. That is two Chairs in one debate. I am disappointed that the Minister declined to allow me to question him, since this is my debate. I do not think our arguments have been backward looking, and many of us have made the point that Channel 4 is already evolving.

This is the question I would have put to the Minister, had he allowed me to do so: why have the Government made it clear that their preference is for 100% privatisation of Channel 4? If the consultation is open-minded, they would not have been so firm in their view. It appears to me, from reading the documents, that the Government have already decided that they are going to flog off the entirety of Channel 4. They have made that clear in the way the consultation is worded.

**Sir Peter Bottomley:** Will the hon. Lady give way?

**Dame Angela Eagle:** Very briefly, because I have only two minutes to respond.

**Sir Peter Bottomley:** The missing word is “Treasury”, which wants the income. The other missing things are the executives of Channel 4 saying that they want to change the ownership, and the independent producers saying that would benefit them. Neither have.

**Dame Angela Eagle:** I agree with the last two points the hon. Gentleman has made, although I am not sure I agree with the point about the Treasury, as selling off Channel 4 would not raise much money. That makes the threat to the model and to the remit all the more problematic, especially, as many hon. Members have pointed out, with respect to the ongoing health of our independent sector, its ownership of IP and the trade benefits that that gives us.

I hope the Minister will in future demonstrate, more than he has today, an open mind on what is happening with Channel 4, and will be more forthcoming, more quickly, on how he thinks the remit will change and whether the in-house production ban will remain. We need to know how Channel 4—which offers unique things to our country, many of which we have heard about today—can be facilitated, not changed out of all recognition, and that it can look forward to a future in a changing media environment that preserves all that we value it for.

*Question put and agreed to.*

*Resolved,*

That this House has considered privatisation of Channel 4.

## Early Years Education Funding

11 am

**Yvonne Fovargue (in the Chair):** Hon. Members will be aware that social distancing is no longer in operation, but I remind them that Mr Speaker has encouraged us to wear masks. Please clean your spaces before you use them and before you leave the room.

**Wera Hobhouse (Bath) (LD):** I beg to move,

That this House has considered early years education funding.

It is a pleasure to serve with you in the Chair, Ms Fovargue.

I begin by saying a big thank you to early years providers for their efforts during the pandemic. Early years leaders and staff have risen to every challenge that the past year and a half has thrown at them. Time and again, they have put their health at risk to ensure that children are cared for and educated. They have truly put the needs of our children first. Each and every one of them, in Bath and throughout the country, deserves not only our thanks but our commitment to addressing the serious shortfall in early years funding.

I am delighted to have secured the debate, and I very much hope that the Minister will take on board the sector’s concerns. All the evidence points to the immense value of early years settings. They are about not only childcare—of course, that is extremely important—but education. The first five years of a child’s life are the most critical in shaping their development. Getting that right gives children the greatest chance of reaching their potential—a greater chance than is given by any other stage of their life.

Early years settings also provide long-term benefits for our economy. They remove barriers to employment and training, particularly for women, and help to close the attainment gap between children from low-income families and their more advantaged peers. Research shows that 40% of the gap in attainment outcomes is evident by the age of five.

Throughout the pandemic, I have been in regular contact with early years providers in my constituency. Far too often, they have felt like an afterthought. I pay tribute to First Steps Bath, which does excellent work in our local community to narrow the attainment gap.

Early years leaders are working hard to ensure that they can provide high-quality care and education. They are up to that challenge, but they need support from the Government. Their message to the Minister today is, “Acknowledge the value of early years education and pay what it costs to deliver it.”

**Jim Shannon (Strangford) (DUP):** I congratulate the hon. Lady on initiating the debate. What she has referred to is replicated in my constituency of Strangford. In the past year, the pandemic has highlighted the issue, with many small children being looked after by private babysitters or family members, so I echo and support the hon. Lady’s request for further funding. Does she agree that there is certainly a need for that funding to ensure that adequate childcare and further opportunities for education are in place at a very critical time?

**Wera Hobhouse:** Absolutely—I think everybody in the room is agreed. We have all acknowledged that getting the early years right is right for the child, but is



[*Wera Hobhouse*]

also right for us all, so the issue is to get the balance right. The Government are committed to levelling up, and this issue is part of that levelling-up agenda. It is not just about capital infrastructure projects; it is about getting the long-term funding to address our social inequalities.

Funding continues to be a widespread concern. The survey conducted by the Petitions Committee found that 72% of parents expect that the pandemic will have a major or moderate effect on their settings' long-term financial sustainability. To this day, not enough progress has been made on delivering educational recovery resources. The majority of support that has already been announced has focused on school learning, and the Government continue to miss a crucial group of learners in early years. What has been the impact of that oversight? A recently published report by the National Day Nurseries Association reveals that nursery closures have increased by 35% in the past financial year, which affects more than 11,000 children's places. What is more, the highest number of closures happen in the most deprived communities. High-quality early education is by far the single biggest factor in reducing the attainment gap and inequality.

My plea, again, is for the Government to look at levelling up the long-term funding stream for education for the more deprived communities in our country. They must make that an urgent priority, but the shortfall in early years funding existed long before the pandemic. Covid has simply widened the gap between the funding and what it costs to deliver. It has placed even more strain on an already fragile sector. Most providers say that they realistically need more than £6 an hour per child just to break even, let alone to reinvest in their business, and the funding rates simply do not match that. According to YMCA research, 80% of childcare settings cannot deliver childcare at the funding rate provided by their local authority.

In Bath and North East Somerset, our local council receives £5.59 an hour for two-year-olds. For children aged three or above, it receives just £4.48. Far too many settings are choosing between operating at a loss and subsidising the cost of delivery through fee-paying families. In the private community, the majority of families access only funded childcare places, so that gap cannot be made up by fee-paying families. All too often, there is no choice but for the providers to operate at a loss.

The other key funding challenge facing the early years sector relates to staff. Staffing is one of the biggest expenses that a childcare provider has, and amounts to about 70% of costs. Headteachers in my constituency have shared their concerns about staff retention rates. It is of course right that early years providers are able to pay their staff a proper wage, but they are struggling. Early years leaders are doing their best to acknowledge the efforts of their staff and give pay rises, but funding is not increasing at the same rate as the national living wage. During the past decade, there has been a long-term decrease in the number of people wanting to work in the early years sector. The cost of living in or commuting to Bath is making it more and more difficult for early years staff to work on low wages. More recently, the lack of vaccine priority for childcare staff has left many feeling overlooked and under-appreciated, which is such a shame.

Research from the National Day Nurseries Association suggests that the early years workforce has shrunk again by 2%. It is still making use of the coronavirus job retention scheme, as demand for places has not yet recovered. When it came to recruiting, 90% said that hiring level 3 qualified staff was difficult or very difficult. Even at apprentice level, 52% reported the same challenges.

When I spoke to an early years provider in my constituency earlier this year, I was told:

“Sadly, I feel that the Government do not value early years staff and do not see our professionalism and dedication to our role.”

It cannot be right that that dedicated workforce exists on minimum income while parents have to pay some of the highest childcare costs in Europe. Providers are not making money, and many of them are being forced to close. All that will make childcare more expensive and will create more employment barriers for parents, particularly mothers, and those from the most disadvantaged communities will be the worst affected.

There needs to be a total rethink of early years funding. The recent publication of the much-delayed freedom of information request from the Early Years Alliance confirmed that the Department for Education already knew that funding rates were insufficient. The result has been financial hardship for many providers and increased costs for parents. I hope the Minister will outline in her response what plans the Government have to correct that. I hope she will also outline the assessment she has made of the disproportionate impact on providers working in deprived communities.

The Government say that they understand parents' concerns about the cost of childcare. I hope, then, that the Government will prioritise the early years sector for investment in the upcoming comprehensive spending review. It is absolutely essential that funding rates meet the costs of delivering high-quality education and care. The Government should go further, however. Will the Minister commit to a catch-up premium of £2,964 per child per year under the 30 hours entitlement? The early years sector has a vital role to play in meeting the needs of our children and supporting parents back into work. The Department must do all that it can to help them in that role.

Early years leaders in my constituency need to plan for the coming years, so they need certainty. Will the Minister commit to a meaningful review of early years funding that includes a multi-year funding settlement? Such a review should look to simplify the funding system so that the uptake of Government-funded places improves and funding follows the child. The review should also ensure that all allocations of early years funding consider the needs of children with special educational needs and disabilities across all settings.

Finally, the review should set out a clear vision for the early years and childcare workforce, which has so consistently put our children's needs first throughout the pandemic. The review must reiterate the importance of achieving well-qualified, high-status and better-rewarded professionals. A review of that kind has broad cross-party support. It is also supported by the all-party parliamentary group for childcare and early education. I am pleased to see that the chair of that APPG, the hon. Member for Winchester (Steve Brine), is here to comment.

Early year settings and their staff are vital parts of our national infrastructure. They will play a pivotal role in our covid recovery, supporting parents back into work. They will help each child reach their full potential in the critical first five years of development.

11.12 am

**Steve Brine** (Winchester) (Con): I thank the hon. Member for Bath (Wera Hobhouse) for allowing me to make a contribution.

I am speaking with two hats on today. First, as a Conservative MP, I am of course very proud of the work that the Government have done to support young families through the 30 hours entitlement. It is a landmark commitment and one that I fully support, but it has had some unintended consequences.

Secondly, I am chair of the all-party parliamentary group for childcare and early education, as the hon. Lady said. We represent the private, voluntary and independent nurseries that make up the vast majority of the early years sector. I am also a member of the all-party parliamentary group on nursery schools, nursery and reception classes, so I know that maintained nurseries, which are often overlooked in such debates, are also important.

The Minister will rightly highlight that the Government have put in place a significant package for parents and early years educators. Despite that, there are still significant funding shortfalls. Early Years Alliance data shows that there is a gap of £2.60 per child per hour for every 30-hours place. That is just under £3,000 per child per year. So our all-party parliamentary group is calling on the Treasury and the Department for Education to fully fund all 30-hours places. I repeat the call for the catch-up premium for the early years sector in the comprehensive spending review. There is a chance, when we do that, to address wider issues in the early years funding system.

The hon. Member for Bath mentioned the NDNA FOI request on the underspends in local authorities. We think that that totals around £62 million, which shows that money is not getting to where it is most needed. Tens of millions of pounds could fund the 30-hours places for 20,000 children under our proposed catch-up premium. The Treasury and the Department need to look into that underspend and pull it back. That is why we are asking for the meaningful review of early years funding, which would include a multi-year funding settlement to allow providers some certainty to allow them to plan over the coming years.

More funding for the sector would, of course, be welcome but we cannot pour water into broken plumbing. The failings of the system are already being felt. I repeat the point that 35% of nurseries closed between April 2020 and March 2021—an increase of 35%. They are coming out of the sector. It is a worry. I am proud of the work that we have done on the 30 hours. As we emerge from the pandemic, we need our early years sector—our fourth emergency service—more than ever.

The lockdown by stealth courtesy of the “ping” must end for us all—apparently, it will end on 16 August—but it must certainly end by exception for the early years sector, which, once again, feels that it is being left out. I know that the Government have suggested that they will not produce a list but will deal with it on a case-by-case basis, and today is an opportunity for the Government

to deal with early years on that basis. I look forward very much to hearing from the Minister, as she has plenty of time to speak.

11.15 am

**The Parliamentary Under-Secretary of State for Education (Gillian Keegan)**: It is a pleasure to serve under your chairmanship, Ms Fovargue. I congratulate the hon. Member for Bath (Wera Hobhouse) on securing this debate. I am grateful for the opportunity to discuss this important topic, and it is great to be joined by the chair of the APPG on childcare and early education, my hon. Friend the Member for Winchester (Steve Brine).

Nurseries, childminders, teachers and parents have continued to support and educate our youngest children, providing crucial support throughout the pandemic. I would like to put on record our continued appreciation for their hard work. Taking a lead from my hon. Friend, I would also like to put on record our thanks to maintained nurseries in particular. I am a regular visitor to Chichester maintained nursery, which does a fantastic job, and I place on record my thanks to Ruth Campbell and the team at Chichester maintained nursery.

The early years experience is, as Members have said, a vital part of a child’s education, developing the cognitive, social and emotional skills that set them up for life. Evidence shows that high-quality childcare supports children’s development, prepares children for school and, of course, allows parents to balance work and family life. We are doing more than any previous Government to ensure that as many families as possible can access high-quality, affordable childcare. Some 96% of childcare settings in England are now rated “good” or “outstanding” by Ofsted. In 2019, 71.8% of children achieved a good level of development at the end of the early years foundation stage profile. That is where children have met the expected level across a wide range of learning areas, and compares to 51.7% in 2013—quite a remarkable achievement.

The Government invest heavily in high-quality early education. That includes the universal 15 hours of childcare for all three and four-year-olds, plus the additional 15 hours for working parents of three and four-year-olds. That was introduced in 2017 under a Conservative Government. The 15-hour early education entitlement for disadvantaged two-year-olds helps to improve the educational outcomes of disadvantaged children, to give them the best start in life. In fact, we have spent over £3.5 billion a year in each of the past three years on our early education entitlements, and we continue to support families with their childcare costs.

At the spending review last year, the Chancellor announced an extra £44 million for 2021-22, so that local authorities can increase hourly rates paid to childcare providers for the Government’s free childcare entitlement offers. At the same time, we increased the minimum funding floor, meaning that no council can receive less than £4.44 per hour for the three and four-year-old entitlements. To maximise the amount of funding reaching the frontline, we require local authorities to pass on to early years providers at least 95% of the Government funding for three and four-year-olds.

Further, we are varying our approach to funding the early years sector over this financial year to give local authorities and providers better certainty about their funding income. For the spring term 2021, we provided

[*Gillian Keegan*]

top-up funding for authorities that could demonstrate rising demand for free early education entitlements. For the next three terms, we will fund each authority based on attendance data they provide to us for each term. That will ensure that our funding aligns with attendance, which should provide very welcome reassurance for providers that funding for the entitlements will be commensurate with up-to-date data. The last 18 months have been particularly difficult. Nurseries, carers and parents have demonstrated a heroic effort in supporting the youngest members of our society. That is why we have provided significant support to the early years sector throughout the covid-19 pandemic.

Early years settings have had access to a range of business support packages during the pandemic, including the coronavirus job retention scheme, which is now extended to the end of September 2021. As long as their staff meet the criteria for the scheme, early years providers are still able to furlough them if they experience a drop in income. Findings from the childcare and early years provider and coronavirus survey have shown that in November and December 2020, 74% of the group-based providers had made use of the coronavirus job retention scheme at some point.

Eligible nurseries may also have qualified for business rates discounts to help reduce their bills. Eligible nurseries could get 100% off in the first three months of the 2021-22 tax year, with 66% off for the rest of that tax year. From 6 April, eligible nurseries have been able to access our new recovery loans, which were set out by the Chancellor on 3 March. Those help with access to loans and other types of finance, so that nurseries can recover from the pandemic. There has also been help for childminders, who are usually self-employed. The self-employment income support scheme has also been extended until the end of September 2021.

Our support for the sector goes wider than that. We are reforming our technical education. In September 2020 we introduced new T-levels, which are designed by industry experts and employers to bridge the gap between what they need and what young people can offer them. I am delighted that we have our first cohort of around 650 students now studying the T-level in education and childcare, which includes a large work placement. I thank the sector for its support for T-levels, which will provide a much-needed skills pipeline. Our investment in T-levels will benefit the early years sector.

**Wera Hobhouse:** Does the Minister not recognise that, however good the training is—and of course good, qualified staff are absolutely what our children need and our parents want—the qualification itself is not what brings staff into the sector? They must actually get wages so that they can pay their own bills. Unless we pay them more, we will not get staff into the sector, however good the training and qualifications are.

**Gillian Keegan:** Of course there is a relationship between pay and the work, work-life balance and type of job, but the sector still attracts a lot of young people. There is a lot of demand. In fact, the T-level in education and childcare is the biggest of the three T-levels that we have launched. There is the most demand for it.

In June, we announced £153 million of funding for training for early years staff to support our very youngest children's learning and development, as part of a wider recovery package. In response to the pandemic, we announced £27 million to support children's early language development, £17 million of which is to deliver the Nuffield early language intervention, or NELI, which is making a real, positive difference in schools up and down the country.

The Under-Secretary of State for Education, my hon. Friend the Member for Chelmsford (Vicky Ford), recently visited All Saints' Church of England Primary School in Merton and spoke to staff delivering the NELI programme about the children's increased confidence with language and communication. That excellent programme is proven to give children the equivalent of around three months of additional progress. Some 40% of primary schools have already signed up, helping 60,000 children in this academic year.

Funding of £10 million will support language development for pre-reception children in the next academic year. Children in reception year will also benefit from the Government's £650 million catch-up premium for schools, which will ensure that they are supported to make up for any lost teaching time.

Thanks to the financial support provided by the Government, and the hard work of settings to remain open since June 2020, I am pleased to report that we have not seen or heard of a significant number of parents being unable to access the childcare that they need. In fact, the number of places available to parents seeking childcare has remained broadly stable since August 2015. The majority of eligible two, three and four-year-olds have continued to access free childcare, despite the challenges of the pandemic.

Since 2013, more than 1 million two-year-olds who otherwise might not have received any early education have benefited from the childcare entitlement. Ofsted data published on 30 June shows that there were 72,000 childcare providers registered with them on 31 March 2021—a dip of 4%, or 3,300, since 31 August 2020. The data shows that the dip is largely driven by a fall in childminders, not nurseries.

Numbers of childcare settings on non-domestic premises are fairly stable over time, with a drop of just 1% since 31 August 2015 and a decrease of 2%, which is 400, between 31 August 2020 and March 2021. As Members would expect, the Department continues to work with the early years sector to understand how it can best be supported to ensure that sufficient safe, appropriate and affordable childcare is available to all those families who need it now and in the longer term.

I welcome the interest of the hon. Member for Strangford (Jim Shannon), who has now left his place, and all hon. Members who joined this important debate. All the information and data that we collect is valuable because the Government obviously have to consider that in the forthcoming spending review.

**Steve Brine:** The Minister is coming to the end of her remarks. I quite like the point she made about there being places in the system and people being able to access those places, but they have been able to access them at great inconvenience to themselves. When Kings Worthy Pre-School in my constituency closes later this



year, if indeed it does, people will access other places, but people who cannot drive will do so at huge expense and great personal cost. That is the issue: as suppliers come out of the system, it creates problems for parents. That is why we need a meaningful policy review.

**Gillian Keegan:** Of course, this is in the private sector. Places come in, there are mergers and acquisitions, businesses develop and businesses also exit the market. In fact, there were 3,929 settings left, but 2,108 new companies joined the market, providing 1.7 million places, so there is some volatility in the market. Clearly, if there is enough demand—that will obviously change over time, and demographics have an impact on that as well—the most important thing is to make sure that local authorities and parents can access childcare, and that there are sufficient places in the system. That churn will continue, because it is impacted by demographics, and obviously children move around the country.

I thank the hon. Member for Bath for scheduling this debate and for giving us the opportunity to discuss this vital issue, ahead of the spending review; it was very well timed. I hope she is reassured that the Government have the interests of children at the heart of our decision making. We are supporting our incredibly hard-working early years sector, and we appreciate it. It has risen so spectacularly to the extraordinary challenge presented by covid-19. We always look to continue to work with the sector to make sure that it continues to provide that fantastic service to families, parents and children across the country.

*Question put and agreed to.*

11.27 am

*Sitting suspended.*

## **Trade and Agriculture Commission: Role in International Trade Deals**

*[Relevant document: Oral evidence taken before the Environment, Food and Rural Affairs Committee on 27 April 2021, on the Trade and Agriculture Commission, HC 1346.]*

[HANNAH BARDELL *in the Chair*]

2.30 pm

**Hannah Bardell (in the Chair):** Before we start, I would like to make an announcement. As everybody will be aware, the weather in London is very hot, so Members who are wearing jackets are welcome to take them off and speak without them; I am sure the public will have significant sympathy. I have also permitted the Doorkeepers to remove their jackets, so that everybody can stay conscious.

Members will be aware that social distancing is no longer in operation, but I remind them that Mr Speaker has encouraged us to wear masks between speeches. Members participating physically and virtually must arrive for the start of the debate and are expected to remain for the entire debate. I also remind Members participating virtually that they must leave their camera on for the duration of the debate, and that they will be visible at all times, both to each other and to us in the Boothroyd Room. If Members attending virtually have technical problems, they should email the Westminster Hall Clerks at [westminsterhallclerks@parliament.uk](mailto:westminsterhallclerks@parliament.uk). Members attending physically, I will be grateful if you could clean your spaces before you use them and when you leave the room.

2.31 pm

**Neil Parish (Tiverton and Honiton) (Con):** I beg to move,

That this House has considered the role of the Trade and Agriculture Commission in international trade deals.

It is a pleasure to serve under your chairmanship, Ms Bardell. I am delighted to see support from colleagues from across the House on this issue, including the hon. Member for Bristol East (Kerry McCarthy), a former member of the Select Committee on Environment, Food and Rural Affairs, and a very good one; the hon. Member for Swansea West (Geraint Davies); and my hon. Friends the Members for Penrith and The Border (Dr Hudson) and for Keighley (Robbie Moore), who are all current members of the Committee. I also thank my fellow Devon MPs, my hon. Friends the Members for East Devon (Simon Jupp) and for Totnes (Anthony Mangnall), who also join us.

I called for this debate because I am concerned about the lack of urgency from the Government in matters relating to the Trade and Agriculture Commission—both the non-statutory body and the statutory body. During the passage of the Agriculture Act 2020 and the Trade Act 2021, serious concerns were raised by me and many other MPs, as well as the farming sector and non-governmental organisations, about the potential impact of free trade deals on the UK's high environmental and animal welfare standards. The creation of the TAC was important in reassuring us that the Government listened to those concerns. The non-statutory TAC published a report on 2 March this year, providing the Government with 22 recommendations on how best to advance the interests of British food, farming, producers, consumers

[Neil Parish]

and trade deals. Summer recess is upon us, Minister, and we are almost five months on from that report, but we are still in the dark about what the Government will provide in response.

I know the Minister is very capable, but I cannot understand why it has taken him and his Department so long to respond to the Trade and Agriculture Commission. I have repeatedly asked the Trade Secretary when she will respond to the report. As Chair of the Environment, Food and Rural Affairs Committee, I first wrote to her on 29 April. I wrote to her again on 26 May after I did not receive a reply. I then received what I can only describe as a holding reply from the Trade Secretary on 10 June. To be blunt, Minister, the Trade Secretary's reply says very little and I suspect was just an attempt to buy more time. In her reply, the Trade Secretary agreed that the UK's approach to agrifood should be "bold and ambitious"—hear, hear, I agree—but refused to expand on the Government's response to the exact recommendations made by the TAC or provide any date for when the Government will respond. I have since written to her again to press on this.

Perhaps our able Minister can update us on when the response will be published. It needs to be now. We have an agreement in principle with Australia, but we are not clear whether the Government have ever read the report and taken it on board before pursuing a trade deal that directly impacts on our farming sector and the quality of food, both environmentally and in animal welfare. It is also as though the Government intend to bypass the advice they commissioned. I am, to say the least, disappointed about that. During the passage of the Agriculture and Trade Acts, I was led to believe that the TAC would be a useful tool to help us during negotiations because it would clearly set out our trade policy. However, I received a response from the Minister very recently that stated:

"The role of the Trade and Agriculture Commission is not to advise on negotiations."

Likewise, the Secretary of State has said that the TAC "was tasked with providing advice towards an overall strategy regarding the UK's future trade policy"

but was not

"set up to influence...trade deals."

That is putting the cart before the horse. We should be basing our trade negotiations on an overall strategy, especially when those deals will set the tone for what will follow.

We urgently need a response to each of the 22 recommendations in the TAC report. In case Members have not read it, one of the most important recommendations was that we establish a list of core standards that would safeguard us in all future trade deals. That would prevent our farmers from being undercut by imports that have been produced in ways that we would not tolerate.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): The hon. Gentleman is making compelling points. Can I suggest to him that in fact, with the agreement with Australia, the pass has already been sold? What other country with which we have now to enter into agreements is going to accept anything less than Australia has been given?

**Neil Parish:** The right hon. Gentleman makes a very good point. Although I agree with him up to a point, we have only a deal in principle with Australia. The final parts have to be done, and we want the new Trade and Agriculture Commission up and running to fulfil its legal responsibilities. There is time to recover from where we are.

A list of core standards would prevent our farmers from being undercut by imports that have been produced in ways that we do not tolerate here. We do not have one. At present, there appears to be a lack of joined-up thinking between the Government's trade policy and their food and farming policy. British farmers are being told by the Department for Environment, Food and Rural Affairs to raise their already world-leading environmental and animal welfare standards while their basic payments are being reduced. At the same time, the Department for International Trade is potentially allowing them to be undercut by foreign suppliers that are not held to the same high standards.

We need a very clear strategy on what exactly our key standards are and what the mechanism to enforce them in free trade deals is. That must be in place before we negotiate a deal that will allow hundreds of thousands of tonnes of Australian agriproducts into our country.

I expect that the Minister will tell us that the non-regression clause on animal welfare standards is the first of its kind in a free trade agreement. I would hate to think that the Minister introduced that clause just to make it look as though we are taking steps to protect our animal welfare standards when in fact very little may be achieved. I hope he can enlighten us.

Without that core list of standards on which we will not compromise, what is the point of a non-regression clause? We first need to know which measures we cannot regress. The Australians already have practices that, if we were to adopt them here, we would consider regressions. In Australia, the practice of mulesing sheep is permitted, egg-laying hens are kept in battery cages and chickens can be washed with chlorine. Cattle can be transported on journeys lasting up to 48 hours. The Australians are still using organophosphate dips, which were banned in this country in 1999 because of health risks to farmers. I saw their impact on my own father's health; he used almost to bathe in the dip, which he should never have done. It is a nasty product.

We must set out very clearly what measures we will not accept and then sign a non-regression clause. Henry Dimbleby, who the Government asked to conduct an independent review of our food policy, endorsed that approach in the national food strategy. One of the strategy's key recommendations is that the Government define minimum standards for trade and the mechanism for protecting them. Mr Dimbleby also raised concerns about the precedent the Australian deal sets and about not having that set of standards in place. He says:

"The way we do one trade deal inevitably feeds into how we do the next. Brazil—which has significantly worse environmental and welfare standards than our own, or indeed Australia's...is also being lined up for a trade deal. If we are seen to lower our standards for the Australia deal, it will make it much harder to hold the line with Brazil—or the next potential trading partner, or the next."

As Mr Dimbleby says, more deals are in the pipeline and the nature of them will be driven by what has gone before in the Australia deal. The likes of New Zealand, the US, Brazil and Mexico will be all looking at what we have given away to Australia and licking their lips.

Mexico has four times as many laying hens as we do, more than 160 million in total, and 99.8% of them are kept in conventional battery cages in very cramped conditions. That practice has been banned here for almost a decade. We will have to be clear in the negotiations that we will not accept such eggs, but the Mexicans will see that we have conceded to the Australians. Why would they not ask?

**Anthony Mangnall (Totnes) (Con):** My hon. Friend is making an excellent speech, much of which I agree with, but I am afraid that I do not agree with point that every single trade deal will find itself being similar to the last. The Mexicans may well ask about having their eggs included in the trade deal, but it is up to our trade negotiators to say no. We have that power and that ability. Does he not see the value of our negotiators standing up for our own British produce?

**Neil Parish:** I thank my hon. Friend for his intervention. Yes, he is absolutely right that it is absolutely possible for our trade negotiator to stand up for these conditions, but until we have got this Trade and Agriculture Commission and the core principles in place, how on earth will we be certain that is going to happen? We will have to be clear in negotiations that we will not accept these eggs.

Likewise, I have been very critical recently of Brazilians and their environmental record, given the massive increase in deforestation that we have seen under their current Administration. If we signal to them that we are willing to compromise on our standards, that would completely undermine our negotiating position before we even get to the table. At a time when we are passing the Environment Bill and supposedly setting world-leading laws on deforestation, that would be such a failure of joined-up thinking.

The second key recommendation by the TAC report, which we need a response to, is that we need a proper export strategy if our producers are to benefit from these opportunities. In particular, we need an export council to co-ordinate our export efforts and an increase in the number of agricultural councils as a priority, so that we can have counsellors all across the world, as the Australians and others do. We also need to have a better link between the Department for Environment, Food and Rural Affairs and the DIT. The TAC argues for a dedicated Minister for agrifood trade who will work across Government; I would be very interested in hearing the Minister's views on that suggestion.

One thing that I am very keen to see is an expansion in the number of agriculture counsellors that we have abroad. The UK has an agriculture and food council in just two of our embassies, in China and the United Arab Emirates. These were funded largely by the Agriculture and Horticulture Development Board. The US spends over \$200 million on its foreign agriculture services to help its exporters to break into markets, with offices in over 90 countries. Recently, Australia has been spending 20 million Australian dollars on its network of agriculture counsellors around the world, who operate in 15 locations across Europe, South America and Asia. New Zealand has a network of 22 counsellors; it has eight counsellors in China alone, because it knows that it is challenging but important to enter a new market that presents a prime opportunity for exports. It has a very senior official based in China to lead on the ground, who

comes from New Zealand's equivalent to DEFRA. That is what the Chinese really want—somebody very senior in China to negotiate these deals.

The New Zealanders are very good at getting technical specialists on the ground. In some markets where the rules are strict, they have policy counsellors but they also have veterinary counsellors, who have the technical knowledge to work around the requirements for importing into new markets. They learn exactly what needs to be done on standards for imports, but they also help to produce the right legal paperwork. They do so by building networks with the local equivalents of DEFRA, the AHDB and the Food Standards Agency. They do all that before they enter into negotiations for a trade deal. We need to emulate this model and we need to crack on with it before deals are signed, or we will not have the framework in place for exporters to benefit from a deal straight away.

As I mentioned, the AHDB funded the agriculture and food counsellors already in Beijing. The New Zealanders' veterinary counsellor in Brussels is funded 50% by industry and 50% by Government, because the New Zealand AHDB equivalent recognises the value of veterinary counsellors in getting a route into a market. I would like to see the Treasury stepping up to find more agrifood counsellors. The Trade Secretary has suggested to me that there could be potential for some money to be made available, but I am unclear how much will be forthcoming. I recently questioned the Prime Minister about this in a Liaison Committee hearing. He stated that he was especially devoted to increasing food and drink exports in more embassies across the world. While I have the Minister here, let me ask him whether the Secretary of State has had conversations with the Prime Minister about Government funding to increase the number of agrifood counsellors.

We could look at the New Zealand system, and fund through the Treasury and half through the AHDB levy boards. Farmers and our food producers pay levies worth more than £60 million a year, which are supposed to be spent directly to further the interests of the trade. We have needed to reform the levy boards for some time and give the farmers more say in how they are run and how the money is spent. One thing we could ask them is whether a higher proportion of their levies should be spent on opening markets and getting their products abroad. I think that they would take up that suggestion.

We urgently need the new statutory TAC up and running. The Government are dragging their feet in appointing a chair and members. I believe that the expression of interest for members of the new body has now closed, but only very recently, so where are we on getting those who expressed their interest on to the commission to make it operational? It is not just about the chair and the members; the commission needs an independent secretariat and the technical capacity to get into the deal and draw on the views of stakeholders. The Government have refused to say what support the TAC will be provided to examine complex technical documents. Will the Minister clarify how many staff the TAC will have? Will it have the capacity to commission its own modelling and technical analysis?

I would also like the Government to allow the TAC to have a broad view of its responsibility so that it can provide expert advice on all matters relating to trade and trade standards. A narrow interpretation would look only at the aspects of a deal that require an immediate



[Neil Parish]

amendment to UK law. The TAC will need a broad view of where a deal may incentivise practices that we wish to put a stop to, such as deforestation. Putting into our list of core standards, for example, the principle that we will not eat any food produced on land that has been deforested, alongside measures to cut deforestation in the Environment Bill, which was mentioned earlier, would set a truly world-leading standard and encourage our global partners to follow suit. If the TAC does not examine those sorts of serious issues because it has a narrow remit, we would miss a great opportunity to tackle them in a joined-up way. That would also undermine our negotiating position, as I mentioned earlier.

On a positive note, I welcome the recent commitment from the Trade Secretary that Parliament will have three months to examine the final Australia deal. That is a step forward. It would be better, of course, if we had an opportunity for meaningful scrutiny of a draft deal, or even the possibility of rejecting a bad final deal. I therefore ask the Minister whether the TAC will get advance sight of the deal to conduct its analysis so that its report on it can be published alongside the final text at the start of that three-month period. Or will the TAC get to see the details at the same time as everyone else, meaning that it has to rush its analysis and produce a report late in the scrutiny stage? A rushed report would add little value to our scrutiny and would not be in the spirit of the legislation that makes provision for the TAC.

I will conclude. First, will the Minister give us the date on which the Government will respond to the TAC's report, and will that response take on board its recommendations? Secondly, we really must have a list of core standards on which we must not compromise. Thirdly, we need an overarching strategy for agricultural and food trade that joins up with our policy at home and abroad. Fourthly, that should include more agrifood counsellors and an export council. Fifthly, I would like to see the Government hurry up and set up the statutory TAC so that it is ready to provide scrutiny on the Australia deal, as it is legally obliged to. Finally, we need some detail on what support the statutory TAC will have. Will it have the technical capacity and staff to fulfil properly its role and ensure that the interests of our farmers and producers are looked into?

Colleagues will know that I am a man of almost limitless patience, but I have to say, I am running out of it. This has taken far too long. We need some answers and we need them now.

**Hannah Bardell (in the Chair):** I would like to call the SNP spokesperson by 3.28 pm. Depending on interventions and to be equitable to all Members, I would hope to give four and a half minutes to each Member.

2.49 pm

**Kerry McCarthy (Bristol East) (Lab):** It is a pleasure to see you in the Chair, Ms Bardell. I congratulate the Chair of the Select Committee, the hon. Member for Tiverton and Honiton (Neil Parish), on securing this debate. I have lost count of the number of times we have debated these issues over the last few years.

In my view, it is very clear that the Trade and Agriculture Commission, in both its iterations, was brought into being only to give the Government a get-out clause—to

buy off potential rebels on the Agriculture Bill and the Trade Bill who shared my concerns and those of many others, including the National Farmers Union, about the Government's real position on protecting our current environmental and welfare standards in future trade deals.

Despite all the rhetoric that we got from Government Ministers when we questioned them at the EFRA Committee and in the Chamber, it was obvious that something was up, because the Government refused to enshrine these protections in law and came up with excuse after excuse for why they did not need to do so. Minister after Minister said, "Trust me." We just did not. So they came up with this mechanism—the TAC—and, while some of us remained highly sceptical, others thought that maybe it might just work. We hear today from the Chair of the Select Committee, as I am sure we will hear from other speakers, that patience is wearing thin.

I want to focus on what it says in the national food strategy—I have the great big document here with me—which was commissioned two years ago by the Government. The hon. Member for Tiverton and Honiton has mentioned the overlap between some of its recommendations. In part one of the strategy, which was published a year ago, last July, one of the recommendations was that the Government should

"commission an independent report on all proposed trade agreements, assessing their impact on: economic productivity; food safety and public health; the environment and climate change; society and labour; human rights; and animal welfare. This report would be presented alongside a Government response when any final trade treaty is laid before Parliament."

The Government adopted that recommendation but did not implement the two other recommendations on trade—on giving preferential tariffs to food products that "meet our core standards" and on giving Parliament "the time and opportunity to properly scrutinise any new trade deal."

Part two, which was a larger piece of work, has just been published. Recommendation 10 calls on the Government to:

"Define minimum standards for trade, and a mechanism for protecting them."

It says the Government should draw up

"a list of minimum standards which it expects imported food to meet in support of the objective of a healthy and sustainable food system"

and that the Government should "defend these standards" in any future trade deals, stating that the Government need to "set out a mechanism" by which they propose to do that.

The strategy sets out compelling arguments on why the Government needs to act and to act now before we start seeing trade deals with Australia, Brazil or the United States, which can produce food much more cheaply than we can, but at a much higher cost.

I have asked the Minister several times about our trading relationship with Brazil, and what we are doing to stamp out links to deforestation in our food supply chain. I do not really expect any better answers today, but I want to ask him what response we will get from the Government—from DEFRA, which has responsibility for the National Food Strategy, but also from the Department for International Trade—to the recommendations that I have just outlined.

Will the Minister respond today on these two points? First, will the Government ask the TAC to draw up a list of core standards covering food safety, animal welfare, use of antibiotics and the prevention of severe environmental impacts, such as deforestation? Will he do that? These are the absolute minimum standards. They are not something that should be negotiated away. That would not remove our negotiators' freedom to negotiate trade deals, because these things should not be on the table in the first place. Secondly, if he does not accept the suggestion that when striking new trade deals, the UK should offer to lower tariff barriers only on products that comply with those standards, will he explain to us why?

Setting out minimum standards to be defended in any future trade deals and setting out a mechanism to defend them—I really do not think that is too much to ask. I look forward to hearing what the Minister has to say.

2.54 pm

**Dr Neil Hudson** (Penrith and The Border) (Con) [V]: It is a pleasure to serve under your chairmanship, Ms Bardell, and to follow the hon. Member for Bristol East (Kerry McCarthy).

I congratulate my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on securing this debate. I very much agree with the points he made forcefully and eloquently. It is indeed a privilege to serve under his chairmanship as a member of the EFRA Committee. I declare a strong professional and political interest as a veterinary surgeon and as the MP for Penrith and The Border, which is home to many fantastic Cumbrian farmers who produce superb food to the highest production standards.

Many constituents have been in touch to express their concerns about the free trade agreement with Australia and what it might mean for our local farmers and producers and for animal welfare standards. I share their concerns. Broadly, I welcome the possibility of a mutually beneficial trade deal between our two nations, but it has to be the right one. Although we have so much in common with our closest friends in Australia, our economies are very different, and any trade deal should reflect that.

For example, when it comes to livestock farms, the costs of production are much lower in Australia, and the animal husbandry methods are very different. I say that as someone who has worked as a vet on farms in both the UK and Australia. It is vital that we have a thriving UK food production industry that is not undercut by imports. I am clear that any deal must not disadvantage our farmers and food producers, or compromise animal welfare. That is why I have repeatedly called for animal welfare chapters to be included and tariff rate quotas to be used.

I am pleased that the Government have listened to my calls for an all-important animal welfare chapter in the agreement. However, we are still unclear on the detail of the chapter and on the exact use of tariff rate quotas to safeguard any deal. Importantly, we still await the Government's response to the Trade and Agriculture Commission's report. When I asked former TAC chairman Tim Smith about those issues during our EFRA Committee session in April, he said he would be

“squeamish about allowing a tariff to sort the problem out”.

He went on:

“You are absolutely right, Neil, that there is a gap, but I just have to cross my fingers and hope, in some ways, that the negotiators, some of whom we spoke to during the course of our investigations and report, have read the report”.

We are still going into these deals in the dark and hoping for the best. We can make it work, but we need urgent parliamentary scrutiny to ensure that any trade deal is not rushed through, and we need the TAC to be reconstituted immediately to help with the process. Parliamentary scrutiny needs to be meaningful, and it must include the option for the House and relevant Select Committees such as EFRA and International Trade to amend and potentially block deals rather than just delaying them.

I will continue to stand up for the farmers in Cumbria and across the whole United Kingdom. We have the best farmers and we produce great food using high standards. We should be very proud of that. By promoting high animal welfare standards in the UK and using animal welfare chapters in our free trade agreements, we can be a beacon to the rest of the world, driving up animal welfare standards globally. It would be an excellent use of some of our international aid budget to help farmers in the developing world to farm and rear animals more sustainably.

I deeply regret the Government's decision to cut our aid budget and not return it to 0.7% as soon as possible. That will have devastating impacts around the world in healthcare programmes, nutrition and water programmes, and in supporting the world's poorest and most vulnerable. I continue to urge the Government to restore the 0.7% as soon as possible.

Finally, we can get this right. If we do, everyone will benefit—farmers, the wider public, and, very importantly, animals—right around the world.

2.58 pm

**Geraint Davies** (Swansea West) (Lab/Co-op) [V]: I am very pleased to serve under your chairpersonship, Ms Bardell. As you know, I have been involved in the Council of Europe as a trade rapporteur. I am also a member of the EFRA Committee. I very much welcome everything that the hon. Member for Penrith and The Border (Dr Hudson) has said. I serve on the Welsh Affairs Select Committee, and we looked at this important issue as well.

The Government refused to put a list of welfare and other standards and constraints in the Trade Bill. They said that the Trade and Agriculture Commission would act as an advisory body that would provide information to Parliament so that we could make an informed decision before trade deals were made. We can see that the Government are not taking this seriously because, since 2 March—almost 22 weeks ago—the 22 recommendations made by the Trade and Agriculture Commission have not been responded to. There is great concern that the Government are desperately trying to sign off any deal as quickly as they can, irrespective of the welfare and industrial implications. We have taken evidence to that effect in our Select Committee.

It is important that we realise that Australia will serve as a benchmark. I appreciate the intervention of the hon. Member for Totnes (Anthony Mangnall), who seemed to think that we could have different standards

[*Geraint Davies*]

for different deals, but the World Trade Organisation will judge that, so we cannot have inconsistent standards. The standards in Australia are significantly worse; the Chair of the Select Committee, the hon. Member for Tiverton and Honiton (Neil Parish) mentioned that cattle are allowed to travel for 48 hours instead of 24 hours, and sheep are subjected to horrendous removal of the skin on their buttocks—without anaesthetic for 44% of them, and with some sort of pain relief for 40%. The Australians said they would stop that practice in 2012, so we cannot really trust them on their word to improve welfare standards if it is not in their competitive interest to do so.

I am sitting in Wales, and I know that the average size of a sheep farm in Australia is 100 times that of the average farm here. We also know that the Government are looking to agree a tariff and quota system, with a 15-year phase-out of the tariffs. The quota that has been allowed for 2022 is four times the amount that was allowed in 2020—25,000 tonnes, rising to 75,000 tonnes by 2022. At the same time, farmers are having their farm payments withdrawn. Some environmental payments will be phased in, but not at as high a level. Obviously, there will be cash-flow issues. With lower costs, with the problems that we are experiencing over exports to the EU and with extra imports, the situation looks pretty dire from the industry's point of view.

The Australian negotiator Dmitry Grozoubski gave evidence to the Welsh Affairs Committee, pointing out that over 20 years, the Australian share of the beef market in the United States developed from a non-entity to hover at about a third of value. The US has a much bigger population, but we eat more beef. We are in danger of being swamped by beef that is produced to lower welfare standards.

This Australia deal looks to form a precedent for the subsequent deals with Mexico, Canada, India, Vietnam and so on, and we need to get it right. We cannot have a situation where we do not get the right advice from the Trade and Agriculture Commission, and then we are faced in the final hour, as we were with the EU, with deal or no deal—this or nothing.

It is imperative that we get these things right for the long term. Let us remember that international trade deals are treaties that trump domestic law. There is no good our passing some sort of welfare or animal sentience Bill and having a special committee that says that we will embed the interests of animal welfare in all our decisions, because that law would be trumped by international trade treaties. We need to get it right; we need it to be informed; we need parliamentary democracy; and we need to work together, so let us do that. I look forward to hearing from the Minister.

3.3 pm

**Simon Jupp** (East Devon) (Con): It is pleasure to serve under your chairship, Ms Bardell. I thank my neighbour, my hon. Friend the Member for Tiverton and Honiton (Neil Parish) for securing this important debate. Between us, we represent most of east Devon. This corner of the south-west has a proud tradition of agricultural excellence and a keen eye on the future, thanks to state-of-the-art training courses at Bicton College in my constituency.

This year's Devon county show, which was held in my constituency, amply demonstrated the agricultural sector's strength locally. The county show also brought ongoing concerns from across the industry into sharp focus. As the Government continue their superb efforts to strike trade deals around the world, we must remain mindful of the amount of change facing our farmers and always work hard to bring them with us. They are, after all, the custodians of the countryside.

The Government state that the UK's high domestic environmental protection, animal welfare and food safety standards will never be undermined. Scare stories about chlorinated chicken are for the birds but, crucially, not the birds in our beautiful countryside. International trade deals will prise open opportunities for farmers across the United Kingdom, and we have already seen those trade deals bear much fruit. We are now shipping British beef to the US for the first time in 20 years, with industry estimates suggesting that that will be worth £66 million to the industry over five years. Because we have opened up the market for beef and lamb to Japan—worth £127 million over five years—it is possible that the Japanese will enjoy the delicious taste of Devon Ruby Reds in the future.

Although the opportunities are obvious, we also need to listen to concerns from the industry as we embark on our journey into this brave new world. The Trade and Agriculture Commission will play an important role and must be put on a statutory footing with a clear structure and dedicated support. A date must be set for it to become fully operational, sooner rather than later. The commission released its report in March with 22 recommendations, and we are yet to see a response from the Government. I encourage the Government to pay close attention to the recommendations on core standards and an export strategy, in particular. Standards are a crucial issue for consumers, so that they can have confidence in what they buy off the shelves.

I recognise that the Government have a lot on their plate at the moment. Ultimately, the commission's work will help to decide what is served at the dinner table. We have many opportunities that we can grasp for the good of food producers across the country, and helping the sector to realise the potential of international trade must be a priority. Our farmers have fed us for generations. Any deal we sign must look after them and the agriculture industry, and not undercut them. I want our food, produced to exceptionally high standards, to feed people across the globe. In my view, trade deals and a permanent Trade and Agriculture Commission are central to achieving that aim and will take the entire industry with us.

3.6 pm

**Tim Farron** (Westmorland and Lonsdale) (LD): It is a real pleasure to serve under your leadership and chairmanship this afternoon, Ms Bardell. I give my huge thanks to the hon. Member for Tiverton and Honiton (Neil Parish) for characteristically introducing this debate, which is of such importance.

The Trade and Agriculture Commission reported in March and made 22 recommendations. Here we are, two thirds of the way through July, and we have heard nothing in response. There has been inaction on responding to the Trade and Agriculture Commission's recommendations and lots of action on the negotiation



of a deal with Australia. Why this mismatch and inequity—frantic effort on the deal, and Olympic-standard heel-dragging when it comes to dealing with the Trade and Agriculture Commission’s recommendations? It does not make any sense.

One’s best guess is that the Government set up the Trade and Agriculture Commission under pressure from the National Farmers Union and others in order to appease their Back Benchers and get through Third Reading, among other things. People fell for that, but I believe the Government’s plan all along was simply to disregard anything that their new watchdog said. That shows contempt for the very good people on the Trade and Agriculture Commission, and for the commission itself. It shows even more contempt for Cumbria’s farmers, rural communities and the agricultural community right across the country. In fact, it shows contempt for the Conservative Government’s own Back Benchers.

Among the recommendations—I will just pull out two—is the proposal for the development of core standards that have to be met before a deal can be agreed. In other words, that would ensure that standards are not reduced and that farmers are not undercut and ruined by any deal. To push ahead with trade deals of any kind, but particularly one with Australia, which has demonstrably lower trade, agriculture and animal welfare standards than ours, is to deliberately throw Britain’s farmers under a bus.

One of the other recommendations is to improve the modelling of the impact assessments. In other words, it is to ensure that the Government, Members of Parliament, farmers and consumers can be sure of the consequences of each trade deal before it is signed. We should know before it is signed whether a deal will increase or undermine the quality of animal welfare, reduce animal welfare standards or damage the livelihoods of British farmers.

The failure to produce proper impact assessments resonates with other failures that the Government are inflicting on our farmers. The movement from the basic payment scheme to environmental land payments will clearly create a position where our average livestock farmer depends for 85% of their revenue—their business income—on the basic payment scheme. The basic payment scheme will be got rid of before there is a replacement scheme to fill our farmers’ pockets and keep them farming. Yet at the same time the Government are introducing golden goodbyes to get rid of farmers, with no plan for new blood. That can be seen in our county of Cumbria, where the Government have failed to intervene and save the Newton Rigg agricultural college. Where is the new blood? Where is the confidence in British farming in the future? We ask that especially as we see that the Government’s plans for trade deals will undermine the livelihoods of so many farmers. We say we have the best farmers in the world. Yes we do, but do the Government understand why? It is because of good regulation and culture. The culture of British farming is rooted in the small family farm that not only breeds good-quality animal welfare—close husbandry—but also means that we take care and look after the landscape.

We saw earlier that Liverpool has lost world heritage site status—we could speak more about that. It reminds us that that status is not sacrosanct and can be taken away. The landscape of the Lake District is a world heritage site. If we see the Government undermining family farmers in Cumbria, across our beautiful county and

the Lake District, we will not be surprised if the killing of that important goose that lays the golden eggs for our local economy leads to a ravaging of our landscape, and we lose world heritage site status. The Government must answer those 22 recommendations before any deal is signed.

3.11 pm

**Fay Jones** (Brecon and Radnorshire) (Con): It is a pleasure to see you in the chair, Ms Bardell, and to follow the hon. Member for Westmorland and Lonsdale (Tim Farron), who serves with me on the all-party parliamentary group for farming, which I chair. I thank the Chair of the Environment, Food and Rural Affairs Committee and congratulate him on securing the debate. If the Government do accept the TAC’s recommendation that a Minister for agrifood should be created, I could think of no one better for the job.

I am delighted to speak in this debate because farming is so important to my constituents. According to the House of Commons Library, Brecon and Radnorshire is 48% agriculture and 47% forestry. We are beef and sheep farming country, on which thousands rely. I make no apology for consistently standing up for my farmers because it is not just about the way they look after and produce our food, but also, in my constituency, about the way they look after the countryside, jobs, views, language, clean air, water and soil. Agriculture is the beating heart of my constituency and I want it to stay that way.

However, farmers in Brecon and Radnorshire are rightly concerned about the future of their industry. They want their children to have prosperous jobs to inherit. That is why I campaigned for the creation of the Trade and Agriculture Commission and lobbied Ministers to ensure that it be put on a statutory footing. I thank the Secretary of State again. I was keen for there to be Welsh representation on the commission and am delighted that NFU Cymru and the Farmers Union of Wales were both heavily involved. I urge the Government to make that a formal part of the TAC. At lunchtime, I met a group of farmers who were clear that they want us working together. Trade is, of course, a reserved matter, but they want the Welsh and UK Governments to work closely together to make their lives just a little bit easier.

I was listening to the hon. Member for Swansea West (Geraint Davies) as he reeled off his list of complaints about the Government. He said nothing about what the Welsh Labour Government are doing to farmers in Wales with their “draconian” nitrate vulnerable zones plan. That is not my word, but how my farmers described it. I wish he would recognise that his Government have a role in that.

It has been said that the deal with Australia will serve as a blueprint for any future deal. That simply is not true; otherwise, the deal with the European Union, which is zero-tariff, zero-quota and the first time in history that any such deal has been agreed, would have served as a blueprint for the deal with Australia. Of course it has not, so I challenge that point.

However, I do agree with my hon. Friend the Member for Tiverton and Honiton (Neil Parish) that the Government should be going as fast as possible. Farmers do not want to stand still. They want every opportunity to trade their way around the world. I have known the hon. Gentleman for many years. We have worked together well, so I hate to disagree with him, but I think he is being a

[Fay Jones]

tad harsh on the Government when he criticises them for not formally appointing members to the TAC. That process is under way, because I have been encouraging my farmers to get involved, so I think he is being a little tough on the Government. I do want the Government to put their foot down on this issue and work quickly to create the commission. Again, I urge them to find ways for Members of this House to engage with the commission, so that we can make sure that the voices of our constituents are heard loud and clear.

My final point, as I am conscious of time, is that the membership of the commission needs to be the practical voice of farming—not the men in posh suits but those with dirty fingernails who really understand what it is like on the ground for a day-to-day farmer.

3.14 pm

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): It is a pleasure to serve with you in the Chair, Ms Bardell. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing the debate. This time last week we were here talking about fishing. Today it is agriculture, dealing with many of the consequences of the promises that were made to the staple industries of many of our rural communities prior to our leaving the European Union. We are perhaps now seeing some of the disjunction between the rhetoric of the time and the reality of today.

The hon. Gentleman outlined the history of his and others' interventions on the Trade Bill and the Agriculture Bill when they were before the House. I observe gently in passing that today's debate illustrates very well the truth that Opposition Members and Government Back Benchers are never in a stronger position than when Governments are facing votes on legislation in the House. Perhaps if the resolve of some had been stiffened at the time, and guns had been stuck to, we would not be dealing with this problem today.

As the hon. Gentleman said, there is a need for a strategy. I fear that we may already have a strategy, and if it is to be seen in the agreement in principle with Australia, our farming and crofting communities face some serious problems. I would like to see at its heart a concern for animal welfare. Others have made this point, but let me repeat it for emphasis: Australian animal welfare standards are very different from those maintained by our farmers. Australia allows growth hormones in beef production. It continues to keep its poultry in battery cages. It allows the branding of cattle and the cutting away of healthy flesh from the hindquarters of lambs.

**Anthony Mangnall:** I am sorry to interrupt the right hon. Gentleman, but he makes a point about hormone-injected beef. Alongside trade deals, agreements on sanitary and phytosanitary measures are signed to protect standards. If he asks any Trade Minister or departmental official whether we will see hormone-injected beef in this country, he will get a one-word answer: "No." It is misleading to suggest that we will see such produce in our country.

**Mr Carmichael:** We are talking about the difference in standards. The problem that the hon. Member has, and many of his hon. Friends face the same difficulty, is

that there is a fundamental unfairness in the Government's approach. For decades, we have told our farmers that it is in their economic interest to go for top-end production, and raise the standards of animal welfare and environmental protection. Now they risk having the rug pulled out from under their feet. That is the question to which Government Back Benchers require an answer, and against which their actions will be judged at the next election.

To come back to Australian standards, the cap that has been set in the agreement in principle on imports is so high as to be meaningless. I come back to the point that I made to the Chair of the Environment, Food and Rural Affairs Committee, the hon. Member for Tiverton and Honiton: when other countries go into negotiations with us they will expect the same opportunities as we have given Australia. We will hear from the Minister later, but it would appear that the Secretary of State is very keen to offer them the same opportunities. She seems to be on a mission to get more of such agreements. Her ideological commitment to free trade risks putting our farmers and farming communities at real risk.

Other Members have made the point that the TAC will need to have representation from across the whole of the United Kingdom. It is good that we have, as the hon. Member for Brecon and Radnorshire (Fay Jones) said, people with practical experience, not just the posh men in suits, but as we enter into trade agreements the experts in relation to farming, fishing and foodstuffs are to be found among the devolved Administrations around the United Kingdom, and they have to be taken along with them.

Hill farming and crofting are the economic backbone of some of our most economically fragile communities to be found anywhere in the country. The money earned stays in those communities; it goes into the shops, the agricultural merchants, the vets and the post offices. It keeps children in schools; it keeps doctors, solicitors, accountants and others in practice.

That is why these trade deals will not happen solely in an international sphere; they will have real and immediate impacts in some of the smallest and most economically fragile communities represented here today. That is what the Government have to address. Their concerns are not fanciful; they are not confection. They are real and legitimate and they must be addressed.

3.20 pm

**Robbie Moore** (Keighley) (Con) [V]: It is a pleasure to serve under your chairmanship, Ms Bardell. I thank my hon. Friend the Member for Tiverton and Honiton (Neil Parish) for securing this important debate. I speak as a fellow member of the EFRA Committee.

As we embark on the next stage of our role as an independent trading nation in the world, it is vital for our food, farming and agricultural sector to ensure that the Trade and Agriculture Commission has teeth, is fit for purpose and has sufficient weight in providing critique, feedback and recommendations that will enhance any future trade deals for the better. It should work to open up export opportunities for our farmers and ensure a competitive domestic farming sector that is able to provide sustainably produced, affordable food. I fear that in its current form the Commission does not have the teeth it deserves in order to ensure those objectives.

Last week I was lucky enough to visit the Great Yorkshire Show, to meet farmers and hear their views about the direction that the Government are taking. I even sat on a panel discussion kindly hosted by the Future Farmers of Yorkshire, taking part in a debate entitled, “Brand Britain on agriculture’s global stage”. What is clear, as strongly communicated to me at the show, is that there is uncertainty in the industry regarding the future of international trade. The hot topic was the recently agreed Australia trade deal, particularly the impact that could have on beef and lamb farmers, and the possibility of an undercut by Australian imports.

In my view those fears will be unfounded, based on the trade deal struck, the transition period agreed and the projected modelling. For example, Australia currently exports only 0.15% of beef to the UK. However, one message clearly communicated to me was the much greater concern related to the uncertainty for British agriculture represented by future trade deals to be negotiated, particularly with the US, Canada and South American countries such as Brazil, and to what extent the free trade deal agreed with Australia will set a precedent for those negotiations.

There are concerns about discrepancies in animal health and welfare standards, environmental protection, plant health and food standards in those countries. With a strong domestic DEFRA agenda focused on rewarding UK farmers for increased environmental protection measures, alongside the Government’s current positive drive to raise further the UK’s animal welfare standards, it is feared that, unless those discrepancies in standards with other countries with which trade deals are likely to be agreed are taken into account throughout future negotiations, UK farming and domestic market opportunities will be at a disadvantage.

It is, therefore, vital to ensure that the Trade and Agriculture Commission has the teeth and the ability to scrutinise those deals. I would like the commission to be up to that job, and have the weight to do it, so that our trade negotiators are fully informed and can make decisions accordingly. Of course, the role of the Trade and Agriculture Commission is to seek out both the impacts and the opportunities for our food and farming sector, so that we can ensure that “Brand Britain” for our agriculture sector is feasible and viable domestically, but also works and seeks out opportunities on the global market. In seeking out those global markets, we must be in selling mode, building relationships across the globe. That means ensuring that we have trade attachés and agricultural trade counsellors in vast numbers, strategically positioned across the globe in markets that we want to explore. Those must be in place now.

In summary, the Trade and Agriculture Commission has a vital role to play, but it must have teeth and it must be listened to.

3.24 pm

**Anthony Mangnall** (Totnes) (Con): It is a pleasure to serve under your chairmanship, Ms Bardell. I start by thanking my friend and fellow Devon MP, my hon. Friend the Member for Tiverton and Honiton (Neil Parish), for securing the debate. I feel somewhat outnumbered as the only member of the International Trade Committee among all the members of the Environment, Food and Rural Affairs Committee. It is right that we have this

debate because—to start off with a point of enormous agreement—it is right that if the Government commission a report, they respond to it; and it is right that if people have given time to come up with suggestions, the Government respond. The Government need to listen carefully to the context of this debate and to the comments of previous speakers and make sure that a response is given in good time and good order before the Australia free trade agreement is produced in full detail. That is very necessary.

I have a small point of rebuttal for the hon. Member for Swansea West (Geraint Davies), who said that trade deals overrode our domestic legislation. That is not the case, because our sanitary and phytosanitary standards are enshrined in domestic law, and whatever we sign does not allow those trade deals to overrule our domestic legislation. The second point I make is about the unique nature of each trade deal that we sign around the world. Just as the Japan deal is different from the Australia trade agreement that we signed, it is not likely or fair to say that the New Zealand or Canadian, or potentially Brazilian, trade deal will be exactly the same. Our negotiators stand up for our rights and interests and will be put on a footing to make sure that we secure the best possible trade deal for our country.

I join my hon. Friend the Member for Brecon and Radnorshire (Fay Jones) in suggesting that if any person is suitable to be the agrifood Minister, it would be my hon. Friend the Member for Tiverton and Honiton. I would willingly put myself forward as his Parliamentary Private Secretary; I can see us doing a round-the-world tour to make that work. However, there is a serious point to this, because the Minister, who cannot be in the room today but is here virtually, has done a superb job in speaking to farmers in Devon—particularly to my farmers in Totnes and south Devon—about the importance of food and agriculture exports and taking on that role. It may not be my hon. Friend, but that role is being ably performed by the Minister.

Point 17 of the 22 recommendations talks about promoting agricultural exports. There seems to be a little bit of confusion, if I may put my International Trade Committee hat on, about what is already being done in British embassies around the world to promote British exports and products and to make sure that they are being promoted under the GREAT campaign. Do not get me wrong: I feel that we can go far further on this. However, we should be clear that there is already concerted continual action to make sure that that is happening.

Tariff-rate quotas are being phased out over 15 years in the proposed Australia agreement to give a sense of reassurance and comfort to the direction of travel, and there are SPS checks, but the Government also made a commitment to look at labelling. I know that my hon. Friend the Member for Tiverton and Honiton and the Chair of the International Trade Committee, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), are already in discussions about what that labelling system should look like, and it is for this House to try to find something that reassures Members. After all, the point of this debate is about reassuring our farmers and making sure that they are protected in the years to come, just as the right hon. Member for Orkney and Shetland (Mr Carmichael) said; his constituency and mine are very similar in economic output. We need



[Anthony Mangnall]

to reassure our farmers and make sure that they look at the trade deals and see the value of the export potential that they have and which I believe is there.

I hope the Government will listen to the comments about setting up the Trade and Agriculture Commission and responding to recommendations. I hope that we will also recognise that the trade deals that we are signing provide a huge opportunity for us to make sure that fine British produce is available around the world. Future membership of organisations such as the comprehensive and progressive agreement for trans-Pacific partnership will give us access to millions upon millions of people and ensure that our produce is famed and known around the world.

**Hannah Bardell (in the Chair):** Before I call the SNP spokesperson, I inform Members that the Labour spokesperson and the Minister will have nine minutes each.

3.29 pm

**Deidre Brock** (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairship, Ms Bardell.

I must congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on bringing this important debate to Westminster Hall, and I commend his opening speech, which was excellent—laid out with great clarity and, of course, with great knowledge, as befits his position as Chair of the Environment, Food and Rural Affairs Committee. Also made clear was his palpable exasperation with the Government's approach to the problem. He described himself as a man of limitless patience, but that patience has run out, and we all very much hear that.

I want to mention the hon. Member for Bristol East (Kerry McCarthy), with whom I have had the pleasure of serving on several Committees and who spoke—as always, with great passion and great clarity—about the need for core standards to be established, which is an important point. She referenced the “National Food Strategy”, which I hope will not join other papers that have been submitted to this Government—I assume they are in a pile somewhere, being roundly ignored.

I must commend the speech made by the hon. Member for Penrith and The Border (Dr Hudson), which was politically brave, I have to say, but welcome. He, too, made some excellent points.

Several Members referenced the Government's failure to follow through the promises made during consideration of the Trade Bill and the Agriculture Bill. The TAC—version 1 and version 2—was promised to allay fear on the part of farmers, who could see that Brexit was about to destroy their businesses. The commission was supposed to be in place before any trade deal was signed. It was supposed to scrutinise such deals in advance. Setting it up was one of the very few concessions that the Government made during the passage of the Agriculture and Trade Bills as the clamour from farmers and others in the food and drink sectors—desperately concerned at the impact the new trade deals would have on their livelihoods—and the increasing cries from Tory Back Benchers, who were feeling the heat from their constituents, grew ever louder. It is still not there, though.

The Secretary of State for International Trade sprinted to the finish line and the Aus-UK trade deal in principle is in place. That has provided a blueprint for future agreements, but the Government seem set on a path that ignores Parliament, the devolved Administrations, and businesses and individuals from those sectors.

Let us recall the first announcement of a TAC by the Secretaries of State for International Trade and for Environment, Food and Rural Affairs. It sounded impressive until we realised that it was only a temporary set-up and had no real power to do anything but wag its collective finger at Ministers. Indeed, as many people have pointed out, we are still waiting for a Government response to its first report—its first and only report. As I pointed out during the debates on the Trade Bill, not only was the temporary TAC not allowed any real power or influence over the outcomes of trade deals, but the insult was compounded by the installing on the commission of members such as the former lobbyist and free trade enthusiast—and perhaps even a posh man in a suit—Shanker Singham, who is on the record as arguing that we should accept chlorine-washed chicken, hormone-injected beef and genetically modified crops from the US. He recently described the TAC as a body “whose primary focus was to study the interaction between trade and agricultural policy issues.”

So, “to study the interaction”—it is not quite the proactive and influential organisation the Government implied it would be.

Putting wolves in sheep's clothing among a group of people genuinely committed to protecting livelihoods and standards in agriculture and in our enormously valuable food and drink sectors seems deeply cynical. The question I asked then was whether the commission was there to provide safeguards for our food standards or just to draw some sort of veil of decency over the Government's indecent position on all this, and I am afraid we know the answer to that. There was a power struggle between the free trade hawks in the Department for International Trade and the poor wee lambs in DEFRA, and it is clear which Department won. The EFRA Secretary should be hanging his head in shame—well, someone should, as it certainly will not be the Secretary of State for International Trade, who seems remarkably proud of the part she is playing in all this.

Here we are, some months down the track and after the trade deal has been agreed in principle with Australia, and we are none the wiser as to who will make up the new statutory version of the TAC, which will supposedly have a more technical focus. Will it, too, be full of free trade hawks, who might, behind the scenes, seek to water down any recommendations that might at least maintain protections? Will the UK Board of Trade, boasting members such as Lord Hannan and former Aussie PM Tony Abbott—ferociously pro free trade, the pair of them—which just yesterday came out strongly against a proposal for a carbon border adjustment tax that the Chancellor of the Exchequer was reportedly considering, stamp all over the commission's best efforts in its single-minded support of the freest of trade?

**Anthony Mangnall:** The hon. Lady is making a speech of some sort, but I am not entirely sure that the commission has been taken over by one person who has free trade ideals; it has 14 other members. This is not particularly fair. If she wants diversity on the commission, diversity

should indeed be there. Does she not agree? We cannot have everyone touting the same opinion, which would be fairly pointless.

**Deidre Brock:** I suggest that the hon. Gentleman examine the background of such people as Lord Hannan and Tony Abbott and figure out whether they are genuinely fit to be on the trade board. I do not believe they are. It is always good to be patronised by posh men in suits, Ms Bardell.

The International Trade Secretary said that the commission was there merely to advise on future strategy, which suggests, alarmingly, that the UK's future trade policy will in fact be based purely on the judgment of Ministers, with no independent scrutiny until the deals are done and the hands shaken. So much for taking back control. In contrast, in the EU there is a rigorous process of consultation with industry, following a mandate approved by the EU27, and ratification by the EU27 and the European Parliament. Briefings are also provided for the institutions throughout negotiations. In the UK, we will have, in effect, trade policy by decree, with no proper scrutinising role for the UK Parliament. Thinking back to all the Brexiters' vilification of faceless EU bureaucrats, I find that extraordinary.

It is clear that industry and Parliament were promised the TAC for the sake of quiet ministerial lives and to ward off what would have been, for the Brexiter parliamentarians particularly, some uncomfortable defeats. I am exasperated not with the NFUs, and certainly not with the businesses and individuals who were taken in by those Government promises, but with the many Conservative MPs who chose, outwardly at least, to trust the Government and their blandishments, despite their dismal track record. I leave aside, of course, the hon. Member for Tiverton and Honiton, others who have spoken in today's debate and others who have spoken in the Chamber during previous debates.

The TAC was a performance designed to fool constituents into thinking that something was actually being achieved, but it was nothing more than a fig leaf to cover the exposure of a successful industry to deeply unfair international competition.

The unfortunate thing for us is that, despite the disproportionate importance to our country's economy of agriculture, fishing and the food and drinks sector, and the likely impact on Scotland's fragile rural and coastal economies, the devolved Administrations will get little or no say in trade deals. In fact, we have seen determined efforts by the UK Government to block any involvement of the devolved Administrations. That is in marked contrast to, say, the territories and provinces of Canada, whose deep understanding of the needs of their lands and peoples is acknowledged and respected by the federal Government and which play considerable roles in trade deal negotiations.

Another disastrous situation was brought about by the UK Government: when the devolved Administrations want to stop inferior products being shipped via England to Scotland, Wales or Northern Ireland, thanks to the United Kingdom Internal Market Act 2020, batted through Parliament by the Government, they will not be able to do so.

I have little time left to speak, unfortunately. I would have liked to mention in more detail the NFU Cymru rep who warned, in front of the Welsh Affairs Committee,

that the Australia agreement could set the bar for future trade deals. He set out the clear differences between UK and Australian products. Questions raised by the NFU in May have not yet been answered by the Government—for instance, where is the detailed economic assessment of the cumulative impact on domestic UK agriculture of all the UK's current and future free trade agreements? It is difficult to believe that any responsible Government would jump into such agreements without, at the very least, such measures being in place.

**Hannah Bardell (in the Chair):** I remind Members that, although chuntering and interrupting might be acceptable in some parts of the parliamentary establishment, under my chairship and in this Chamber they are not. If Members choose to give way, they choose to give way; if they do not, please be courteous and respect colleagues. There are members of the public watching, and we have to prove to them that we are a respectable bunch. I call Bill Esterson.

3.39 pm

**Bill Esterson** (Sefton Central) (Lab) [V]: Very well said, Ms Bardell. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on an excellent opening speech. I agree with very much of what he said, as will become clear.

Standards in food and animal welfare are an important part of a functioning modern society. Standards prevent abuse and dangerous practices by businesses and individuals, and they prevent animals from being kept in such conditions and treated in such ways that, if we saw them, would make us shudder. However, the Conservatives have a problem with standards. One need only look at the proposed Australia trade deal. If the deal goes through, it will undercut our farming industry and allow the dangers of food imports produced in ways that are not tolerated here, as the hon. Gentleman put it so well. That would mean lower-quality goods for British consumers and an even more difficult trading environment for farmers, whose margins are already incredibly slim.

The Government cannot say they were not warned. As the RSPCA pointed out last month, the Australia trade deal will

“set a dangerous precedent on animal welfare”

and encourage other countries with similarly poor welfare standards to demand the same favourable terms when they negotiate with us. Regardless of what Conservative Members say, that is the reality. This will be the benchmark for future deals and what others want to negotiate with us.

Despite what the Minister might claim shortly, the Australia deal involves the Government giving away quotas that allow 60 times the current level of zero-tariff beef imports straight away—not after 15 years, as Ministers like to claim. That all means that consumers could soon face supermarket shelves stocked with imported beef from cattle raised on enormous bare feedlots, or with pork from pigs that have been forced to breed in restrictive sow stalls. As the UK's procurement standards allow low-welfare imports, those products could even find their way on to the menus of school children and hospital patients, who do not have a choice about their food.

All that means that our farmers face potential competition from high volumes of meat that has been produced more cheaply on the basis of poorer animal

[*Bill Esterson*]

welfare standards. That is before a deal with Brazil—the same Brazil with which Ministers said they wanted a deal when they predicted an Amazonian Brexit boost—or with the United States. There are many areas where we would like a deal with the US, including a worker-led trade policy and putting carbon reduction at the heart of agreements, to name but two. On agriculture, however, we have serious and legitimate concerns. If the United Kingdom has a deal with Australia that allows imports of meat that has been produced to low welfare standards, the US will demand the same. As the Minister knows, the US agricultural sector has long wanted access to our market because its low-cost production would allow it to dominate at the expense of UK farmers.

The TAC was set up to head off a rebellion on the Conservative Benches over the Trade Bill and the Agriculture Bill because Conservative MPs knew—as we did, and as the terms of the deal with Australia show—that British farming was being sold down the river. In November, the Secretary of State said that the TAC would give advice to Parliament on trade and agriculture and that it so doing would allow MPs properly to scrutinise the deals the Government were negotiating. That changed significantly in June, when the Secretary of State said:

“The TAC’s role is specific and focused: it will look at the text of an FTA to see if the measures relating to trade in agricultural products have any implications for maintaining our domestic statutory protections—specifically those relating to animal and plant health, animal welfare and the environment”.

Ministers can say all they like about the TAC fulfilling the statutory remit it was given, but that is not what they said when they announced the same remit to head off a Back-Bench rebellion.

On 6 November, the Secretary of State told NFU Wales:

“We have no intention of ever striking a deal that doesn’t benefit farmers, but we have provided checks and balances in the form of the Trade and Agriculture Commission. That is an important reassurance as every deal is different.”

She did not mention assessing potential changes to statutory requirements, which she now says is the remit. The crucial check that we need on the deals proposed with Australia and New Zealand, which the Government are now pretending they never promised, is whether they would benefit British farmers.

The RSPCA, the NFU and the Environment, Food and Rural Affairs Committee all have the same concern that the TAC’s role has been watered down—a far cry from scrutiny during negotiations, or an ability to ensure that high farming standards are maintained by resisting clauses in trade agreements that undermine those standards. The TAC’s role will be limited to advising where domestic legislation has to change because, as my hon. Friend the Member for Swansea West (Geraint Davies) correctly said, international agreements override domestic law.

The latest published remit is a clear attempt to scale back the previously briefed role of the TAC, and is a transparent attempt by the Secretary of State to avoid the embarrassment of the commission criticising what it called the “sell-out” deals that she is trying to get over the line with Australia and New Zealand, as happened last year. Why has the Secretary of State still failed to establish the TAC in permanent form? Why is she

dragging her feet on appointing its chair and members? Why will she not say what support it will be provided with in undertaking its duties?

The failure to set up the TAC to do the proper job of scrutiny shows that the Government have no desire to support British farmers or farm workers, or to maintain high animal welfare standards in the UK. No wonder my hon. Friend the Member for Bristol East (Kerry McCarthy) voiced the suspicion of many that the TAC is being set up only to give the Government cover for lowering standards.

The Labour party would buy British, which means supporting British farmers and British fishers, and encouraging supermarkets to have more British produce on their shelves. Where Labour would make, buy and sell more in Britain to support our domestic industries, the Conservatives seem to want to buy more that is made—or, in this case, grown—abroad to sell in Britain, and outsourced to the highest bidder with the lowest standards. It is no good the Minister saying that because it is Australia, New Zealand or the United States, we should sign whatever we are offered. Good negotiation means trade deals that do not undercut our domestic industries, for goodness’ sake. Good negotiation means there should be give and take in trade deals, but the Conservatives have proven that they will give, give, give, with little expectation of anything in return, just for the PR of signing a flashy deal.

The story of the TAC so far is that, far from supporting our farmers, the Tories’ negotiating objective seems to be to give away the farm shop.

3.48 pm

**The Minister for Trade Policy (Greg Hands)** [V]: I apologise for having to join you virtually, Ms Bardell. I am self-isolating, as many are. I start by saying what a pleasure it is to serve under your chairmanship in what has been an excellent and generally well-informed debate, secured by my hon. Friend the Member for Tiverton and Honiton (Neil Parish), who is a respected and long-standing advocate of British farming interests. He was likened to a Rottweiler three years before he even got to the House of Commons, which is tribute indeed.

As the Government chart a new course for the United Kingdom as an independent trading nation, we will pursue the interests of our farmers and producers with the same energy, tenacity and determination that my hon. Friend has demonstrated. The UK is already tasting great success in agrifood exports, exporting nearly £22 billion-worth of food and drink globally last year. We have a trade surplus in the sector with the United States and with Japan and Australia as well.

The important market access work that my Department is doing with our international partners is also bearing fruit, including gaining access to the United States for UK beef producers for the first time in over 20 years—a success the industry estimates could deliver £66 million-worth of sales by 2025—and securing entry to Japan, China, Taiwan and others for British beef, lamb and so on. In Japan, for example, that could be worth as much as £127 million over five years.

Our plans for accession to the comprehensive and progressive agreement for trans-Pacific partnership, or CPTPP—the world’s hardest acronym to say—would give British exporters improved access to a community



of 11 dynamic global markets with a combined GDP of £8.4 trillion. That would be a gamechanger for UK trade with the Asia-Pacific region.

The Government have made an iron-clad commitment to uphold the UK's high standards for food and farming throughout our FTA negotiations. No compromise on our standards in animal welfare, food safety and the environment is enshrined in the Government's manifesto, which the Conservative Members in this debate are all signed up to. After all, the UK's production standards are second to none, which is why our farmers are proud to put the Union Jack quality label on their produce.

We heard from the Labour Opposition spokesman, the hon. Member for Sefton Central (Bill Esterson), that he wants to see more British food in our supermarkets. One hundred per cent. of beef in our major supermarkets is already UK-branded. We cannot go higher than 100%.

We very much want to see British produce here, but also able to be exported. That is why it is important that our agrifood sector can scrutinise the detail of the deals that we are negotiating. Underpinning that is the work of the original Trade and Agriculture Commission, which this Government established not under duress, but willingly, to examine our trade policy and identify new opportunities worldwide for British farmers and agricultural producers.

I am grateful to the commission's chairman, Tim Smith, and to its members for their ambitious and comprehensive report, which puts forward innovative and far-reaching proposals to ensure that UK agriculture remains internationally competitive and that our animal welfare and environmental standards are protected.

Turning to the debate, the Chair of the EFRA Committee, my hon. Friend the Member for Tiverton and Honiton, asked when the response will be made. It will be made as soon as it is ready. The report is immense and covers strategic policies, standards, export, promotion, staffing, marketing, environment and animal welfare. It warrants a serious and considered response. The role of the new TAC will be as debated and approved during the passage of the Trade Act 2021 and the Agriculture Act 2020.

On standards, which the hon. Member for Bristol East (Kerry McCarthy) also asked about, our key standards rolled over in the withdrawal agreement. Those standards that we took from the European Union rolled over in the withdrawal agreement. I think there is some confusion about market access with standards. Others have raised greater market access for Australia. That has no impact on our standards. What is allowed into this country under our standards today will remain exactly the same after the Australia free trade agreement comes into force.

The question of the agricultural council is very important. They do a great job for us and it is important to understand that it is not just the agricultural counsellors who work to promote UK food and drink and agriculture abroad. The DIT's international commercial network is in 119 different markets around the world, with 1,500 people working on export and market access.

There was a suggestion that we are dragging our feet. I do not agree with that at all. The new Trade and Agriculture Commission will be up and running in good time to scrutinise the Australia free trade agreement as soon as the legal text is available.

Support for the new TAC was also raised by the Chair of the EFRA Committee. It will have a secretariat. It will not have the capacity for modelling, as it is not within its remit to model the economic impact of a free trade agreement. It is important that the TAC focuses on its statutory mandate as set out in the Trade Act and the Agriculture Act.

My hon. Friend the Member for Penrith and The Border (Dr Hudson) rightly welcomed the animal welfare chapter in the Australia trade deal. He questioned the scrutiny, but I think our system of scrutiny stands up as at least as well as in any Westminster-style democracy when it comes to trade deals. He made a point about using international aid to promote sustainable farming. The UK currently does that very professionally. I have seen it for myself in countries such as Zambia and Colombia.

The hon. Member for Swansea West (Geraint Davies) is wrong, as was pointed out by my hon. Friend the Member for Totnes (Anthony Mangnall)—FTAs do not trump domestic law. There would be no need to put in amendments to domestic law reflecting a free trade agreement, if the FTA simply trumped domestic law. He is not correct on that.

On production costs, we have to look at why Australia currently sells 75% of its beef exports and 70% of its lamb exports into Asia. A large reason for that is the high costs of production, which are much higher. The cost of producing a tonne of beef, for example, in Japan is around £7,300. In Korea, it is £7,200. In the UK, it is £3,700—about half that. There is a good reason why Australia is much more willing and able to sell into those markets.

My hon. Friend the Member for East Devon (Simon Jupp) ably made points on the opportunities for exports. He is absolutely right. To be able to export, though, we have to abide by the rules of the international trading system. We cannot have it one way for imports and a different way for exports. The UK benefits enormously from international trading rules—we are a trading country—and we need to ensure that we abide by them. That point was made by various Members, including my hon. Friend the Member for East Devon. He asked for the Trade and Agriculture Commission to be put on a statutory footing sooner rather than later. It will be sooner; it will be up in good time to scrutinise the Australia trade deal.

The hon. Member for Westmorland and Lonsdale (Tim Farron) spoke of demonstrably lower standards in Australia. I refer him to the letter sent to him by the Australian High Commission. It is not my job to defend Australian agricultural practices, but it can put up a reasonable case. It is rated five out of five by the OIE—the World Organisation for Animal Health—in terms of performance in veterinary inspections. Also, Australia bans certain practices that I know the hon. Member for Westmorland and Lonsdale welcomes that are prevalent in the EU. Sorry—I should rephrase that. I know that he welcomes being in the EU; he does not necessarily welcome the practices. For example, the production of foie gras is allowed in the EU; Australia bans it. Australia bans the castration of meat chickens and so on, so Australia can put up a halfway reasonable case that it has good standards of animal welfare.

[Greg Hands]

My hon. Friend the Member for Brecon and Radnorshire (Fay Jones) raises very strong points—I am delighted to address her farmers—as did my hon. Friend the Member for Totnes, who made a thoughtful, well-informed and balanced speech. The role of the devolved Administrations is very important. Trade policy is reserved, but it has an impact in areas of devolved competence. My hon. Friend the Member for Keighley (Robbie Moore) raised the precedents of the Australia free trade agreement. He is also right that each FTA is treated individually.

I thank all Members for the debate, which has been very helpful. We look forward to making further progress on all these matters in due course.

3.56 pm

**Neil Parish:** It is a pleasure to follow the Minister. It would have been much better to have had him in the Chamber to question him further on exactly when he will respond to the Trade and Agriculture Commission. He has had five months, and I believe that his Department is more than capable of getting that out straight away to reassure the agriculture community in this country that the great standards that we maintain in food, farming, the environment and animal welfare will be maintained across Government, so that as we drive agricultural policy in DEFRA towards higher and higher standards we will at least maintain those standards when we do trade deals.

What does the Minister have to fear from the Trade and Agriculture Commission? Why will he not publish the core proposals and put the new commission in place? The Australia deal may be finalised in September, yet we do not have the new Trade and Agriculture Commission. The Minister has nothing to fear from it. The whole idea is that we can welcome the Australia deal, if it is on a level playing field, and other deals in the future. Then we can go on a great promotion of agricultural products and the Great British brand across the world. As we draw in up to 100,000 tonnes of Australian beef, let us export 100,000 tonnes of Great British beef across the world.

All that will work, but why will the Minister not publish the proposals, and put the new Trade and Agriculture Commission in place? That is all I ask him. I believe that we will then be much more on the same page, but at the moment I cannot see why he is so reticent. I fear that there is a conspiracy. I hope that that is not the case, and I look forward to being reassured. The question that he did not answer I will put to him in writing, and I hope that it will not take three months for a response.

*Question put and agreed to.*

*Resolved,*

That this House has considered the role of the Trade and Agriculture Commission in international trade deals.

3.59 pm

*Sitting suspended.*

## Do Not Attempt Resuscitation Orders: Guidelines

4.5 pm

**Hannah Bardell (in the Chair):** Given the extreme heat, both in London and here in the Boothroyd Room, if Members want to speak or intervene without their jackets, that is permitted. I am sure the public will have sympathy. I have also advised the Doorkeepers that they may take their jackets off. Members will also be aware that social distancing is no longer in operation, but I remind them that Mr Speaker has encouraged us to wear masks between speeches and interventions.

**Martin Vickers (Cleethorpes) (Con):** I beg to move,

That this House has considered guidelines for Do Not Attempt Resuscitation orders.

It is a pleasure to take part in this debate under your chairmanship, Ms Bardell. I will be fairly brief. I welcome the fact that hon. Friends have come along, and I am very happy to take interventions from them.

I requested this debate to raise the important matter of the use of do not attempt cardiopulmonary resuscitation and do not attempt resuscitation orders, which have been widely reported as being overused in recent years, particularly over the course of the covid-19 pandemic. I do not have a science or medical background. I am generally happy to defer to the opinions of the experts, who are far more qualified than me to speak about a patient's condition. However, we have had a year of frequent and extremely worrying cases, some of which were highlighted by an article by Camilla Tominey in *The Daily Telegraph* on 12 June. I thank Ms Tominey for providing me with other articles. As a result of reading them, I felt compelled to raise this matter in the House today.

As a result of those reports, there are many people who have real concerns about this issue. Will they be consulted? I do not doubt that the medical professionals involved feel that they are doing their best and that they are acting in the best interests of their patients, but decisions of this kind must be made only after discussions with the patient or, if the circumstances demand it, their next of kin.

The Care Quality Commission published a report on 18 March following concerns raised at the beginning of the pandemic about the use of blanket DNACPR decisions across groups of potentially vulnerable people. It found that almost 10% of DNACPR decisions had been made and communicated inappropriately, involving potential breaches of the individual's human rights.

Concerns have been raised by other Members during questions to the Prime Minister, the Leader of the House and the Health Secretary. Indeed, last week, when I questioned my right hon. Friend the Health Secretary, he said that a ministerial oversight group had been established to follow through on the CQC recommendations. I hope the Minister will be able to give more details about the work of that group. Many colleagues will have heard and read deeply saddening stories from constituents and citizens across the UK who have been impacted by this seemingly widespread approach.

**Jim Shannon** (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this issue forward. When I saw it on the agenda for Westminster Hall, I just knew that I had to be here. As light is spread, Members like me had the same idea. That is why I wanted to be here. During the first wave of the pandemic, there were ongoing issues with DNAR orders. It has been stated that human rights may have been violated in over 500 cases. That is an enormous amount. Every one of us knows people who have found themselves in those difficult positions. The hon. Gentleman made a critical point: when decisions are made for DNAR orders, full protocol must be followed. Most importantly, the next of kin, who really need to know what is going on, have been ignored. That cannot happen again.

**Martin Vickers:** The hon. Gentleman makes some powerful points, particularly, as I just mentioned, about the involvement if not of the patient themselves, certainly of the next of kin.

There have been examples of elderly people who reported that they felt pressured into signing these orders against their will. On 16 June, the *Daily Mail* reported that research carried out by the University of Sheffield found that 31% of the patients in its study who were admitted to hospital for covid were issued with do not resuscitate orders. That is unacceptable. Decisions of that nature are for the individual. They have the right to make their decisions without feeling unduly pressurised.

There have also been reports of care home residents having these orders imposed without consent and some reports speak of “blanket use”, which again is completely unacceptable.

Another report was of a 76-year-old man being issued a DNAR order following a heart attack, from which he made a full recovery. The order had not been discussed beforehand, but when his wife protested, she was reportedly told to “let him go with dignity.” The situation was only put right after the intervention of a more understanding member of staff and the order was revoked.

Throughout the pandemic, there have also been distressing reports of disabled people being denied vital medical treatment. According to the charity Mencap, a number of disabled people have died prematurely when intervention could have saved their lives. However, such intervention was denied owing to DNAR orders that should not have been in place.

Suffice it to say that some of the stories I have heard are frankly sickening, especially those involving the disabled or those suffering from mental illness. Having said that, I do not want to identify individuals in specific cases, although one widely reported case referred to a former Member of the European Parliament, which is sort of halfway to identifying the person involved. However, as I say, that case has been public for some time. She was admitted to hospital in Oxford for an operation on a broken pelvis. After being discharged, she was, of course, shocked to discover that a DNAR order had been in place, without her knowledge or consultation. In the event, her heart stopped during the procedure, supposedly owing to the fact that she suffers from Parkinson’s disease.

I am sorry to say that, as a result of reports I have read, I am able to come to no other conclusion than that clinicians are making assumptions regarding their

patients’ quality of life and chances of survival that frequently are harsh and unnecessary. It is evident that a robust response is required from the Department of Health and Social Care. Any delay is unacceptable.

Ministers from the Department have rightly offered reassurance. However, it is time we saw action. Best practice guidelines are already in place, having been set by the Resuscitation Council UK. However, the examples I have given clearly show that the guidance does not appear to have been adhered to by some clinicians.

**Sir David Amess** (Southend West) (Con): I congratulate my hon. Friend on securing this debate. Does he agree that when a loved one is admitted to hospital or a care home, whatever their age, when DNAR is discussed with their friends or relatives it has to be handled very carefully, because it could be a great shock? Also, was he aware that a former colleague of ours has said, following my raising this subject at business questions two weeks ago, that her husband had a DNAR order placed upon him without her express consent?

**Martin Vickers:** My hon. Friend makes some important points. I was unaware of the particular case that he mentions, but it is yet another example of what is happening without the approval of the patient or their family.

As I say, Ministers from the Department of Health and Social Care have quite rightly offered reassurance, but clearly some clinicians appear—I say “appear”—to be treating the guidance merely as a tick-box exercise. However, we are talking about life and death decisions.

Decisions regarding our own mortality can be uncomfortable, obviously for ourselves but also for our loved ones. This issue highlights the need for a cultural shift to ensure that everyone feels supported to hold open and honest conversations about what they would like to happen at the end. These conversations need to take place as early as possible, as we approach old age or learn that we have significant health problems. It is only by doing so that we can be sure that our wishes and those of our loved ones are honoured, as well as reducing the distress of the relatives of patients who have chosen to have DNACPR orders in place.

I would be interested to hear from the Minister what she proposes to do to support health and care clinicians, professionals and workers in holding conversations about these orders, and the importance of their involving patients and their families.

Earlier, I referred to the ministerial oversight group. Will the Minister confirm that the Government are thinking about that recommendation? I stress that the group must include health and social care providers, including those in the palliative and end-of-life sector, as well as those involved in local government and voluntary and community organisations. I would be grateful if the Minister confirmed that.

To conclude, the overuse of these orders over the course of the pandemic is a national scandal. Reports suggest that there are people who are not with us today who otherwise would have been. Likewise, some of the lucky ones who have made a full recovery did so despite having one of those orders attached to them. We all recognise that our medical professionals face extremely difficult decisions. This issue deals with profound matters:



[*Martin Vickers*]

the relationship between doctor and patient, and for many like me, who regard human life as sacred, the orders go against our deepest religious and spiritual beliefs and cannot be dealt with in a matter-of-fact way. I know that the Minister and her colleagues will take this matter extremely seriously and will want to provide the reassurance and confirmation that it will not be allowed to go on.

4.16 pm

**The Minister for Patient Safety, Suicide Prevention and Mental Health (Ms Nadine Dorries):** It is a pleasure to serve under your chairmanship, Ms Bardell. I thank my hon. Friend the Member for Cleethorpes (Martin Vickers) for bringing this extremely important topic to our attention.

I am well aware that the issue is highly emotive. Conversations around end of life and DNACPRs are some of the most challenging conversations that a clinician can have. It is important that they are approached in a compassionate and meaningful way that takes fully into account the wishes of the patient. I have had such conversations myself, both in the distant past in my professional capacity as a nurse, and recently in a more personal capacity, so I share and understand the concerns raised by my hon. Friend. I understand how difficult those conversations are, particularly if the person with whom a clinician is attempting to have the conversation does not want to have it.

I reassure my hon. Friend that the Department remains crystal clear that standards and quality of care should be maintained even in pressurised circumstances. Failure to consult people and their families on individual decisions on CPR causes significant distress. It is essential that such conversations are held in a sensitive and compassionate way, and that that is consistent across the health and care system.

There is already commendable joint guidance for clinicians on DNACPRs from the British Medical Association, the Resuscitation Council UK and the Royal College of Nursing. That guidance reflects that the agreement to a DNACPR is an individual decision and should involve the person concerned or, where the person lacks capacity, their families, carers, guardians and other legally recognised advocates.

In addition, significant work has been done over the last 16 months by the Department and clinical leaders to support practitioners in understanding best practice guidance. Clear messages around the use of DNACPR decisions were reinforced in our adult social care winter plan in September 2020, making clear that any advanced care decisions, including DNACPR decisions, should be fully discussed with the individual and their family where possible and appropriate, and signed by the clinician responsible for the individual's care. Those guidelines were reinforced as recently as September 2020.

It has been well reported, however, that the pandemic shone a necessary but critical light on the application of DNACPR decisions, and highlighted how, in some cases, conversations were not always held in a patient-centred way. We heard particularly worrying reports about the inappropriate or blanket application across groups of people, including our most vulnerable.

To ensure that we could take early learnings on what was happening across the system, in October 2020 I commissioned the Care Quality Commission to review how DNACPR decisions were being made in the early stages of the pandemic. Its report, which was published on 18 March, highlighted examples of what good conversations around DNACPR look like. However, it also drew a worrying picture of the reasons why some of these conversations fell short of the high-quality personalised care people deserve. Of the three key areas for improvement the report identified, the application and adherence to guidance across the system was an area of concern. The report found a greater need for information, training and support for health and care professionals, to enable them to hold good, meaningful conversations. It is integral, therefore, that the training practitioners receive reflects that, to ensure that people's needs and rights are met. It is critical that all staff have the knowledge, skills and confidence to speak with people about, and support them in making, appropriate DNACPR decisions, as well as feeling empowered to speak up when they do not feel the decision is right.

That is why I established a ministerial oversight group. The first meeting was held on 8 June and it brought together key organisations responsible for driving forward system-wide improvements, and provided an opportunity to set up their commitments. I found it encouraging to see a shared commitment to improve the use of DNACPR orders. I heard first hand of the ongoing work to improve knowledge and understanding of these issues, and the work being done to support colleagues across health and social care, to maintain and champion personalised approaches to care treatment. I believe that the terms of reference for the ministerial oversight group have gone live today on the gov.uk website, so that my hon. Friend the Member for Cleethorpes can see the issues that we have decided we need to address in order to improve the use and application of orders.

Although I mentioned that a considerable amount of excellent guidance and support around DNACPRs already exists, with meaningful conversations taking place every day, it is clear that improvements are needed on consistency, training and implementation. It is a difficult conversation for clinicians to have. A priority of the ministerial oversight group will be to ensure that there is better awareness, understanding and use of the guidance and resources available across the system, so that everybody can practise these conversations to the same degree of effectiveness and the same standards.

We are also working closely with our stakeholders across health and care to ensure that that happens. Clearly, this is a work in progress and training should remain under constant review, both in the wider workforce and to ensure that staff understand the training that they receive. We must also ensure that people feel equal partners in their care, and are well equipped for conversations around the end of life.

NHS England has published public-facing guidance on DNACPR decisions, along with the release today of the terms of reference of my ministerial oversight group. NHS England has also published where people can get support if they are concerned about a DNACPR decision, on [england.nhs.uk](http://england.nhs.uk). If anyone is concerned, they can find the guidance and know what they can do and say to challenge decisions.

Sensitive and well communicated DNACPRs can and should be an important part of patient care and end-of-life experience. We are committed to taking continued action—that is the point of the ministerial oversight group—to ensure guidance on DNACPR decisions is adhered to, that the training is in place, that the guidance is adhered to and that clinicians have the appropriate support to hold those difficult conversations.

*Question put and agreed to.*

4.23 pm

*Sitting suspended.*

## **Social Justice and Fairness Commission**

4.50 pm

**Hannah Bardell (in the Chair):** Before we begin, as many hon. Members will be aware, the weather in London and here in the Boothroyd Room is very hot. I have no problem with Members speaking without jackets on, and I have also advised Doorkeepers that they should take their jackets off, so that we all stay conscious. I remind Members that although social distancing is no longer in operation, Mr Speaker has encouraged us to wear masks between speeches and interventions. Members participating virtually must leave their camera on for the duration of the debate, and will be visible at all times to one another and to us in the Boothroyd Room.

**Kirsten Oswald (East Renfrewshire) (SNP):** I beg to move,

That this House has considered the Social Justice and Fairness Commission and implications for Government policy.

It is a pleasure to serve under your chairmanship, Ms Bardell, and to introduce this debate on the important work that has been done by Scotland's Social Justice and Fairness Commission, led by Shona Robison MSP and Neil Gray, the former Member for Airdrie and Shotts who now sits in the Scottish Parliament. The commission was established by Nicola Sturgeon in September 2019 and comprises both SNP Members and respected independent contributors, including Doctor Angela O'Hagan, former convenor of the Scottish Women's Budget Group; Dr Nighet Riaz, academic, educator and community and political activist; Professor Sir Harry Burns, the former Chief Medical Officer for Scotland; and Chelsea Cameron, activist and campaigner and the *Sunday Mail* Young Scot of the Year 2017.

The commission took evidence from a wide range of organisations and individuals who provided valuable time and insights during a period of great uncertainty. The commission published its report, "A Route Map to a Fair Independent Scotland" in May this year. The focus of the report is how much more Scotland could achieve with independence, but it also considers what is achievable with the powers of devolution.

As the commission highlights, the powers of the Scottish Parliament and the Scottish Government are under attack by a UK Government using the challenges posed by Brexit to undermine the very fabric of devolution. In the run-up to the first independence referendum in 2014, Scotland faced the choice of two futures. One of those choices—*independence*—is still available and will be revisited soon in a further referendum, as voted for by the people of Scotland. The other future, which was described by Theresa May as a "family of nations", by Gordon Brown as a "new federal UK" or by Ruth—now the unelected Baroness—Davidson as the only way to keep Scotland in the EU is to vote no. The future that they described is now well and truly dead.

The question facing the people of Scotland, which also faces the people of other parts of the UK, is what comes next? Where are our Governments taking us and what is the vision that drives their actions? The commission's report is based on the central principle that the function of Government is to make life better for everyone and to ensure that no one is left behind.

[Kirsten Oswald]

The words, “no one is left behind” have been used by Ministers in the UK Government, but it is clear to all but the most dogged ideologue that they are weasel words. Ministers use them to put a gloss on such regressive decisions as letting up to 3 million people fall through the cracks of pandemic support, and please let us not mention universal credit as a safety net. Many applicants receive little or no support, because someone else in their household has an income. There is also the wilful decision to remove the £20 uplift in universal credit in September, just as the furlough scheme ends and many workers face post-pandemic unemployment. The UK Government’s failure to bring forward an employment Bill is an example of calculated inaction, as Ministers understand that many people, including pregnant women and new mothers, face blatant discrimination in post-pandemic employment, but they have chosen to do nothing.

The commission highlights three key elements in the roadmap at a fairer Scotland, which I would argue are equally applicable to the UK. The first element is democratic renewal by changing how we make decisions to be more inclusive, consensual and empowering. The difference in the direction of travel between Scotland and the approach of the UK Government is stark. As the Scottish Government work to extend the franchise, the UK Government use manufactured concern about voter impersonation as a smoke screen to disenfranchise many of the UK’s poorest and most vulnerable citizens, many of who are likely to be from black, Asian and minority ethnic communities. While the activities of the Scottish Parliament and devolved Administrations are subject to review by the courts, the UK Government have made clear their intention to use the anachronism of the UK’s unwritten constitution to put their own actions above the law. Given their scandalous behaviour, that is a worrying proposal.

The commission’s recommendations for citizen empowerment include working with affected communities to co-design and co-produce policies, developing and expanding participatory budgeting and giving communities greater control over their land with accelerated community ownership. These build on work already under way in Scotland, including the Land Reform (Scotland) Act 2016, which provides for greater transparency of land ownership, a fundamental resource for development. Ownership has been shrouded in secrecy for far too long. The UK Government are going in the opposite direction to that recommended by the commission, with a union connectivity review and levelling-up fund to haul decision making back to Westminster, and prioritise party objectives and vanity projects over local benefit.

The second leg of the route map is that Governments should operate based on values rooted in human rights and equality. As the Prime Minister chooses to align himself with leaders such as Viktor Orbán, the outspoken anti-immigrant premier of Hungary, his preferred direction of travel for the UK is clear—to the fringes of right-winged populism.

The commission highlights that the UK immigration policy is not only hugely damaging to Scotland, but inhumane and ineffective, founded on the relentless pursuit of a hostile environment. Recently, asylum seeker mothers and their babies were removed from flats in

Glasgow and transferred to cramped bedsits where the babies had no room to even crawl. It is difficult to identify any logic to that policy, other than to say, “You are not welcome here.” The commission highlights the damage done by so-called welfare policies driven on the back of austerity. The bedroom tax, two-child limit, rape clause, benefit cap and five-week wait for universal credit all undermine social solidarity and make families reliant on food banks, charities and one-off crisis funding. How can the Minister can defend policies such as the rape clause? Surely that is simply indefensible.

The values underpinning these policies are not the values of the people of Scotland. They are not the values underpinning the job start payment, or the child winter heating allowance, introduced by the Scottish Government using their social security powers. They are not the values shown by the SNP in government, with the introduction of a range of progressive policies, such as the baby box, and game-changing poverty reduction measures, such as the Scottish child payment and the best start grant.

As a range of commentators have recognised, there is a limit to the ability of devolved administrators to tackle poverty while discriminatory policies remain in force at a UK level, and are reinforced by policies such as cutting the £20 weekly uplift to universal credit just as post-furlough unemployment is likely to soar. That change alone will wipe away the benefit brought to many families by the Scottish child payment.

The commission proposes pilots of two key models of social security: universal basic income and the minimum income guarantee. Despite repeated calls from the SNP and other devolved Governments, the UK Government continue to obstruct basic universal basic income pilots, content to leave gaping holes in the social security net for people to fall through. As the commission makes clear, by imposing cruel and damaging austerity measures, and undermining devolution, the Westminster Government are an obstacle to achieving a fairer society in Scotland.

I am learning the lessons of this dysfunctional United Kingdom. The commission recommends that an independent Scotland agree, define and enshrine our shared values and goals in a written constitution, incorporating international human rights conventions guaranteeing the right to home and access to a secure living income. Those values, allied to a commitment to equality, underpin the third and final leg of the route map: the delivery of transformative policies that put the wellbeing of people first.

By contrast with the centralising efforts of the UK Government to undermine devolution and take control of devolved powers, the re-elected SNP Government have committed to continuing strong action to tackle poverty and support families. The measures to be adopted include paying a further £100 for each child eligible for free school meals on the basis of low income, in addition to the £100 already paid at Easter; beginning the phased implementation of free school meals for all primary pupils, starting with primary 4 children in August and primary 5 children in January 2022; completing the roll-out of 1,140 hours of funded early learning and childcare; increasing the best start foods payment to £4.50 a week, and with the regulations already laid, families will start receiving the increased payments by mid-August; and legislating to give unpaid carers on some of the lowest incomes an extra coronavirus carer’s



allowance supplement payment in December 2021. Such policies demonstrate the Scottish Government's determination to support families and to give children in Scotland the best start in life. They are part of the Scottish Government's commitment to creating a wellbeing economy, which is being taken forward internationally, with the First Minister taking a lead through the Wellbeing Economy Alliance.

Brexit and the pandemic have had a major impact on all our lives. With independence, Scotland would have the tools, such as the full range of welfare powers, tax and employment law, to navigate future challenges. The transfer of those powers to the Scottish Parliament would empower the people of Scotland and present us with the opportunity to transform our country for the better. However, those powers currently rest at Westminster. They could be used productively on behalf of the people of Scotland and people across the UK, but the UK Government have made it clear that they do not intend to act, and certainly not in a way that would be supported by people in Scotland.

The transfer of employment law would enable the Scottish Government to pursue a fair work agenda, including the commission's recommendations of raising the minimum wage to the real living wage, banning the exploitative use of zero-hours contracts, outlawing unpaid trial shifts, and legislating against the practice of fire and rehire. The UK Government have failed to deliver such reforms, despite repeated calls to do so. They cannot even say that the reforms will appear in the much-promised Employment Bill. In fact, they cannot even say when the Bill will eventually arrive.

As the UK Government continue to dither over their plans for the post-pandemic economy, the suspicion grows that we are drifting towards the right's long-sought-after Singapore-on-Thames, with the UK competing on the international stage with low-rights, low-cost labour forces, and a focus on international investors looking for low regulation. That is not the future for Scotland that is recommended by the commission, and I suspect it is not the future wanted by many workers elsewhere in the UK, either. A recent study in Grimsby, which has been published this month by the Institute for the Future of Work, highlights a yawning gap between the needs of that town's residents and the UK Government's focus on deregulated and low-tax freeports, which are claimed to attract internationally mobile investment. However, that did not stop the Conservative Government abandoning freeports in 2012. What emerges from the study is that the situation in Grimsby would certainly be replicated in communities right across the UK, as projects emanating from Westminster reflect the aspirations and influence of international financiers, rather than any clear analysis of local community aspirations.

Moving forward from the pandemic, especially in the world of work, we face a radically different future from the one that we faced just 18 months ago. The pandemic will undoubtedly be seen as a turning point for many industries, with home working, distributed working, automation and online access to services all challenging pre-pandemic norms. The sudden change will throw up a number of challenges for individuals, businesses, local authorities, transport providers, the retail and hospitality sectors and property owners. The commission sets out a coherent method of working as we plan for the unexpected shift in our future. It is an approach that puts the

wellbeing of the people, whom Governments are supposed to serve, right at the heart of policy making—a method that is radically different from the approach of the UK Government.

I commend the commission on its work in these difficult times, and I encourage the Minister and his colleagues to study it closely.

5.5 pm

**David Linden** (Glasgow East) (SNP) [V]: It is a great pleasure to serve under your chairmanship, Ms Bardell. I start by commending and congratulating my hon. Friend the Member for East Renfrewshire (Kirsten Oswald) on securing the debate. Having campaigned with her in Clarkston and Neilston, I know what an advocate for social justice she is, not only in her constituency but in her role at Westminster.

I was reflecting during the debate, and I think that the past year has shown time and again the clear blue water between the British Government—the Conservatives in Westminster—and the SNP Government here in Scotland. The Scottish Government have stood in opposition to the Prime Minister and his Tory Government, who throughout the pandemic have implemented haphazard and irresponsible decision making, risking countless lives and causing economic hardship for a great many. On the other hand, the SNP has been clear and cautious in its covid-19 policy, relying on expert medical opinion and focusing on facts rather than the risky rhetoric of freedom day announcements that culminated in the Prime Minister, the Chancellor, the Health Secretary and now the Leader of the Opposition all having to self-isolate.

Our differences are not confined to the pandemic. The SNP has been clear that the £20 universal credit uplift must remain. We reject the benefit cap. We reject the rape clause. I know that the Minister does not like to call it the rape clause. Indeed, he wrote to my hon. Friend the Member for Glasgow Central (Alison Thewliss) pleading with her to call it the non-consensual sex exemption; I guess he is not happy with it not being called its Sunday name. We also reject the five-week wait for universal credit. We have made clear our opposition to the brutal Home Office raids that took place here in the city of Glasgow, in Kenmure Street, earlier this year.

During the Kenmure Street protests, a man placed a sign outside his home that read:

"If this is team UK we reject it".

I can tell hon. Members quite authoritatively from this great city of Glasgow that he speaks for every single one of us, not only in Glasgow but, I suspect, those in the Livingston constituency as well. The problem is that this is happening all across Scotland. People are rejecting the heartless policies of a British Government that we did not vote for—indeed, we have not voted by a majority for a Conservative Government since the 1950s in Scotland—and we continue to reject the Prime Minister and his band of cronies. Not only that, but Scottish people are rejecting this failed Union that does not serve them or reflect their values.

As my hon. Friend the Member for East Renfrewshire (Kirsten Oswald) so eloquently outlined, the Social Justice and Fairness Commission focuses on the routes that we need to take for Scotland to be a more fair and equal society. Key policies proposed include a universal basic income and a minimum income guarantee. Both those

[David Linden]

policies would ensure that everyone in Scotland could live healthy, financially secure and fulfilling lives. The UK Government have continually failed to raise people out of poverty—indeed, they have almost redefined what they define as poverty—while their heartless policies have pushed more and more people into financial hardship each year. I am afraid that the pandemic has only exacerbated that.

However, we in the SNP have a clear plan, starting with, as my hon. Friend suggested, full devolution of employment law, which the commission resoundingly backs. We are clear that we would recommend raising the minimum wage to the real living wage; ban the exploitative use of zero-hours contracts; outlaw unpaid trial shifts, as highlighted by my hon. Friend the Member for Cumbernauld Kilsyth and Kirkintilloch East (Stuart C. McDonald); and legislate—yes, legislate—against the practice of fire and rehire, which has been called out so consistently by my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands).

Alongside these key employment recommendations, the commission is clear that wider toxic Tory policies have devastating implications for employment in Scotland. For instance, Tory immigration policy is hugely damaging to Scotland, where our problem is not immigration but emigration. The commission recommends that freedom of movement be restored, and that asylum seekers have the right to work, which was so cruelly taken away from them by the new Labour British Government in the early 2000s.

Since taking office in 2007, the SNP Government have made enormous strides forward in implementing progressive policies, including the baby box, equal marriage, the Scottish child payment to best start grants, free university tuition and, of course, world-leading climate change legislation. However, this re-elected SNP Government have no plans to slow down. Indeed, in our first 100 days back in office, the SNP Government committed to strong action to tackle poverty and support families by increasing the best start food payments to £4.50 per week, paying £100 for each child eligible for free school meals on the basis of low income and commencing the phased implementation of free school meals to all primary pupils.

Despite those huge steps forward, there is undeniably a limit on the progress that can be made under the current powers of our precious Scottish Parliament. That is why the work of the Social Justice and Fairness Commission has made me incredibly hopeful. It paints a positive image of Scotland's future—a future built on fairness, equality and social justice. However, the devolution of powers can only go so far, and the only way to achieve all the aspirations set out by the commission is with the powers of independence. With the full powers of independence, we could make a huge difference to the lives of a great many people across Scotland. With full powers of independence—in particular on social security—we could lift countless people out of poverty, allowing them to live full and healthy lives. With full powers of employment law, we could create fairer workplaces, increase wages, reduce insecure work and truly shift the curve on poverty. With powers over immigration, we could reinstate freedom of movement and promote fair, empathetic policies for asylum seekers and refugees.

An independent Scotland would not be constrained by the constitutional ceiling of devolution, which halts our ability to effect transformative policies. Independence would give our Scottish Parliament the tools it truly needs to eradicate poverty, rather than just reduce or mitigate the worst effects of harmful Tory welfare cuts.

The commission's recommendations are a blueprint for what an independent Scotland can look like, and I for one look forward to the upcoming independence referendum that we know the UK Government are preparing for. Indeed, I look forward to watching people in Scotland seizing that opportunity for a more just, more equal and fairer society.

5.11 pm

**Charlotte Nichols** (Warrington North) (Lab): It is a privilege to serve under your chairship, Ms Bardell. I congratulate the hon. Member for East Renfrewshire (Kirsten Oswald) on securing this debate, which has clearly been an opportunity for the Scottish National party to put their case on the record. I cannot blame constituents in Scotland—or in England, Wales or Northern Ireland—who are appalled at the Conservative Government's failures over our social security system and employment law and want something better. That is perfectly understandable, and we agree with them, as I will set out. That does not mean, however, that we accept the SNP's desire to break up the United Kingdom to achieve the changes needed.

The hon. Member for Glasgow East (David Linden) said that the Scottish people's aspiration is for a fairer, more equal and empathetic country, but that aspiration is shared across the UK. Labour opposed the Government's plans to end the universal credit uplift, slashing £20 a week from the people who need it most and undermining demand in the economy. Everybody recognises the hurt that that will do to struggling families just as we enter the economic uncertainty of the post-furlough era. The Joseph Rowntree Foundation states that the withdrawal of the uplift will risk bringing 700,000 more people, including 300,000 more children, into poverty. It could also bring 500,000 more people into deep poverty.

Rather than cutting that lifeline, the Government should recognise that that uplift was an implicit recognition that universal credit was too low to begin with. They failed to give proper support to legacy benefits, income-based jobseekers allowance, income-related employment and support allowance, income support and child tax credit. Those should have been uplifted all along. It was discriminatory and unfair not to do that, and after stalling for so long, the Government now intend to have parity for all at the inadequate level.

Labour would keep the uplift and extend it to legacy benefits until a new, fairer system can be put in place. The delays to scrapping the rule of certifying that a terminally ill claimant has less than six months to live caused indecent anguish to too many people. Marie Curie and the Motor Neurone Disease Association estimate that about 7,000 people may have died while waiting for a decision on their benefits claim—utterly appalling. We have called for the benefits cap to be scrapped, for free school meals to be extended over holiday periods, and for personal independence payments and work capability assessments to be replaced with a personalised, holistic assessment process.

In short, we believe that the Tories are letting down the public, particularly those most in need, with their mismanagement of the social security system and demonisation of those who need to claim from it, a majority of whom, let us not forget, are in work. However, the SNP's Social Justice and Fairness Commission, which suggests a land of milk and honey in a separated Scotland, seems not to recognise the choices that the SNP has made with the devolved powers that it already has. Labour is the party of devolution. In 2016, we helped to ensure that social security was devolved to the Scottish Parliament, but it has treated it like a hot potato.

SNP Ministers twice asked the Department for Work and Pensions to delay the devolution of the benefits in 2016 and in 2018. Now full devolution of the benefits has been pushed back further, to 2025. Why should people have to wait for a supposedly kinder and better system that they deserve now? Considering that the proportion of Scottish pensioners stuck in persistent poverty has increased under the SNP and is now higher than levels elsewhere in the UK, and that more than one in four of Scotland's children are officially recognised as living in poverty, it should be a priority—not a fantasy to put off for some other day.

**Kirsten Oswald:** I have been really enjoying the hon. Lady's contribution. I appreciated that we would have some areas of common ground and some differences, but in all this it would be helpful to hear from her whether she appreciates that the report deals with the here and now as well as the future, that it is important for Governments to aspire, and put action in place, to make things better for populations, and that it is for people in Scotland to determine what their future should be, rather than this place.

**Charlotte Nichols:** I thank the hon. Lady for her intervention. She refers to the commission's report being on decisions to be taken in the here and now, but as I outlined, the Scottish Government have been offered those powers and chosen not to use them. They could be making things better for people in Scotland in the here and now, despite the fact that they are still waiting for further devolution from the UK Government, which my party and the hon. Lady's can agree is an utterly inadequate Government in all parts of the UK.

What about the small policies that have a big impact? Scottish Labour has repeatedly called on the SNP to mitigate the two-child benefit limit, but it has refused. It would cost just £69 million, or 0.2% of the Scottish Government's total 2019 budget spending. It is a toxic policy that has hit some of Scotland's most vulnerable families the hardest, and it is inexplicable that the SNP has not sought to scrap it.

**Kirsten Oswald:** I agree with the hon. Lady about the policy and all that it stands for, but perhaps she is missing the point. This is an issue for this Parliament. If we look at it in conjunction with all the action that the Scottish Parliament and Government take to support children, and to make Scotland the best place for children to grow up, that would be a more sensible approach than expecting the Scottish Parliament to be simply a Parliament of mitigation. People in Scotland deserve better than that.

**Charlotte Nichols:** I thank the hon. Lady for her intervention and refer her to my previous answer: we both agree that this is an utterly inadequate Government in all parts of the UK, but that does not mean that the Scottish Government could not be doing more to mitigate the effects of the UK Government, as has taken place with regional devolution in other parts of England. Why has the SNP chosen instead to talk up the findings of the Social Justice and Fairness Commission—a commission made up of SNP politicians? Presumably because it is easier to condemn than to construct with the powers available, and certainly easier to make utopian promises about the future.

We know that the SNP's economic forecasts do not stack up. The London School of Economics reports that the combination of separation and Brexit would reduce Scotland's income per capita by between 6.3% and 8.7% in the long run, equivalent to a loss of income of between £2,000 and £2,800 per person every year. The SNP's blueprint for independence, the Sustainable Growth Commission, proposes a five-to-10-year timeframe to cut Scotland's deficit to 3%, meaning that a separate Scotland would face many years of austerity. If that happened, it would be cutting social security, not extending it.

**Kirsten Oswald:** I am very grateful to the hon. Lady for being kind enough to give way on one more occasion. I am enjoying our ability to have this debate, but may I point out to her that all the things that she has said are predicated on this place being in charge of Scotland and most of the levers of power? In an independent Scotland, Scotland will be in charge of all the levers of power, and it is inconceivable that we will run things the way this place runs things. The real issue is that Scotland cannot afford not to be independent.

**Charlotte Nichols:** I thank the hon. Lady for her intervention, again, and echo her remark about enjoying a debate that, from the call list at least, seemed as though it would not be as lively as it has been. I thank her for that. As I said earlier in my speech, the economic forecasts that relate to the future of Scotland are the basis on which I made those remarks.

About 350,000 people in Scotland earn less than the real living wage. They deserve a better system than the one that the Tories trap them in and they deserve the genuine action that the SNP has refused them. The Labour party offers a better, fairer and more credible system than either of them—and I am really pleased to see the hon. Member for Glasgow East enjoying my speech and agreeing with me so strongly!

5.21 pm

**The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince):** It is a pleasure to serve under you in the Chair, Ms Bardell. May I personally thank you for your enlightened approach and position in relation to jackets and the wearing thereof, given the heat? I also thank the hon. Member for East Renfrewshire (Kirsten Oswald) for securing this debate on a report that covers many important issues.

The report from the Social Justice and Fairness Commission, set up by the Scottish National party, is very wide-ranging. It covers a number of areas where policy is already devolved to the Scottish Government.



[Will Quince]

I will predominantly focus, as I mentioned to the hon. Lady ahead of the debate, on areas that fall within my remit and that of my Department.

Let me start by reminding hon. Members of the UK Government's long-standing commitment to devolution. The Scotland Act 2016 gave the Scottish Parliament significantly increased powers as well as responsibility for social security benefits worth about £3 billion. It also has powers to create new benefits in areas of devolved responsibility, to top up reserved benefits and to provide discretionary payments in this area.

My Department has made every effort to support the Scottish Government in the delivery of their plans and priorities. There is close working at every level. There is also regular constructive ministerial engagement through the joint ministerial working group on welfare to discuss the transfer of powers, in the spirit of the Smith agreement.

Returning to the key focus of today's debate, I share the concerns expressed by the hon. Member for Warrington North (Charlotte Nichols) and other hon. Members about poverty levels in Scotland and, indeed, in the UK as a whole. As a Government, we are wholly committed to tackling that, and it is only right that any Government are held properly to account for the effectiveness of their policies in this area. I want to put it on the record that I do not want to see anybody in Scotland—or anywhere in our United Kingdom, for that matter—living in poverty; and although I do not have within my control all the levers to tackle poverty, I want to assure the hon. Member for East Renfrewshire and other Members that I take this issue incredibly seriously and I am working with counterparts across Government to identify, tackle and address the root causes and drivers of poverty.

Over the past 16 months, our priority has of course been to help people to withstand the financial hardships brought about by the pandemic. Such unprecedented economic circumstances have called for an unprecedented economic response, and I believe that this Government have delivered that by spending more than £407 billion on support measures to mitigate the impact of the pandemic, including, for example, the furlough scheme and the self-employment income support scheme. That has helped to protect one in three jobs in Scotland, helped to keep businesses afloat and helped families, wherever they live across our United Kingdom, to get by. As we move forward, our collective priority must be recovery—recovering from the challenges that the covid pandemic has created. I stress that the UK Government will of course work hand in hand with the Scottish Government on this mission, because we will recover faster and stronger if we work together.

That spending also includes the additional £7.4 billion injected into the welfare system, which the hon. Lady referred to, to provide further support for those most in need, raising our total spend on welfare support for people of working age to over £111 billion in 2020-21. As she rightly said, this extra funding includes the temporary £20 increase to the universal credit standard allowance and the working tax credit standard allowance, and nearly an additional £1 billion to the local housing allowance, topping up the rates to the 30th percentile of local market rents, which we maintained in cash terms at the same level this year.

The measures brought in by this Government in response to the pandemic targeted support at those who needed it most in a swift and effective way.

**Kirsten Oswald:** The Minister spoke about the £20 uplift and then moved swiftly on, as if the people in receipt of that uplift will not still have the same need when it is pulled from under their feet. How does he think that the families concerned will manage without that money, which has clearly been much needed? How does he think that it suddenly stops being needed when he pulls the plug?

**Will Quince:** The hon. Lady is right to point out that universal credit has provided a vital safety net for approximately 6 million people during the pandemic and, as she rightly suggests, we announced the temporary uplift as part of the £400 billion package of measures that was put in place to support those facing the most financial disruption and economic shock as a result of the pandemic. I hasten to add that that measure was not being called for by any other party in the House of Commons. Nevertheless, it was a measure to support those facing that economic shock and financial disruption, and the point is that it will last—the temporary uplift having been extended further by six months—well beyond the end of the road map.

Notwithstanding the points that the hon. Lady makes, and I know that they come from the right place and that she is very passionate about these issues, our focus now is on our multi-billion pound plan for jobs, which will support people in the long term by helping them to learn new skills, to increase their hours and, of course, to find new work.

The report talks at length about universal basic income, so I will touch on that very briefly, if I may, and also services. However, we know that these do not target support at those in greatest need and that they fail to take into account the significant additional costs faced by many individuals, including those, for example, with disabilities or childcare responsibilities.

As we look towards our economic recovery, tackling poverty will be very much at the heart of our mission. We have long championed the principle that the best way to do so is to support people, wherever possible, to move into work and to progress in work through our reformed welfare system, which ensures that families of all backgrounds are better off in work.

Statistics for 2019-20 show that, before the pandemic, the UK was in a strong position overall, with record levels of employment, rising incomes and 1.3 million fewer people, including 300,000 fewer children, in absolute poverty after housing costs, compared with 2010. In Scotland, the proportion of children in absolute low income reduced by 3 percentage points to 17% before housing costs in the three years to 2019-20, compared with 20% in the three years to 2009-10. But there is still a lot of work to do in that area.

Helping people back into work is key to levelling up across the whole of Great Britain, and the Department for Work and Pensions is playing a central role in delivering this Government's ambitious £30 billion plan for jobs, which is already helping people of all ages right across the country. That includes over £7 billion on new schemes such as kickstart. Since it launched last September,

over 10,500 kickstart jobs have been advertised in Scotland and over 3,500 young people have started in kickstart roles.

The evidence is clear that parental employment, particularly where it is full time, substantially reduces the risk of a child growing up in poverty, but we know that having a job is not always enough to lift families out of poverty. People also need the right skills and opportunities to progress in their roles, so that they can increase their earnings and build a career. That is very much a focus of the Department going forward.

The independent In-work Progression Commission published its report on the barriers to progression for those in persistent low pay earlier this month and we will consider its recommendations carefully before responding later this year. I encourage both the Scottish Government and employers across Scotland—indeed, across the whole of the United Kingdom—to do the same.

Through our recently expanded UK-wide network of jobcentres, we are also taking wider action to support those whose ability to work is affected by a range of often complex barriers to work. Customers with a drug or alcohol dependency who are not in treatment can be referred for a voluntary discussion with a local treatment provider to discuss their dependency issues and treatment options, for example. We are able to put in a six-month drug and alcohol easement for those in structured recovery treatments, so that work availability and work search requirements within UC are switched off for up to six months, giving the claimant the time and space to recover. Furthermore, for those in recovery who are moving into work, our Access to Work grant provides adaptations and specialist equipment for the workplace.

Work coaches have been key to the support that we have been able to provide over the last 16 months. They can also play a crucial role in preventing homelessness through the provision of tailored support via universal credit. That can include pausing the requirement for homeless claimants to look for work while they resolve things such as accommodation issues, and helping customers to access the right additional housing assistance and all-important expert support. Additionally, work coaches can offer voluntary referrals to local housing teams under the duty to refer.

Before I conclude, I will touch on pensions, which are also referenced in the report. We are absolutely committed to maintaining a private pensions system that ensures financial security for current and future pensioners. Automatic enrolment has, without question, been hugely successful, with more than 10 million individuals—including more women, lower earners and young people—now building greater financial resilience for their future. We are committed to reaching more of those previously under-served groups by implementing the 2017 automatic enrolment review, and to further improving schemes and information for savers under the Pension Schemes Act 2021. That is a joint endeavour, so Government, employers, industry and individuals all need to play their part in delivering a system that is affordable and sustainable for all.

**Kirsten Oswald:** A number of important points were raised, and I understand that the Minister cannot possibly deal with them all in the short time available. However, I am particularly keen to hear from him about the rape

clause and how such a policy, which causes such harm and damage to women, can be part of any just social security system.

**Will Quince:** I thank the hon. Lady for raising that issue. I know that the two-child policy is not supported by the Scottish National party, and it is regularly raised at oral questions. What I would say is that a benefits structure that adjusts automatically to family size is unsustainable, notwithstanding the points that she makes. The 2020 figures from the Office for National Statistics suggest that 85% of families with dependent children have a maximum of two in their family; for lone-parent families, the figure was 83%. The Government therefore feel that it is proportionate to provide support through child tax credit and universal credit for a maximum of two children, but we recognise that some claimants cannot make the same choices about the number of children in their family. That is exactly why exemptions such as the non-consensual sex exemption, which the hon. Lady mentioned, have been put in place to protect those individuals.

**Kirsten Oswald:** Given what the Minister has just said about the high proportion of families for whom such policies would clearly not be relevant, will he explain why he thinks the two-child policy and the rape clause have any place in a socially just system?

**Will Quince:** On this particular issue, the hon. Lady and I will have to agree to disagree. The policy is based on the principle of fairness.

**Charlotte Nichols:** Will the Minister give way?

**Will Quince:** Let me finish answering first. Even if we park the fact that it would cost around £2 billion a year to reverse the policy decision, it is based on fairness, because the idea is that those who are in receipt of benefits should have to make the same life choices—

**Kirsten Oswald:** It is important to say to the Minister on the record that it is unhelpful to use the phrase “life choices” when talking about things such as the rape clause. I know that he is thoughtful about matters in this area of social security, but he is trying to defend the indefensible. I come back to the question of how this could possibly be just.

**Will Quince:** The hon. Lady is conflating two issues. She is conflating the two-child policy, in and of itself, which is a matter of fairness—it is about putting those who are in receipt of benefits in the same position as those who are not, when it comes to facing life choices—with what she refers to as the rape clause, which I refer to as the non-consensual sex exemption. That is exactly why we have that exemption in place.

**Charlotte Nichols:** I am interested in how a policy that, as the hon. Member for East Renfrewshire said, affects only a very small number of people can be unsustainable. We know that all money put into early years represents a saving over a child’s lifetime, particularly for those children who are in the sharpest financial straits because of their family circumstances. Those are, of course, no fault of the child, so how can this be a matter of fairness?

[Charlotte Nichols]

To pick up on the point about the rape clause—non-consensual sex is rape—how can it possibly be fair that at a time when we have a conviction rate of less than 1.6%, women are being asked to re-traumatise themselves, not only through the justice system, but in accessing the support that their families need?

**Will Quince:** Again, on this particular policy, we are not going to agree. It is one of many issues on which the hon. Member for Warrington North and the hon. Member for East Renfrewshire will not agree with me, and I understand that. They say, “It is not very much money. It is a very small policy—it is £2 billion here.” If I add up in my head the cost of the policies that the hon. Ladies have said over the past half hour that they would like to bring in, it comes to more than £15 billion, plus inflation at the consumer prices index rate, every year for ever more. We should bear in mind that we already spend around £100 billion a year on benefits supporting working-age people. This is probably a debate for another day. I think that the position is very much one of fairness, but I have no doubt that the hon. Member for East Renfrewshire will continue to champion this cause and campaign on the matter.

Our full focus must be on recovering from the challenges that the covid pandemic has created. We have protected all the jobs we could through the furlough scheme, and we are now pivoting towards getting people back into work and progressing in work through our plan for jobs. We are also focusing on ensuring that our children can catch up on their missed education and giving young people the right opportunities to get a foot in the labour market.

It is absolutely right that as the country begins to recover from the effects of the pandemic, we ensure that the welfare state continues to support the most disadvantaged in our society. As we have done throughout the past 16 months, we will continue to assess how best to target taxpayers’ money on support for the most vulnerable families beyond the pandemic.

5.38 pm

**Kirsten Oswald:** I thank all the contributors in this small but very interesting debate. It has been a useful discussion. The small number of participants has made the debate a little bit more interactive than many of us are used to. I am also very grateful to all who were involved in the Social Justice and Fairness Commission for the huge amounts of work that they put in.

This all comes down to what the right future for Scotland is, and that is obviously a decision for the people in Scotland to take. It is evidently a choice of two very different futures. The opportunity to have a fairer country—a country that puts social justice and equality at the heart of policy making—would make a significant difference to the life chances of people in Scotland now and far into the future.

The Minister talked about choices a couple of minutes ago when we talked about the rape clause, and that is what this comes down to. It is about what Governments’ choices and priorities are. The choices and priorities of the Scottish Government and the Scottish Parliament are radically different from the choices and priorities that we see in Westminster. Supporting children is clearly a priority for the Scottish Government, over and above paying all the money that the Trident nuclear weapons cost. In their first 100 days, the Scottish Government are working hard to ensure that our recovery is right for Scotland and that it is sustainable. As we move forward and look to the future that the Social Justice and Fairness Commission has illustrated for us, people will see that having a fairer and more sustainable future is the way to make all our lives better.

*Question put and agreed to.*

*Resolved,*

That this House has considered the Social Justice and Fairness Commission and implications for Government policy.

5.40 pm

*Sitting adjourned.*



# Written Statements

Wednesday 21 July 2021

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### Industrial Development Act : Coronavirus-related Assistance

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully):** I am tabling this statement for the benefit of hon. Members to bring to their attention spend under the Industrial Development Act 1982. In addition to the obligation to report on spend under the Industrial Development Act annually, the Coronavirus Act 2020 created a new quarterly reporting requirement for spend which has been designated as coronavirus-related under the Coronavirus Act. This statement fulfils that purpose.

The statement also includes a report of the movement in contingent liability during the quarter. Hon. Members will wish to note that measures such as local authority grants, the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme, and tax measures such as the suspension of business rates are not provided under the Industrial Development Act 1982 and hence are not included below.

This report covers the first quarter of 2021, from 1 January to 31 March 2021, in accordance with the Coronavirus Act.

The written ministerial statement covering the fourth quarter of 2020 was published on 17 May 2021.

#### *Spend under the Coronavirus Act 2020*

Under the Coronavirus Act 2020, there is a requirement to lay before Parliament details of the amount of assistance designated as coronavirus related provided in each relevant quarter. In the period from 1 January to 31 March 2021, the following expenditures were incurred:

Actual expenditure of assistance provided by Her Majesty's Government from 1 January to 31 March 2021	£1,058,687,252
All expenditure of assistance provided by Her Majesty's Government from 25 March 2020	£2,699,037,690

#### *Expenditure by Department*

Actual expenditure of assistance from 1 January to 31 March 2021 provided by:

Department for Business, Energy and Industrial Strategy	£968,013,744
Department for Transport	£86,925,000
Department for Environment, Food & Rural Affairs	£3,748,507

#### *Contingent liability under the Coronavirus Act 2020*

Contingent liability of assistance provided by the Secretary of State from 1 January to 31 March 2021	£5,666,529,651
All contingent liability of assistance provided by the Secretary of State from 25 March 2020	£66,855,181,895

[HCWS222]

## CABINET OFFICE

### Indemnification to UNFCCC: Notification to Parliament

**The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove):** I am writing to notify Parliament of a contingent liability that will be created when the Government sign the host country agreement for hosting the 26th session of the conference of the parties to the United Nations framework convention on climate change (UNFCCC), known as COP26.

The host country agreement (HCA) will be signed in October 2021, ahead of the conference taking place in Glasgow in November. The HCA includes a standard liability clause, which commits the host country to indemnify the UN or its personnel against any successful claim in respect of the conference.

To mitigate against HMG being liable for covering incidents outside of our control, we have asked the UNFCCC to take out an insurance policy to cover claims arising from misconduct or negligence on the part of UNFCCC or its personnel, which they are willing to do and have done for previous COPs.

We believe it is appropriate to provide this indemnity to the UN as it is a mandatory requirement for host countries of COP. Although the liability is technically uncapped, my officials have reviewed incidents at previous COPs, and have assessed that the risk of the indemnity being called upon is low.

[HCWS223]

### Senior Salaries Review Body Report

**The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove):** I am today announcing the Government's decision on pay for the senior civil service, senior military, senior managers in the NHS and the judiciary.

The Government recognises that public sector workers play a vital role in the running of our public services, including in their remarkable commitment to keeping the public safe in the continuing fight against covid-19.

The Government received the senior salary review body's report on 2021 pay for the senior civil service, senior military, senior managers in the NHS, and the judiciary on 28 June 2021. This will be presented to Parliament and published on gov.uk.

The Government welcomes the senior salary review body's report and is grateful to the Chair and members for their valuable advice, observations and strategic recommendations outlined within it.

As set out at the spending review (2020), there will be a pause to headline pay rises for the majority of public sector workforces in 2021-22. This is in order to ensure fairness between public and private sector wage growth, as the private sector was significantly impacted by the covid-19 pandemic in the form of reduced hours, suppressed earnings growth and increased redundancies, whilst the public sector was largely shielded from these effects. This approach will protect public sector jobs and investment in public services, prioritising the lowest paid, with those

earning less than £24,000 (full time equivalent) receiving a minimum £250 increase. The pause ensures we can get the public finances back onto a sustainable path after unprecedented government spending on the response to covid-19.

In line with this, the senior salary review body was not asked to make any recommendations for consolidated pay increases for its remit group this year.

This is the first year the senior salary review body's remit group has been expanded to include all very senior managers (VSMs) within the NHS and executive senior managers (ESMs) within the Department of Health and Social Care's (DHSC) arms-length bodies. They were asked to make observations on the current levels of pay for this group to use as a baseline for future years. The Government are pleased that the senior salary review body agrees that existing pay levels are appropriate and that their observations broadly reflect existing themes within the development of a new pay framework for VSMs within the NHS.

The senior salary review body made no specific pay recommendations for the 2021-22 pay year for the senior civil service and judiciary and made two recommendations for the senior military.

The Government accept the senior salary review body's recommendation to change the annual incremental progression date for senior military officers from 1 April to the anniversary of the date of promotion for senior military officers of 2-star rank and above.

The Government accept the senior salary review body's recommendation to maintain the current pay differentials for senior medical and dental officers.

[HCWS231]

## DIGITAL, CULTURE, MEDIA AND SPORT

### Loot Box Call for Evidence: Government Response

**The Minister for Digital and Culture (Caroline Dinenage):** I would like to thank everyone who has taken the time to respond to the loot box call for evidence. The call for evidence received over 30,000 responses which clearly reflects the immense amount of interest in the issue.

The Government take concerns about potential harms relating to loot boxes in video games seriously. That is why we are continuing to thoroughly evaluate the evidence received to determine solutions that are both robust and proportionate in response to the issues identified from the evidence received. This will be set out in the Government response which will be published in the coming months.

Ensuring that video game players are protected is also a responsibility that the Government share jointly with the games industry. In recent months, we have continued to engage heavily with many in the industry about loot box concerns to determine the most effective solutions to issues identified from the evidence. This includes holding a ministerial roundtable with a number of games companies. Following the call for evidence we commissioned an external rapid evidence review and we are evaluating the findings of this alongside the evidence received from responses.

[HCWS224]

## EDUCATION

### Teachers

**The Secretary of State for Education (Gavin Williamson):** The 31st report of the School Teachers' Review Body (STRB) is being published today. Its recommendations cover the remit issued in December 2020, regarding the pay award for teachers that is due to be implemented from September 2021. The report will be presented to Parliament and published on gov.uk.

The Government recognise that public sector workers play a vital role in the running of our public services, including in their remarkable commitment to keeping the public safe in the continuing fight against covid-19. I am extremely grateful to all teachers and leaders for the dedication they have shown in enabling schools to remain open and supporting pupils with remote education throughout the pandemic, to ensure pupils get the best possible education.

The Government values the independent expertise and insight of the STRB and takes on board the useful advice and principles set out in response to the Government recommendations outlined in the report.

As set out at the spending review (2020), there will be a pause to headline pay rises for the majority of public sector workforces in 2021-22. This is in order to ensure fairness between public and private sector wage growth, as the private sector was significantly impacted by the covid-19 pandemic in the form of reduced hours, suppressed earnings growth and increased redundancies, whilst the public sector was largely shielded from these effects. This approach will protect public sector jobs and investment in public services, prioritising the lowest paid, with those earning less than £24,000 (full time equivalent) receiving a minimum £250 increase. The pause ensures we can get the public finances back onto a sustainable path after unprecedented Government spending on the response to covid-19.

My remit letter to the STRB welcomed views on uplifts for those unqualified teachers, earning below £24,000 (full time equivalent).

The STRB has recommended a pay award of £250 for all teachers earning less than £24,000, or the recommended equivalent value for teachers in the London pay areas. Their report outlines recommendations for how to implement this, including adjustments for London.

The STRB has also recommended that advisory pay points are reintroduced on the unqualified teacher pay range, as was the case for classroom teachers on the main pay range and upper pay range last year.

I am today confirming my proposed response is to accept these recommendations in full.

A full list of the recommendations and my proposed approach for implementation can be found online at: [Written statements - Written questions, answers and statements - UK Parliament](#)

I would like to reiterate that the £250 award should be paid to all eligible teachers, whether located on a published pay point or not, and that the pause on pay will apply to headline pay uplifts only. Teachers earning below the maximum of their pay range may be eligible for performance-related pay progression and teachers can also continue to apply for promotion. Academies, as usual, have the freedom to set their own pay policies.

Finally, this pay award will be affordable within school budgets due to this Government's three-year investment package announced at the 2019 spending round. We are increasing core schools funding by £2.2 billion in the 2021-22 financial year, compared to 2020-21—the second year of the three year school funding settlement from the 2019 spending round—and will increase it by a further £2.4 billion, to £52.2 billion in 2022-23 overall. As previously set out, the funding schools have previously received through the teachers' pay and pension grants will be part of schools' core funding allocations as determined by the schools national funding formula from 2021-22, and there will be no increase to these grants in respect of this year's pay award.

My officials will write to all of the statutory consultees of the STRB to invite them to contribute to a consultation on the Government's response to these recommendations and on a revised school teachers' pay and conditions document and pay order. The consultation will last for eight weeks.

[HCWS232]

## HEALTH AND SOCIAL CARE

### Reports on Seclusion and Restrictive Practice for People with Autism, Mental Health Conditions and Learning Disabilities

**The Minister for Care (Helen Whately):** Today we have published two formal responses to independent reports that the then Secretary of State for Health and Social Care commissioned to address and reduce the use of restrictive practice in the care of people with a learning disability or autistic people. The first response is to the recommendations made by the Care Quality Commission (CQC) in its report "Out of Sight - who cares?" published on 22 October 2020. The second response is to the independent interim report by Baroness Hollins reviewing the care and treatment of people with a learning disability or autistic people in long term segregation. A copy of these responses will be deposited in the Libraries of both Houses.

We welcome these reports and strongly support their recommendations. It is our priority to ensure that the rights of people with a learning disability or autistic people are protected and that where needed they receive high-quality care in the least restrictive settings possible.

We have carefully considered these recommendations and are accepting in full or in principle the vast majority, including:

Developing a pilot for a senior intervenor role, which will be focused on reducing the length of time people with a learning disability or autistic people remain unnecessarily in inpatient care in segregation. The pilot will be funded as part of a wider package of £31 million to support learning disability and autism services, to address the diagnostic backlog as a result of the pandemic, and support intervention to prevent children and young people with learning disability, autism or both escalating into crisis.

Working with the Royal College of Psychiatrists to define good practice with respect to admission and discharge protocols, including the development of a clinical contract for admissions.

Supporting the continuation of an independent review process which provides necessary scrutiny in the care and treatment of people who are subject to segregation. The reviews, chaired by independent experts, are aimed at developing

bespoke recommendations, offering advice on implementing person-centred care plans and, where appropriate, moving the individual to less restrictive settings.

Working with the CQC to ensure more transparent reporting about the use of restrictive interventions in order to improve practice and minimise all types of force used on patients so that it is genuinely only ever used as a last resort.

Our goal is to ensure that care for people with a learning disability and autistic people is therapeutic and beneficial and that the presumption is always that, individuals can be supported to live fulfilling lives in the community. We remain committed to delivering on the Government's manifesto commitment to improve how people with a learning disability and autistic people are treated in law and to make it easier for them to be discharged from hospital. The steps we are taking in responding to these recommendations support this commitment and are part of our wider work on Building the Right Support and the Mental Health Act White Paper.

[HCWS227]

### National Strategy for Autistic Children, Young People and Adults 2021 to 2026

**The Secretary of State for Health and Social Care (Sajid Javid):** Today I am announcing the publication of "the national strategy for autistic children, young people and adults: 2021 to 2026". The strategy is aimed at significantly improving the lives of autistic people in England.

This strategy builds on improvements made over the decade since the inception of the Autism Act in 2009. The Autism Act was enacted to tackle the multiple disadvantages that autistic people face. It is estimated that around 560,000 people in England are autistic and that autistic people die on average 16 years earlier than the general population. They experience poorer overall health outcomes and face substantial health inequalities in comparison to non-autistic people.

Since the Act's introduction, there have been two strategies, which have resulted in improved availability of services for autistic people, including diagnostic services, and significantly improved public awareness of what autism is. I want to pay particular tribute to our late colleague my right hon. Friend Dame Cheryl Gillan DBE MP, who was so instrumental in bringing forward this Act in 2009. She worked tirelessly to improve autistic people's and their families' access to services through her role as chair of the all-party parliamentary group on autism (APPGA).

Today, I am delighted to announce the publication of the third iteration of the autism strategy, which sets out our vision for how we will make further progress on improving the lives of autistic people over the next five years. We have worked with the Under-Secretary of State for Education, my hon. Friend the Member for Chelmsford (Vicky Ford), who is the Minister responsible for children and families, on this new strategy, which extends to children and young people for the first time. This is in recognition of the importance of supporting autistic people throughout their lives, from the early years of childhood and through adulthood.



We have also worked in partnership with other Government Departments to ensure the strategy addresses the wide range of issues that affect autistic people's whole lives.

The focus of this new strategy and the actions we are committing to have been informed by evidence including our national call for evidence undertaken in 2019, which received 2,745 responses from autistic people, their families and unpaid carers as well as organisations. We also involved self-advocates and family members in the development of the new strategy through our autism strategy executive group. In addition, the strategy was informed by the APPGA's "The Autism Act, Ten Years On" report and independent research we commissioned about the impact of the covid-19 pandemic on autistic people, both of which involved autistic people and their families. I know the pandemic has created new challenges and exacerbated problems many autistic people already faced, including higher levels of loneliness and social isolation.

Today we also publish our response to the CQC's "Out of sight - who cares?" report and our response to Baroness Hollins' and the independent Oversight Panel's recommendations regarding independent reviews for people with a learning disability and autistic people detained in long-term segregation.

The new autism strategy is supported by an implementation plan for 2021 to 2022, which sets out actions we will take forward in the first year of the strategy. We will publish further implementation plans for subsequent years of the strategy, in line with future spending review rounds. The strategy sets out our vision for what we want autistic people's and their families' lives to be like in 2026 across six priority areas, and the specific steps we, local government, the NHS and others will take to this end in this first year:

Improving understanding and acceptance of autism within society. To ensure that autistic people can take part in their communities without fear or judgment, just like everyone else, we are funding the development of and will test an autism public understanding initiative.

Improving autistic children's and young people's access to education, and supporting positive transitions into adulthood. To enable children and young people to access the right support, we are providing funding to train education staff in autism, and we are strengthening and promoting pathways to employment, such as supported internships, traineeships and apprenticeships.

Supporting more autistic people into employment. We will continue with our efforts to make Jobcentres more autism-inclusive, improve employer awareness, and promote better access to employment support programmes for autistic people.

Tackling health and care inequalities for autistic people. To tackle these inequalities, we are investing £13 million to begin reducing diagnosis waiting times for children and young people, as well as adults, in line with the NHS long-term plan and the mental health and wellbeing recovery action plan.

Building the right support in the community and supporting people in in-patient care. To make progress towards our targets of reducing the number of autistic people and people with a learning disability in in-patient mental health settings, we will take a number of actions. We are proposing to change the detention criteria in the Mental Health Act 1983 to prevent autistic people without a co-occurring mental health condition from being detained for treatment under section 3 of the Act. In addition, we are investing £40 million to improve community support, over £18 million to drive

improvements in the quality of in-patient care, and providing £21 million as part of the community discharge grant to speed up discharges.

Improving support within the criminal and youth justice systems. To improve autistic people's experience with the criminal and youth justice systems, we will develop a training toolkit for frontline staff on neurodiversity and the additional support people might need. We will also take a number of steps to improve staff awareness and understanding of autism and improve people's access to adjustments.

Over the next five years, we will work together to create a society that truly understands and includes autistic people in all aspects of life, one in which autistic people of all ages, backgrounds and across the country have equal opportunities to play a full part in their communities and to have better access to the services they need throughout their lives.

[HCWS226]

### **Independent Medicines and Medical Devices Safety Review Report: Government Response**

**The Minister for Patient Safety, Suicide Prevention and Mental Health (Ms Nadine Dorries):** The report of the Independent Medicines and Medical Devices Safety Review (IMMDS review) was published on 8 July 2020.

On 11 January, I updated the House on the Government's progress in responding to the recommendations of the IMMDS review.

I am pleased to today announce to the House the publication of the Government's full response to the IMMDS review. We have accepted four of the nine strategic recommendations in full, one in principle and two in part. We have also accepted 46 of the 50 actions for improvement in full or in principle, one in part and one remains under consideration. We do not accept two of the actions for improvement.

This response sets out an ambitious programme of change, which at its core is about improving patient safety by:

improving how the system listens to and responds to concerns raised by patients by putting patient voice at the centre of patient safety:

strengthening the evidence base on which decisions are made, including through making sure the right data is collected and used; and

improving the safety of medicines and devices, and embracing the new opportunities following the UK's departure from the European Union to reform regulatory frameworks.

*Recommendation 1: the Government should immediately issue a fulsome apology on behalf of the healthcare system to the families affected by Primodos, sodium valproate and pelvic mesh.*

*The Government accept recommendation 1.*

In July 2020, the Government apologised in full on behalf of the healthcare system to all the families affected by the report for the time it has taken to listen and respond to their concerns. I salute their courage and persistence in coming forward to make these concerns heard; without their bravery, the review would not have been possible.

#### *Listening to patients*

The review was commissioned because the Government recognised and accepted that the system had taken too long to listen to patients. One of the key conclusions from the report was that "the system has not been listening as it should". The Government recognised the

need for effective patient engagement to rebuild trust and ensure that patient voice was embedded in work to develop the full Government response to the report. We were pleased to announce in January that we had accepted the second part of the report's ninth recommendation, for the establishment of a patient reference group ("the group").

The purpose of the group was to provide challenge, advice and scrutiny to the work to develop the Government's response to the report's recommendations. The group represented a diverse range of experiences, and members include individuals who have been affected by or have an interest in pelvic mesh, sodium valproate, and hormone pregnancy tests (HPTs), those who have been affected by or have an interest in other medicines or medical devices, and also those with a wider interest in patient safety. The group met regularly and worked closely with officials to discuss the report's recommendations in great detail. I met with the group in June to listen to their feedback directly.

We are extremely grateful to the group for their insight and honesty. The Government response has undoubtedly been strengthened through listening to and learning from group members' experiences, knowledge and expertise. I am very pleased that the final report of the patient reference group has been published alongside the Government response today.

*Recommendation 2: the appointment of a patient safety commissioner who would be an independent public leader with a statutory responsibility. The commissioner would champion the value of listening to patients and promoting users' perspectives in seeking improvements to patient safety around the use of medicines and medical devices.*

*The Government accept recommendation 2.*

Patient safety is a top priority for the healthcare system; we want to make the NHS the safest healthcare system in the world, and we must retain an absolute focus on achieving this goal.

As Members will know, the central recommendation in the report is for the establishment of an independent patient safety commissioner.

The Government have accepted this recommendation, and we have already legislated for a patient safety commissioner through the Medicines and Medical Devices Act 2021 (MMD Act).

It is integral that patients are listened to in our healthcare system and the commissioner will help to make sure patient voices are heard, as envisaged in the report of the IMMDS review.

The core role of the commissioner will be to promote the safety of patients in the context of the use of medicines and medical devices and to promote the importance of the views of patients and other members of the public in relation to the safety of medicines and medical devices.

A public consultation is currently open seeking views on the proposed legislative details on the appointment and operation of the commissioner. The consultation closes on 5 August 2021. After the consultation has closed, responses will be carefully considered and reviewed, and will feed into the drafting of the regulations on the appointment and operation of the commissioner.

We plan to have the first patient safety commissioner in post in the first half of 2022.

*Recommendation 3: a new independent Redress Agency for those harmed by medicines and medical devices should be created based on models operating effectively in other countries. The Redress Agency will administer decisions using a non-adversarial process with determinations based on avoidable harm looking at systemic failings, rather than blaming individuals.*

*The Government do not accept recommendation 3.*

As set out in the January statement, we have no current plans for a redress agency, as set out in recommendation 3.

We do not believe it is necessary to create a new agency for redress as it is already possible for the Government and others to provide redress for specific issues where that is considered necessary. Neither do we believe that creating an agency would succeed in making products safer as the report suggests, or that grouping existing redress schemes through a single front door would add value for harmed patients.

*Recommendation 4: separate schemes should be set up for each intervention—hormone pregnancy tests (HPTs), valproate and pelvic mesh—to meet the cost of providing additional care support to those who have experienced avoidable harm and are eligible to claim.*

*The Government do not accept recommendation 4.*

While the Government are sympathetic to the experiences of those patients who gave evidence to the report, our priority is to improve the future safety of medicines and medical devices. This includes not just the products themselves but also ensuring they are used in line with the latest evidence of best practice—in ways that are both effective and safe for patients. This means we will continue to focus our work on direct support for future safety, improve how the system listens to patients, and support and monitor the safety of clinical practice where medicines and devices are concerned. The MMD Act delivers further on our commitments to patient safety, embedding reform through legislation and delivering an ambitious programme of improvements medicines and medical devices.

*Recommendation 5: networks of specialist centres should be set up to provide comprehensive treatment, care and advice for those affected by implanted mesh; and separately for those adversely affected by medications taken during pregnancy.*

*The Government accept recommendation 5 in part.*

*The Government accept the first part of recommendation 5; specialist centres for those adversely affected by implanted mesh.*

Much progress has been made to establish the specialist mesh services, led by NHS England and Improvement. These services became operational on 1 April 2021, and there are now eight specialist centres in operation across England. Good progress is being made towards the establishment of a ninth regional service with a south-west provider, to ensure patients across the country can access these vital services. It is important that women have choice over their surgeon where possible and I am happy to confirm that when patients request treatment for mesh complications, they can exercise patient choice and be referred to another centre if they wish.

The report of the IMMDS review highlights the importance of the specialist services working together and re-enforces the need for the commissioned mesh

services to network across providers to ensure each service provides comprehensive treatment, care and advice services. I am pleased to confirm that the providers of specialised services for women with complications of mesh will meet annually from 2021 at a clinical summit to discuss data and outcomes.

Recognising the need for enhanced data collection on pelvic mesh, the Government in 2018 announced the provision of £1.1 million for the development of a comprehensive database of urogynaecological procedures, including vaginal mesh, to treat pelvic organ prolapse and stress urinary incontinence. I can update the House that the pelvic floor information system has started to receive live data, including historical data from July 2017 onwards, with an initial focus on supporting specialist services to report every pelvic floor and comparative procedure to this national database.

The report of the IMMDS review also recommends that the information system is accompanied by a retrospective audit of mesh procedures, and by the development of a patient reported outcome measure (PROM) or patient reported experience measure (PREM). I am pleased to announce to the House today that the Government accept both these recommendations. NHS Digital has been commissioned to scope and deliver the retrospective audit. Subject to receiving high quality research bids, a new validated PROM for pelvic mesh procedures will be commissioned through the National Institute of Health Research in 2022. Additionally, earlier this year a £440,000 research study into “Experiences of Urogynaecological Services” was commissioned by the NIHR to feed into this vital work to develop a new PROM.

*The Government do not accept the second part of recommendation 5, specialist centres for those adversely affected by medications taken during pregnancy.*

We recognise the underlying issue that there is a need to improve the care and support for the individuals and families affected by a range of medicines used in pregnancy, including valproate exposure. However, our view is that a network of new specialist centres is not the most effective way forward. We will instead take forward work to improve the care pathways for children and families affected by medicines in pregnancy, within existing services. This will include strengthening care pathways and tackling the variation in access to services across NHS regions.

Currently, services for all children with neurodevelopmental disorders are primarily managed by multidisciplinary teams within child development centres, which are commissioned locally. These are then supported by regional clinical networks, and specialised neuroscience centres. A limited number of specialist centres focused only on those affected by medications in pregnancy would not be able to provide the whole range of services that patients need, for example coordinating provision across local health, education and social care systems. It is important that patients who need ongoing care can access services as conveniently as possible, and many of these services are better delivered at a local level. Additionally, a new network of specialist centres could divert clinical expertise and potentially result in a reduced service for all the patient groups involved.

We will also continue work to improve the safety of medicines in pregnancy more widely, and to ensure that valproate is only prescribed where clinically appropriate.

### *Sodium Valproate*

The report of the IMMDS review discusses sodium valproate (valproate) in much detail and contains a number of actions for improvement related to valproate. For this reason, we have dedicated a chapter in the Government response to valproate.

The January statement updated on the significant work underway to ensure valproate is only used where clinically appropriate, and to improve patient safety for women and girls for whom there is no alternative medicine. The Government do not however support calls to eliminate the use of valproate completely; for some women, it is the only drug which is able to control their epilepsy, and it is vital that women are able to access effective treatments.

I am pleased to update the House that much progress continues to be made. The first report from the valproate registry was published on 11 February 2021, and a second is planned for September 2021. The first report presents an important step to improving our ability to monitor implementation and compliance with the pregnancy prevention programme. There are plans to extend the registry to the whole of the UK and to expand it to include other anti-epileptic drugs later this year, as recommended by the report. As recommended by the report, NHS England and Improvement have recently sent a letter to all women of childbearing age who are prescribed valproate, including important safety reminders in relation to contraception, pregnancy and regular prescribing reviews.

I have also heard from patients that measures to reduce valproate prescribing and support women to make informed choices must be holistic and wide-ranging. I am pleased to announce that the MHRA is planning to consult on an amendment to the human medicines regulations which would require pharmacists to supply sodium valproate in the manufacturers original pack with a patient informational leaflet. This will ensure that prescriptions for valproate are dispensed with a patient information leaflet and information on risk minimisation measures.

*Recommendation 6: the Medicines and Healthcare Products Regulatory Agency (MHRA) needs substantial revision particularly in relation to adverse event reporting and medical device regulation. It needs to ensure that it engages more with patients and their outcomes. It needs to raise awareness of its public protection roles and to ensure that patients have an integral role in its work.*

*The Government accept recommendation 6.*

In the January statement the Government announced that the MHRA initiated a substantial programme of work to improve how it listens and responds to patients and the public, to develop a more responsive system for reporting adverse incidents, and to strengthen the evidence to support timely and robust decisions that protect patient safety.

This is set out in detail in the MHRA’s corporate delivery plan for 2021 to 2023, “Putting patients first—a new era for our Agency”, which was published on 4 July. This sets out the MHRA’s future plans, which centre on: putting patients first; becoming a truly world-leading, enabling regulator; and protecting public health through excellence in regulation and science.

A key strand of this work is improving how the MHRA engages with patients, and ensures patients have an integral role in its work. In May this year, the



MHRA published its draft “Patient and Public Involvement Strategy” for public consultation. This sets out how the Agency will deliver a step change in its involvement and engagement with patients. Following the consultation, the MHRA will publish the final strategy later this year.

I am pleased to confirm to the House that the MHRA’s newly appointed chief safety officer will lead the MHRA’s ongoing implementation of the recommendations from the report. This will help to ensure that the MHRA continues delivering on their commitment to keep patients safe. The postholder will oversee the development of a revitalised approach to vigilance of both medicines and medical devices.

*Recommendation 7: a central patient-identifiable database should be created by collecting key details of the implantation of all devices at the time of the operation. This can then be linked to specifically created registers to research and audit the outcomes both in terms of the device safety and patient reported outcomes measures.*

*The Government accept recommendation 7.*

The Government have legislated for a patient identifiable database in the MMD Act, which creates a power for the Secretary of State to regulate for the establishment of a UK-wide medical device information system (MDIS).

The report of the IMMDS review rightly identifies the need for the healthcare system to centralise and standardise the collection, retention and analysis of data for monitoring the safety and effectiveness of implantable medical devices. In order to close the gap identified in the collection and analysis of this data, it is essential that the UK has a comprehensive system to ensure that implantable devices are effectively monitored and any issues affecting patient safety are responded to appropriately. As required by the MMD Act, the Government are planning to hold public consultation on the MDIS regulations. Formal public consultation on the MDIS regulations will begin later this year with the aim of laying the regulations in 2022.

Alongside developing regulations, I can announce that over £11 million has been set aside for a package of work in 2021-22, involving partners across the healthcare system to scope, test and cost options for MDIS and other medical devices patient safety workstreams.

*Recommendation 8: transparency of payments made to clinicians needs to improve. The register of the General Medical Council (GMC) should be expanded to include a list of financial and non-pecuniary interests for all doctors, as well as doctors’ particular clinical interests and their recognised and accredited specialisms, in addition, there should be mandatory reporting for the pharmaceutical and medical device industries of payments made to teaching hospitals, research institutions and individual clinicians.*

*The Government accept recommendation 8 in principle.*

*The Government accept in principle the first part of recommendation 8, for greater transparency of doctors’ interests.*

We agree that lists of doctors’ interests should be publicly available, but we do not think that the GMC register is the best place to hold this information. It is absolutely crucial that any published list of interests is meaningful and accessible to patients. Our approach is therefore for publications of interests to be held by healthcare providers at the local level, because patients know where healthcare professionals work, and are more likely to seek information from the organisation that provides their treatment and care. Additionally, at

the local level healthcare providers can ensure patients have the necessary support to understand the relevant information

We also believe that it is not just doctors who must declare their interests, but rather all registered healthcare professionals. That is why we are going further than the recommendation, and we will make it a regulatory requirement that all registered healthcare professionals must declare their relevant interests. Registered healthcare professionals will be required to declare their relevant interests to their employer, contractor, or the organisation where they are providing services. All healthcare providers will be required to collect, monitor, and publish a list of their employees’ relevant interests. At the local level, healthcare providers must ensure that all declarations of interest are publicly available for patients to access, and providers can then ensure there is meaningful oversight of publications of interests.

These changes build on current NHS guidance, which states that all staff should declare interests and organisations should publish the interests of decision making on their website. These changes will also extend publication of declarations of interest to the private sector. We will continue to work with healthcare organisations across the NHS and independent sector, as well as regulators, to ensure there is appropriate implementation, governance, and enforcement of this approach.

*The Government also accept in principle the second part of recommendation 8, for mandatory reporting of payments from the pharmaceutical and medical device industry.*

The Government agree that transparency of medicine and medical device industry payments to clinicians and organisations is an important part of ensuring patient confidence. As with doctors’ interests, it is important that this information is published and easily accessible for patients.

Regarding medicines, the Government have listened to stakeholder concerns that the existing industry scheme is voluntary, and that more could be done to achieve consistent transparency in reporting of payments. We have listened to concerns from patient groups and others that a mandatory scheme is needed. We are exploring options to expand and reinforce current industry schemes, including making reporting mandatory through legislation.

Regarding medical devices, we recognise that the sector does not have any formal scheme for reporting payments. We have listened to stakeholder concerns that the current situation means that that patients lack crucial information on a highly important area of clinical decision-making. We will work with the devices industry and other stakeholders on the options for introducing reporting of payments for the medical device sector, including making reporting mandatory through legislation.

*Recommendation 9: the Government should immediately set up a taskforce to implement this review’s recommendations. Its first task should be to set out a timeline for their implementation.*

*The Government accept recommendation 9 in part.*

As set out in the statement of 11 January, the Government have no plans to establish an independent taskforce to implement the report’s recommendations. As is convention with independent reports and inquiries, conclusions and recommendations are passed to Government for consideration.

The Government have considered the report's recommendations carefully, and our response sets out an ambitious programme of change. We have accepted the majority of the report's nine strategic recommendations and 50 actions for improvement.

The actions set out in this response are a combination of well-established programmes of work and new initiatives. The Government are committed to making rapid progress on all the areas set out in this response. To ensure that Parliament and patients can continue to hold the Government to account, we will publish an update on progress to implement the Government response in 12 months' time.

### *Conclusion*

The report of the IMMDS review is a powerful call to action, and we are determined to deliver meaningful change through the Government response.

I would like to once again thank my right hon. Friend the Member for South West Surrey (Jeremy Hunt) and my right hon. Friend the Member for Maidenhead (Mrs May) for commissioning this landmark review, and to thank Baroness Cumberlege and the review team for their diligence and dedication in conducting this review.

Above all, I would like to once again recognise and thank the women and their families, who fought to bring these issues to light and to have their stories heard.

The report highlights a stark inequality in the healthcare system. We cannot ignore the fact that the report of the IMMDS review is one of several independent reports and inquiries to have concluded that our healthcare system disproportionately fails to listen to women and keep them safe. This Government are determined to change this, not least through our work to develop the first ever women's health strategy for England later this year.

I am depositing a copy of the Government response and the "Independent Report of the Patient Reference Group" in the Libraries of both Houses.

[HCWS225]

## **2021-22 Pay Review Body Recommendations**

**The Secretary of State for Health and Social Care (Sajid Javid):** I am responding on behalf of my right hon. Friend the Prime Minister to both the 34th report of the NHS pay review body (NHSPRB) and to the 49th report of the review body on doctors' and dentists' remuneration (DDRB). I am grateful to both Chairs and the members of both review bodies for their reports.

At the 2020 spending review, my right hon. Friend the Chancellor of the Exchequer, announced that pay uplifts in the public sector would be paused this year due to the challenging fiscal and economic context, but, given the unique impact of covid-19 on the health service, and despite the challenging economic context, the Chancellor committed to continue to provide for pay rises for over 1 million NHS workers.

It is within this context and after careful consideration of both reports that we have chosen to accept the recommendations of both PRBs for 2021-22. In doing so, we have committed to uplifting the salaries of staff

within the remit groups by 3% on a consolidated basis. This is expected to be a real-terms increase and nurses will receive an average increase of around £1,000. Overall, the awards amount to a cost to the NHS of £1.9 billion for the "Agenda for Change" workforce and £0.3 billion for consultants.

This is not without its challenges given the economic and fiscal context.

This is an annual process and as is always the case, decisions about future awards will be considered in light of the fiscal context and ensuring awards are affordable and fair.

Investing in the NHS to ensure patients get the care they need as quickly as possible is also a key priority for this Government. We are delivering on our historic long-term settlement for the NHS, which will see NHS funding increase by £33.9 billion by 2023-24. To recognise the unprecedented pressure facing the NHS, the Government are providing £3 billion of additional funding to the NHS in 2021-22 to support its recovery from the impacts of covid.

The DDRB were asked not to make a pay recommendation for contractor general medical practitioners (GMPs), doctors and dentists in training or specialty and associate specialist doctors moving onto new contracts as those groups are within multi-year deals. For doctors and dentists in training the multi-year deal will mean all junior doctor pay scales will have increased by 8.2% by the end of the deal, and in addition circa £90 million is being invested to reform the contract, including to create a new, higher pay point to recognise the most experienced doctors in training.

The Government are also committed to delivering 50,000 more nurses in the NHS by the end of this Parliament and this pay award will help us to ensure we can continue to recruit and retain the nurses we need to reach this target. The number of NHS nurses currently employed in CCGs and NHS Trusts is at the highest recorded level in England, and the latest published NHS Digital provisional data for April 2021 shows 303,800 FTE nurses in NHS Trusts and CCGs, almost 9,000 FTE more than April 2020.

### *Salaried GMPs*

For salaried GMPs the minimum and maximum pay range set out in the model terms and conditions will be uplifted. As self-employed contractors to the NHS, it is for GMP practices to determine uplifts in pay for their employees.

### *Clinical excellence awards*

The Government also acknowledge the DDRB's comments on clinical excellence awards and their reasons for not recommending an increase in their value. With this in mind, we will progress our plans to reform these awards with a view to introducing new arrangements from 2022.

### *General dental practitioners*

For general dental practitioners, there will be a 3% general uplift in the pay element of their contract backdated to April 2021.

The Government recognise the significant impact that the covid-19 pandemic has had on NHS dentistry, as discussed within the DDRB report. In response to these challenges, the Government have ensured that

dentists receive their full contract value, minus deductions which are pre-agreed, in exchange for a reduced threshold of activity.

[HCWS233]

## HOME DEPARTMENT

### Police Pay

**The Secretary of State for the Home Department (Priti Patel):** The seventh report of the Police Remuneration Review Body (PRRB) was published today. The Body considered the pay and allowances for police officers up to and including the chief officer ranks in England and Wales. The Government appreciate and value the independent, expert advice and contribution that the PRRB makes and thanks the chair and members for their detailed considerations and observations.

We absolutely recognise the bravery, commitment and professionalism of our police who work night and day to keep us safe and we will continue to give them the resources, tools and powers they need to protect the public.

The Government recognise that public sector workers play a vital role in the running of our public services, including in their remarkable commitment to keeping the public safe in the continuing fight against covid-19.

As set out at the spending review 2020, there will be a pause to headline pay rises for the majority of public sector workforces in 2021-22. This is in order to ensure fairness between public and private sector wage growth, as the private sector was significantly impacted by the covid-19 pandemic in the form of reduced hours, suppressed earnings growth and increased redundancies, while the public sector was largely shielded from these effects. This approach will protect public sector jobs and investment in public services, prioritising the lowest paid, with those earning less than £24,000—full-time equivalent—receiving a minimum £250 increase. The pause ensures we can get the public finances back onto a sustainable path after unprecedented Government spending on the response to covid-19.

The PRRB recommended that the minimum rates for police constable degree apprentice starting pay and pay point 0 of the constable scale should be uplifted by £250, and that all officers with a basic salary above these minima but below £24,000—on a full-time equivalent basis—should receive a consolidated pay award of £250. The Government have accepted the PRRB's recommendation in full.

The pay award will take effect from 1 September 2021. Officers who have not reached the top of their pay band will also continue to receive incremental progression pay worth at least 2% of salary, subject to satisfactory performance.

[HCWS230]

### NCA Remuneration Review Body Report 2021

**The Secretary of State for the Home Department (Priti Patel):** I am today announcing the Government's decision on pay for the National Crime Agency (NCA) for 2021-22.

The Government recognise that public sector workers play a vital role in the running of our public services, including in their remarkable commitment to keeping the public safe in the continuing fight against covid-19.

The Government received the NCA Remuneration Review Body (NCARRB) report on 2021 pay for the NCA on 2 July. This will be laid before Parliament today (CP 467) and published on [www.gov.uk](http://www.gov.uk).

I would like to thank the Chair and members of the Review Body for their work on gathering evidence from the NCA, the Home Office, HM Treasury and the trade unions, resulting in their detailed, comprehensive report. The Government value the independent expertise and insight of NCARRB and take on board the useful advice and principles set out in response to my remit letter of 14 January 2021.

As set out at the spending review 2020, there will be a pause to headline pay rises for the majority of public sector workforces in 2021-22. This is in order to ensure fairness between public and private sector wage growth, as the private sector was significantly impacted by the covid-19 pandemic in the form of reduced hours, suppressed earnings growth and increased redundancies, while the public sector was largely shielded from these effects. This approach will protect public sector jobs and investment in public services, prioritising the lowest paid, with those earning less than £24,000—full time equivalent—receiving a minimum £250 increase. The pause ensures we can get the public finances back onto a sustainable path after unprecedented Government spending on the response to covid-19.

My remit letter informed NCARRB that I would not be seeking a recommendation for pay uplifts in the remit group for 2021-22, in the light of the public sector pay pause but invited views on areas including the operational context in which the agency is operating, its ongoing pay strategy and longer-term plans for its workforce. NCARRB was also invited to comment on how the £250 uplift is best implemented so as to avoid leapfrogging. The NCA has considered options to avoid leapfrogging, including the impacts on its pay strategy, and considers the most effective way to remediate this is by paying a percentage uplift to those who are at risk of being leap-frogged, which is applicable to those earning less than £24,000.

The Government accept the NCARRB observations in full and the awards will be fully funded within the NCA's existing budget.

[HCWS229]

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Building Safety Regime

**The Secretary of State for Housing, Communities and Local Government (Robert Jenrick):** Today marks the next major step on our path towards a robust, but proportionate, building safety regime. We seek a regime that delivers high standards of safety for people's homes, particularly those which are high-rise and therefore



somewhat higher risk while providing reassurance to leaseholders, residents and the market that the overwhelming majority of homes are safe.

The Grenfell Tower tragedy and subsequent independent review of building regulations led by Dame Judith Hackitt exposed serious issues in the regulatory system and construction of some high-rise buildings: developers cladding buildings in combustible materials that should never have been used; construction product manufacturers ignoring safety rules, gaming the system and rigging the results of safety tests; building owners failing to take responsibility for ensuring the safety of their residents; and the Government's regulatory system lacking the strength and oversight to identify these failings and enforce standards.

That is why, as a Government, we have taken a safety first approach in our response to buildings that we know to be higher risk—those over 18 metres. We have:

Engaged Fire and Rescue Services to survey all buildings over 18 metres to assess their safety;

Targeted Government funding at the buildings we know to be at greatest risk if a fire spreads—those over 18 metres with unsafe cladding—investing over £5 billion to make those buildings safe as quickly as possible;

Banned the use of combustible materials in new buildings over 18 metres, providing industry with a clear standard for the construction of new builds;

Incentivised the installation of central alarm systems in high-rise buildings with a waking watch through our Waking Watch Relief Fund; and

Today, we have reached Second Reading of the Building Safety Bill, our landmark legislation that brings forward the biggest improvements in building safety in a generation. The Bill introduces an enhanced safety regime for higher-risk buildings, defined as those over 18 metres—or seven storeys—we have enshrined this scope on the face of the Bill.

The Fire Safety Act, which received Royal Assent in April will also ensure that the external walls of buildings are considered as part of routine fire risk assessments for all multi-occupied residential buildings.

We are making good progress in bringing those high-rise buildings with unsafe cladding up to an acceptable standard of safety:

Over 95% of buildings with “Grenfell type” cladding identified at the beginning of last year have been fully remediated or have workers on site. By the end of the year, I expect works to have started on all buildings barring a handful of cases where ACM cladding has only recently been identified or where remediation works are especially complex. This means around 16,000 homes have been fully remediated of unsafe ACM cladding—an increase of around 4000 since the end of last year.

Despite many buildings' owners failing to provide adequate basic information, almost 700 buildings, with estimated remediation costs of £2.5 billion are proceeding with a full application to the Building Safety Fund. We have already allocated £540 million which means owners of over 60,000 homes and properties within high-rise blocks are covered by Building Safety Fund applications and can be reassured that unsafe non-ACM cladding on their blocks will be replaced. All eligible applications currently made to the Building Safety Fund will proceed, and we are working with applicants to ensure work gets underway as soon as possible. For any buildings that may have missed the original registration deadline we will be reopening for registrations in the autumn. This will ensure we meet our commitment to fully fund the cost of replacing unsafe cladding for all leaseholders in residential buildings 18 metres and over in England. We

currently forecast that works of some form will be supported by the Building Safety Fund on over 1,000 high-rise buildings.

One hundred and ninety-one buildings are already benefiting from the £30 million Waking Watch Relief Fund. More buildings will benefit from the fund as final decisions are made on applications. Leaseholders are expected to save on average £137 per month, or over £1,600 a year, on waking watch costs.

It is right that we have taken a safety first approach and safety will always continue to be our priority and inform the decisions we make. However, it is also thankfully the case that fires in homes in England are extremely rare in all dwellings and I have become concerned to hear from leasehold residents feeling trapped in blocks of flats, particularly those lower than 18 metres in height. In many cases these residents have been held back from selling their homes and moving on with their lives because of excessive caution in the lending, surveying and fire risk assessment market. Understandably, this has caused some residents worry over safety and unnecessary costs due to a failure, on the part of many parties, to adequately explain the true nature of risk which statistics demonstrate is very low. I want to be clear—the vast majority of residents in all homes, including blocks of flats, should not feel unsafe in their homes. Residents need to be urgently reassured and the evidence presented clearly to them. And other market participants need to exercise their professional judgment and not perpetuate this climate of extreme caution.

Driven by these concerns for leasehold residents, earlier this year I asked a small group of experts on fire safety to consider the evidence and advise me on steps that should be taken to ensure that a more risk-proportionate approach is taken to fire safety in blocks of flats: an approach through which genuine life safety risks are tackled swiftly, and where all blocks of flats meet statutory requirements on life safety, but where excessive caution and unnecessary costs are avoided.

The experts I commissioned were:

Dame Judith Hackitt, Chair of the Independent Review of Building Regulations and Fire Safety

Sir Ken Knight, Chair of the Independent Expert Advisory Panel on building safety following the Grenfell Tower Fire

Ron Dobson, former London Fire Commissioner

Roy Wilsher, adviser on fire reform, former Chief Fire Officer

The key finding of this advice is clear—there is no evidence of systemic risk of fire in blocks of flats:

Dwelling fires are at an all-time low since comparable statistics started to be collected in 1981-82. This is despite the fact that, in 2020, people spent a significantly greater amount of time in their homes as a result of covid restrictions.

The vast majority of fires—91%—were in houses, bungalows, converted or low rise—three storeys or lower—flats or other properties, while only 9% were in blocks of flats of four storeys or more.

Very few fires spread from the room where they start. In 2019-20, 7% of fires spread beyond the room of origin in blocks of flats over four storeys, compared with 9% in blocks below four storeys and 14% in houses, bungalows, converted flats and other dwellings.

Any death in a fire is tragic, thankfully only a small proportion of fires resulted in a fire-related fatality in 2020: 176 people in total lost their lives in dwelling fires, down from 257 just a decade earlier, of which only 10 fatalities were in blocks of flats of four or more storeys. This is the lowest number of fatalities from fire since comparable statistics

began to be collected 40 years ago. I thank the Fire and Rescue Services for all that they do to keep us safe.

On this basis, the expert advice, which I have published today on [www.gov.uk](http://www.gov.uk), reaches five recommendations to correct the disproportionate reaction we have seen in some parts of the market:

EWS1 forms should not be a requirement on buildings below 18 metres.

In the small number of cases where there are known to be concerns these should be addressed primarily through risk management and mitigation.

There should be a clear route for residents/leaseholders to challenge costly remediation work and seek assurance that proposals are proportionate and cost effective.

Government should work with the shadow Building Safety Regulator to consider how to implement an audit process to check that fire risk assessments are following guidelines, not perpetuating the risk aversion we are witnessing, in some instances, at the present time.

Fire risk assessors, and lenders should not presume that there is significant risk to life unless there is evidence to support this. This would ensure that they respond only to the evidence and adopt a far more proportionate and balanced approach.

Having carefully considered these recommendations the Government will support and act upon them.

Delivering real change for leaseholders requires a concerted effort from all participants in the market including Government, the Royal Institute of Chartered Surveyors (RICS), lenders and fire experts, and we have been working intensively with these groups.

As a Government, we are clear that we support the expert advice and the position that EWS1s should not be needed for buildings less than 18 metres. This position is a significant step and one supported by the National Fire Chiefs Council and the Institute of Fire Engineers.

Government will work with the Health and Safety Executive and others to explore ways to deliver an effective fire risk assessment audit process that ensures assessments are carried out in a risk-proportionate manner and do not recommend unnecessary and costly remediation works where they are not genuinely needed. We will also rapidly progress exploration of options to provide a clear route for residents and leaseholders to challenge costly remediation work.

It is crucial that all market participants show the necessary leadership to help end the nightmare that has impacted the lives of many leaseholders. I thank everyone for coming to the table and supporting the Government's efforts.

I am pleased that all major lenders have welcomed this advice. HSBC UK, Barclays, Lloyds Banking Group and others have said that the expert advice, and our clear response, paves the way for EWS1 forms to no longer be required for buildings below 18 metres and will help further unlock the housing market. I hope and expect other lenders to follow suit swiftly. I am very grateful to these organisations for their constructive work with Government on this critical issue—I appreciate that it is a complex and some parties have further work to do, in which the Government will support them.

Through concerted, cross-market action I believe we can help open up the housing market, allowing thousands to buy, sell or re-mortgage their homes.

This work will be progressed alongside existing steps we are taking to ensure a proportionate response to risk. This includes:

Development of new more risk-proportionate guidelines for fire risk assessors, including PAS9980. The consolidated advice note, the product of the need for reliable safety information in the period following the Grenfell Tragedy will shortly be retired.

Launching a Government-backed professional indemnity insurance scheme for qualified professionals conducting external wall system assessments. This is aimed at supporting those qualified professionals to complete EWS1 forms, where genuinely needed, in a risk-proportionate manner and will help ensure that there is sufficient capacity in the market to allow EWS1 forms to be completed quickly, helping people to buy, sell and re-mortgage their homes. With the comfort Government backing provides, professionals must exercise their judgment in a proportionate manner and refrain from proposing works that are not strictly necessary to achieve an acceptable standard of fire safety—and risk management and mitigation should always be considered before costly remediation.

Working with the National Fire Chiefs Council to re-emphasise the scope of the simultaneous evacuation guidance, the temporary nature of waking watches and the alternative proportionate fire safety interventions to be considered before implementing a waking watch, particularly in buildings below 18 metres.

Latest indications are that the number of residential blocks between 11 metres and 18 metres in height are 61,000. Data from one major lender suggests that 7% of flats in buildings up to six storeys currently require an EWS1 assessment and in a majority of these cases EWS1s are found to already be held, leading to requests for an EWS1 form on approximately 5% of flats. Of these buildings, the vast majority do not need any remediation work at all. This is reinforced by initial results of surveys of medium rise blocks of flats indicating that the vast majority are free from serious safety risks associated with combustible cladding requiring remediation, and from any associated costs. If the market reacts as we would hope to the expert advice these numbers should reduce yet further and hundreds of thousands of leaseholders will be able to get on with buying, selling or re-mortgaging their homes. To reiterate, the Government see no reason why an EWS1 form, or equivalent, should be requested on buildings below 18 metres. For the very small number where works are required, the presumption in favour of mitigation should also reduce remediation costs.

It is my expectation that these actions will significantly ease the challenges faced by the vast majority of leaseholders looking to buy or sell flats in high-rise buildings and ensure that leaseholders do not face huge bills for unnecessary remediation works. In the very small minority of cases where remediation works are identified in 11 metre-18 metre buildings as part of the normal statutory requirement for buildings to have an up to date fire risk assessment, I can reaffirm that leaseholders will be protected from unaffordable costs by a generous financing scheme through which their monthly cladding repayment costs will not exceed £50.

[HCWS228]

### Local Government

**The Secretary of State for Housing, Communities and Local Government (Robert Jenrick):** On 12 October 2020 [HCWS502] I told the House that I had issued invitations under the Local Government and Public

Involvement in Health Act 2007 (“the 2007 Act”) to principal councils in Cumbria, North Yorkshire, and Somerset, including associated existing unitary councils, to submit proposals for moving to unitary local government in those areas. Councils in these areas had requested such invitations and had been developing ideas about restructuring local government in their areas for some time.

#### *The consultation*

On 22 February 2021 I told the House [HCWS785] that I was launching a statutory consultation on all of the eight locally-led proposals for reorganising local government that I had received on 9 December in response to the invitation. These proposals were, four from councils in Cumbria, two from councils in North Yorkshire and two from councils in Somerset. In the case of each area there is a proposal made by the county council for a unitary authority covering the whole area. In the case of North Yorkshire and Somerset there is a proposal from district councils for two unitary authorities in each area. In Cumbria district councils have made three proposals, each of which involve establishing two unitary authorities.

When launching the consultation I made it clear that I welcomed views from any interested persons, including residents, in addition to the named consultees. The named consultees were the councils which made the proposals, other councils affected by the proposals, councils in neighbouring areas, public service providers, including health providers and the police, local enterprise partnerships, and certain other business, voluntary sector and educational bodies. The consultation closed on 19 April and I have received a total of 13,020 responses. I will be depositing a summary of the consultation responses in the libraries of Parliament.

#### *The decisions on unitary proposals*

I am now able to inform the House of my decisions as to which of the eight proposals, subject to parliamentary approval, are to be implemented. The 2007 Act provides that I may implement a proposal with or without modifications. I have decided that in each of the areas to make no such modifications.

In reaching my decision, I carefully considered each of the proposals. I assessed each proposal against the three criteria set out in the invitation sent to all the principal councils on 9 October. These criteria provide that for a proposal to be implemented, that proposal is likely to improve local government and service delivery across its area; commands a good deal of local support as assessed in the round overall across the whole area of the proposal; and any unitary councils to be established have a credible geography.

I have also had regard to all the representations I received, including those received through the consultation, and to all the relevant information available to me, including the results of the local poll that the Somerset district councils held during the period from 18 May to 4 June and the representations received about the poll and its conduct.

For Cumbria I have decided to implement, subject to parliamentary approval, the proposal for two unitary councils, an east unitary council covering the existing areas of Barrow, Eden and South Lakeland and a west unitary council covering the existing areas of Allerdale, Carlisle and Copeland. I considered that this proposal met all three of the criteria.

I also considered that the proposal for a single unitary council for the whole of Cumbria also met all three of the criteria. However, having regard to the size and geography of Cumbria, including the geographic barriers of lakes and mountains, and the rurality of its population, I have decided that it would be more appropriate to implement the east west unitary proposal, allowing for more localised decision making, which could be important given the geography of Cumbria.

I have decided not to implement the proposal for two unitary councils, one council comprising the existing areas of Barrow, South Lakeland and Lancaster City and the other council comprising the existing areas of Allerdale, Carlisle, Copeland and Eden. I considered that this proposal did not meet the improving local government and service delivery and credible geography criteria. I have also decided not to implement the proposal for two unitary councils, one council comprising the existing areas of Allerdale, Carlisle and Eden and the other council comprising the existing areas of Barrow, Copeland and South Lakeland. I considered that this proposal did not meet the credible geography criterion.

For North Yorkshire I have decided to implement, subject to parliamentary approval, the proposal for a single unitary council for the whole of the existing administrative county of North Yorkshire. I considered that this proposal strongly met all three of the criteria. I have also decided not to implement the proposal for two unitary councils, one council comprising the existing areas of Ryedale, Scarborough, Selby and the current unitary of York, and the other council comprising the existing areas of Craven, Hambleton, Harrogate and Richmondshire. I considered that this proposal did not meet the improving local government and service delivery and credible geography criteria.

For Somerset I have decided to implement, subject to parliamentary approval, the proposal for a single unitary council for the whole of the existing administrative county of Somerset. I considered that this proposal met all three of the criteria, strongly meeting the improving local government and service delivery criterion. I have also decided not to implement the proposal for two unitary councils, one council comprising the existing areas of Mendip District and South Somerset and the other council comprising the existing areas of Sedgemoor and Somerset West & Taunton. I considered that this proposal did not meet the improving local government and service delivery and credible geography criteria.

#### *Future steps*

I now intend to seek parliamentary approval for the necessary secondary legislation to implement my decisions. I intend to lay the draft structural changes order before Parliament around the turn of the year and they will include provisions for appropriate transitional arrangements, including for elections in May 2022 for the future unitary councils; for cancelling elections currently scheduled for May 2022 for existing councils, including those rescheduled from May 2021 as a result of the orders made earlier this year; and for the unitary councils to assume the full range of local authority responsibilities on 1 April 2023, when predecessor councils would be abolished.

Establishing these new unitary councils will be a significant step towards ensuring the people and businesses across Cumbria, North Yorkshire and Somerset can in future have the sustainable high-quality local services they deserve. I expect all the existing councils and their partners to work collaboratively and constructively together



to drive forward the process of establishing unitary councils and transforming local service delivery for the residents, businesses and local communities of these three areas.

I would like to reiterate that Government will not impose top-down Government solutions. We will continue, as I am now currently doing, to follow a locally-led approach where councils can develop proposals which have strong local support. However, restructuring is only one of the different ways that councils can streamline and make savings, and deliver strong leadership. This has been the Government's consistent approach since 2010, when top-down restructuring was stopped through the Local Government Act 2010.

When considering reform, those in an area will know what is best, and as my right hon. Friend the Prime Minister set out in his speech on 15 July we remain committed to devolving power to people and places across the UK. We are open to devolution where there is strong local leadership, whether supported by two tier local government, unitary structures or various joint arrangements. Our plans for doing this and strengthening local accountable leadership will be set out in the forthcoming Levelling Up White Paper.

[HCWS234]



# Ministerial Corrections

Wednesday 21 July 2021

## HEALTH AND SOCIAL CARE

### Covid-19 Update

*The following are extracts from the exchanges following the statement by the Minister for Covid Vaccine Deployment on 19 July 2021.*

**Richard Drax** (South Dorset) (Con) [V]: My hon. Friend said at the start of his statement that the disease was still here and that we were not out of the woods yet. The fact is that variants of covid-19 will be with us for many years to come. If we are truly to live with this virus, freedom day must mean what it says; the alternative is utter confusion, with hundreds of thousands of people having to isolate after being pinged by the NHS app. Here in Dorset, the police are beginning to struggle, because of the numbers who have to isolate. Will my hon. Friend tell me that the emergency services to which I think he referred include the police—that if they are double jabbed, they do not have to isolate—before enforcement of law and order becomes a real difficulty here in Dorset, I believe down in Devon and perhaps in other parts of the country?

**Nadhim Zahawi:** My hon. Friend is absolutely right that we take this step confidently but cautiously. I remind the House that this is probably the most infectious respiratory virus known to humankind, with aerosol transmission, so we need to ensure that we are careful as we head into step 4.

*[Official Report, 19 July 2021, Vol. 699, c. 693.]*

*Letter of correction from the Minister for Covid Vaccine Deployment, the hon. Member for Stratford-on-Avon (Nadhim Zahawi).*

An error has been identified in my response to my hon. Friend the Member for South Dorset (Richard Drax).

The correct response should have been:

**Nadhim Zahawi:** My hon. Friend is absolutely right that we take this step confidently but cautiously. I remind the House that this is probably **one of the most infectious respiratory viruses** known to humankind, with aerosol transmission, so we need to ensure that we are careful as we head into step 4.

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): Many of my former public health colleagues are very concerned about lifting mitigations today in the context of escalating cases—50,000 currently—12 million people who have not been vaccinated and an NHS and care workforce who are frankly on their knees. What estimates have the Government made of the effect of extending the wearing of masks and other mitigations three weeks after 80% of the eligible population have been vaccinated on incidence of long covid, hospitalisations and deaths?

**Nadhim Zahawi:** The vaccination programme could in no way have delivered the extraordinary uptake without the backbone being NHS doctors, nurses and pharmacists, working with our armed forces, local government and the private sector to deliver it.

**Chris Bryant** (Rhondda) (Lab): And the police.

**Nadhim Zahawi:** And volunteers and the police. The hon. Member for Rhondda (Chris Bryant) reminds us all of the role that policemen and women played in ensuring that the vaccination roll-out worked well. The very clear guideline is that we should take both personal and corporate responsibility. It is great to see Transport for London, other transport systems and the M10 of metro Mayors, which I speak to regularly, taking that corporate responsibility. We all have our part to play, as we have done by coming together and vaccinating the country at scale. This is the most infectious respiratory disease that is aerosol-transmitted.

*[Official Report, 19 July 2021, Vol. 699, c. 695.]*

*Letter of correction from the Minister for Covid Vaccine Deployment, the hon. Member for Stratford-on-Avon (Nadhim Zahawi).*

An error has been identified in my response to the hon. Member for Oldham East and Saddleworth (Debbie Abrahams).

The correct response should have been:

**Nadhim Zahawi:** And volunteers and the police. The hon. Member for Rhondda (Chris Bryant) reminds us all of the role that policemen and women played in ensuring that the vaccination roll-out worked well. The very clear guideline is that we should take both personal and corporate responsibility. It is great to see Transport for London, other transport systems and the M10 of metro Mayors, which I speak to regularly, taking that corporate responsibility. We all have our part to play, as we have done by coming together and vaccinating the country at scale. This is **one of the most infectious respiratory diseases** that is aerosol-transmitted.





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**not later than  
Wednesday 28 July 2021**

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