

**Friday  
19 November 2021**

**Volume 703  
No. 74**



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Friday 19 November 2021**

---



# House of Commons

*Friday 19 November 2021*

*The House met at half-past Nine o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

**Robin Millar** (Aberconwy) (Con): I beg to move, That the House sit in private.

*Question put forthwith (Standing Order No. 163), and negatived.*

**Mr Speaker:** I think the script needs to be shared a bit more widely next time.

## Marriage and Civil Partnership (Minimum Age) Bill

*Second Reading*

9.34 am

**Mrs Pauline Latham** (Mid Derbyshire) (Con): I beg to move, That the Bill be now read a Second time.

For many people I speak to, it is a shock for them to learn that child marriage is not illegal in this country already, and it happens far more often than one might think. In the last 12 months, the national charity Karma Nirvana has responded to 76 known cases of child marriage in England and Wales, with the youngest case concerning a seven-year-old girl. We know all too well the devastating impact that child marriage has on vulnerable children.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I commend my hon. Friend on the work that she has done over six years to bring this important Bill to the House, in collaboration with my right hon. Friend the Member for Bromsgrove (Sajid Javid). The current marriage laws enable 16 and 17-year-olds to marry, with permission from their parents, but this can lead to children being coerced into marriage. Does my hon. Friend agree that we need to prevent children from being victim to this?

**Mrs Latham:** I thank my hon. Friend for raising that point. The whole point of the Bill is to stop young people being victims, because they are. Even if there is a prosecution, we should not expect them to be criminalised, because it is not their fault; they are the victims in these situations. We should be supporting these young children.

**Robert Buckland** (South Swindon) (Con): May I put on record my deep gratitude to my hon. Friend for her tireless work on this Bill? She and I worked together on it when I was in office. I am also grateful to my right hon. Friend the Member for Bromsgrove (Sajid Javid); my hon. Friend the Member for Mid Derbyshire (Mrs Latham) has stepped into the breach that he left.

The point that my hon. Friend has just made is the crux of all this. This legislation is part of the progressive moves that we have made over the years to stop treating

the child as somehow responsible and to start understanding the child as victim. In particular, the mechanism of parental consent, which we all thought was a good safeguard, has sadly become a vehicle for abuse. Does my hon. Friend agree?

**Mrs Latham:** I thank my right hon. and learned Friend for making that very fair point. These children have been coerced into marriage, as they are too young to make the decision themselves. The whole point of the Bill is to stop them having their parents make the decision on their behalf. The children are not old enough.

Let us consider the case of the inspirational child marriage survivor, the Iranian and Kurdish Women's Rights Organisation campaigner Payzee Mahmood, who I have been fortunate enough to work with throughout this whole campaign. Payzee was just 16 when she was coerced into marrying a man of 32—literally twice her age—who she did not know. That was in this country, not abroad. Payzee did not want to be married. She wanted to continue her education and go to university. As soon as the religious ceremony took place, Payzee was married in the eyes of her community, and expected to leave education and become a wife and mother.

**Mr Virendra Sharma** (Ealing, Southall) (Lab): I thank the hon. Member for giving way; she is always very generous with her time. She is making strong points this morning, and I congratulate her on her hard work to bring this Bill before us.

My own mother married at 16. She was a kind and clever woman, but without formal education. Her gift to her daughters—my sisters—was to offer them access to education and not to marry them off young, but instead to encourage school and university before settling down. Marriage under 18 is child marriage and not something we would condone in any other situation. Does the hon. Lady agree that the experience of child marriage for millions is one of entrenching poverty and low education levels for women and girls?

**Mrs Latham:** I thank the hon. Gentleman for that point, because young people who are married are often taken out not only of education, but of society, and hidden away. They do not take a full part in society. This Bill will give those young people—it is boys as well as girls—the opportunity to take full part in society from the age of 18, because it will be their choice.

Payzee's sister, Banaz, was also the victim of child marriage. Earlier in the same year that Payzee was married, Banaz was married to an abusive husband. When she tried to leave him, her family told her she would be shaming them. She did leave, but then was murdered by men from her own family and community. This tragic case illustrates one of the dangers of child marriages and the responsibility we have in this House to intervene. There is a really good docudrama called "Honour". If anyone doubts any of what we are saying today, they should watch that, because it is about Banaz and her story.

Banning child marriage is about safeguarding girls' and young boys' futures. It includes protecting boys and girls like Banaz from abusive and unwanted relationships, but it is also about ensuring that children like Payzee, who desire an education, are given the best chance in life.

[Mrs Latham]

Our current laws stem back to 1929, when the Age of Marriage Act banned marriages between under-16s. Twenty years later, the Marriage Act 1949 permitted children over the age of 16 to marry with parental consent, and the law has not been changed since. In 1949, society was very different. School leaving age under the Education Act 1944 was just 15, and the average age of marriage for women was under 23. In those days, the Queen was not even on the throne, contraception like the pill was not available and being gay was still illegal. Life has changed dramatically in the years since 1949. In fact, in those days, people could not even buy tights, because they had not been invented—they had to have stockings. Life is completely different now.

Contrast that with 2021, where being in educational training is compulsory until the age of 18 in England, and the average age of marriage is over 30. The provision for marriage at 16 is therefore entirely outdated and prevents children from completing their compulsory educational training before entering into a commitment as huge as marriage.

**Robin Millar** (Aberconwy) (Con): I add my own words of congratulation to my hon. Friend on bringing this important Bill forward and congratulate my right hon. Friend the Member for Bromsgrove (Sajid Javid), who has also put a lot of work into this area. It is very clear that there is a real grasp of the facts and statistics and some of the patterns behind this. Is there another pattern to do with communities or particular traditions where this practice takes place?

**Mrs Latham:** We are not targeting any community in particular, but there are obviously some areas where people are more likely to have child marriages. There is a point that I will come to later in my speech about international treaties that we have signed up to but not gone through with.

Clearly, we need to stop marriages at 16, but there is a further element to the problem. The laws apply only to registered ceremonies of marriage. Unregistered religious ceremonies in this country are not registered by age at all. In fact, the only requirement on religious marriages is that they are not forced marriages. While the Government's legislation on forced marriages, inspired by the campaign of my friend and long-time campaigner, Jasvinder Sanghera, is hugely important, it does not work for children. To prove a forced marriage, the courts must find that there is coercion or undue pressure on the child to enter the marriage. In practice, this means that the child needs either to give evidence that will condemn their parents or state that they consented to the child marriage. Very few children of 16 have the strength to go against their parents, because they are totally under their care—I do not want to use the word “control”. Children need to be looked after and brought up by their parents; they cannot act independently at 16.

Karma Nirvana has supported children who do not recognise their child marriage as a forced marriage. They have been conditioned to normalise marriage under the age of 16 and as such, the evidence of coercion or duress is absent. It is frankly unbelievable that, in this country, our legal system allows children, sometimes as young as 7, to consent to unregistered

religious child marriages. As long as they are not forced to a standard beyond all reasonable doubt, it is not against the law. My Bill aims to change that. No child should be able to consent to a marriage, whether or not they are under pressure from their parents.

A very small number of children registered their marriage legally in 2019—only 125 legal marriages involving a person under the age of 18 were registered under the parental consent exception. The number of religious child marriages is undocumented in official statistics, however, so it is likely to be higher by a huge factor. Of the cases involving child marriage reported to the Home Office-commissioned national honour-based abuse line in the year to September 2021, only four related to civil marriages. Almost 20 times as many cases involved only a religious ceremony.

**Anthony Mangnall** (Totnes) (Con): It is striking that, this week, the Foreign Secretary announced £18 million to tackle child marriage. It is interesting that our foreign policy seems to be ahead of our domestic policy. My hon. Friend is talking about enforcement. How does she think that the enforcement mechanism would work in the Home Office or relevant Department to ensure that we can crack down on child marriage and get the relevant data to help as many people as possible?

**Mrs Latham:** It does seem that certain parts of Government are way ahead. One problem, which I will come on to, is that we are asking other countries to stop child marriage, but they can easily turn around and say, “Why should we, because you do it?”.

As I said, almost 20 times as many cases—more than 95% of all cases—involved only a religious ceremony. It is crucial to understand that, as in Payzee's case, the religious element is a fundamental part of the marriage in the eyes of the child's entire community. Just because the law does not recognise unregistered marriage, that does not mean that it does not exist or that it causes any less harm. Having listened to the lived experience of child bride survivors, it is without question that such marriages cause lifelong harms and threaten the futures of all those who are entered into them. That is the problem that my Bill tries to solve.

I will turn to the specifics of how the Bill will try to achieve those aims. It sets a blanket minimum age of marriage in this country of 18, irrespective of whether the marriage is registered. There are two aspects to that. First, it removes the parental consent exception that allows children to marry at 16 or 17 in a civil ceremony with the signature of their parents or a judge. That means that children who wish to marry will have to wait until their 18th birthday.

Fewer than 150 children each year currently use the parental consent exception to get married. A handful of those may be young people marrying without coercion, who will be affected by the Bill, but only to the extent that they will have to wait until they are 18 to carry out their marriage.

Many people marrying under that exception are encouraged, persuaded or conditioned by their parents or families to think that it is a good thing. Such families do not necessarily want to break the law. Karma Nirvana, run by my friend Natasha Rattu, received evidence from some children that their parents would not have arranged their marriages at 16 or 17 except for the fact that it was

lawful. Those are the people we are targeting with the change: giving children the protection of the law until they are 18, when they are more able to protest or act independently if they are encouraged to enter a marriage they do not want. Any child by the time they have got to 18 is far more mature to be able to decide their own future than they are at 16, so this change to the law of registration of civil marriages will have an important impact. It will send a very clear message to everyone that marriage under the age of 18 is illegal and not recognised in this country.

Secondly, my Bill will not just remove the parental consent exception, but cover unregistered religious marriages. This is absolutely crucial, and it is complementary to the first ambition. Karma Nirvana's helpline has worked alongside South Yorkshire police to safeguard two girls who were both married in religious or traditional ceremonies at 15, after they were reported missing by their school when they did not return after the school holidays. Following a police investigation, it was discovered that the two girls had been married in a religious ceremony, and following this had been taken out of school and relocated out of the family home in Sheffield to live in the south-east of England with their in-laws.

Despite the girls only being 15 years old, the police were limited in their ability to safeguard them. There was no offence committed as the marriage was a religious ceremony only and never legally registered. South Yorkshire police did try to pursue forced marriage charges, but it was unable to find any evidence of duress or coercion as both children had consented to the marriages. This highlights a flaw in the forced marriage legislation.

Forced marriage requires evidence of coercion or undue pressure, and in most cases that inevitably means children giving evidence against their parents and families. This hinders prosecutions for forced marriages. My Bill will offer an alternative solution: making arrangements for any marriage, religious or civil, involving a person under the age of 18 will automatically be categorised as a forced marriage, irrespective of any alleged consent, and therefore those who encourage or facilitate child marriage will commit an offence and can face criminal charges.

I will now turn to the penalties and consequences of the Bill. It is worth noting, before I go into more detail, that of course none of the penalties or criminalisation is in any way aimed at the child. We must constantly remember that the child is a victim in these cases and needs our protection, not our judgment or our criticism.

First, changing the law in this way is intended to be a preventive measure in itself. We are sending a very clear message that across England and Wales, irrespective of the type of marriage undertaken, it is against the law for a marriage to include a child. As I have set out, this is powerful in itself and will help to reduce the number of child marriages in families that are not lawbreakers.

A second stage, which already exists under forced marriage legislation, is that where there is a concern for a particular child, the courts can impose a forced marriage protection order. This is an extra safeguarding tool in the powers of the police and social services to prevent child marriages.

Finally, in cases where the deterrent or the preventive action has failed, the Bill will penalise those whose conduct caused a child to enter into a marriage, whether

or not the marriage is legally binding and whether or not the marriage has yet taken place. This conduct is punishable by a prison sentence of up to seven years, a fine or both. As such, this scale of penalties is proportionate and aims to safeguard the child at all stages, culminating in criminal sanctions for anyone actually causing a child to enter such a marriage.

One final point about the contents of the Bill is extremely important, and I would like to mention it before moving on to talk about how this Bill satisfies significant policy objectives. This is the extraterritoriality element of the Bill. Very often, child marriages actually take place outside the United Kingdom. A girl from Birmingham was referred to the national honour-based abuse hotline in 2020, after being taken to Pakistan at the age of 18 to get married. She told her teachers about the plans, and they spoke to her parents, who denied them. The child was raped in Pakistan until she became pregnant, and only then was she allowed to return to the United Kingdom. What a tragic and horrifying story. Under normal circumstances, it would be outside the reach of UK law to punish the parents, unless the child was willing to testify against them for having forced her into the marriage, which is highly unlikely and would be asking a huge amount of a child who is in the UK, a victim of child marriage and rape, and unable to act independently. My Bill would ensure that any marriage involving a child who lives in England and Wales, or who is a UK national, is covered, whether or not the actual conduct or marriage takes place in this country. Having talked about the scale of the problem and the contents of my Bill, I will now turn to how it would achieve both its direct aims, and significant policy aims in the future.

**Anthony Mangnall:** It is striking that my hon. Friend is talking about violence against women—next week we have the International Day for the Elimination of Violence Against Women—and the need for us to do more to and to bring perpetrators to justice. We have to shatter the cultural impunity, the idea that people can get away with these crimes. Will she encourage the Minister, and other elements of Government, to go further and ensure that there is a mechanism to document such crimes and lead prosecutions? So often there are no court cases that bring people to justice.

**Mrs Latham:** I thank my hon. Friend for that point. We have seen that in the case of FGM, where we have had only one case. That was where a child had to testify against a family member who had conducted the FGM procedure. In this case, however, the child will not have to do that, and it is much better that the child is seen always as the victim, as they should also be in the case of FGM—perhaps that law needs to be tweaked to make it more appropriate. In this case we are not talking about women; we are talking about girls and under-18s. Of course we want violence against any woman or girl to be abolished, and we must do all we can to document that and make sure it never happens.

The Bill's first objective is to safeguard young people, and in particular to safeguard their futures. This is about breaking a harmful practice legacy that is often handed down from generation to generation. We know that children who are subject to child marriages have significantly poorer opportunities and life chances. Those include a lack of education and job opportunities, the



[Mrs Latham]

removal of independence, serious physical and mental health problems, developmental difficulties for children born to young mothers, and an increased risk of domestic abuse and divorce. There are many organisations in society with a duty to safeguard children, including social services, the police, and medical professionals. It is telling that when it comes to child marriage, those organisations are turning for support to the voluntary sector, including Karma Nirvana, the Iranian and Kurdish Women's Rights Organisation, and other charities, rather than being able to rely on the force of the law. The Bill will therefore be an incredibly important tool in safeguarding young people and giving them the best chance for their futures.

I came into politics from a background of education, so giving children the best chance in life has always been at the heart of my political motivations. The Bill will support those young people, and help to ensure that they remain in education or training until they are 18, at which point they are far more able to make informed decisions about their futures.

The second area where the Bill achieves its key policy objectives is in covering both civil and unregistered religious ceremonies. I have been working on this issue for over four years, so I understand that crucial importance of covering religious ceremonies in the legislation. If we were only to regulate civil marriages, we would solve fewer than 5% of the child marriage cases with which the national honour-based abuse helpline deals each year. It is common sense to recognise that the responsibilities and life-changing elements of a marriage flow not from the legal procedure, but rather from the traditional or ceremonial wedding. For so many cases dealt with by the charities I work with, and the forced marriage unit in the Home Office, the religious marriage is the important aspect, and the civil marriage is either non-existent or an afterthought. That is why the Bill will be able to achieve its primary aim of safeguarding young people.

The final point that I would like to make in support of the Bill relates to the UK's international obligations. The UK is committed to achieving the UN sustainable development goals by 2030. Target 5.3 in the SDGs is to "eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation" by 2030. That specifically applies to both religious and non-religious child marriages. The UN Committee on the Rights of the Child also recommends that there should be no legal way for anyone to marry under the age of 18, even with parental consent.

By supporting the Bill, we are also helping the UK to set an example to the rest of the world on prioritising children's futures. It will enable us to further our aims to promote girls' education around the world, which the Prime Minister has always championed, because, as I have said, dropping out of education is one of the main effects of child marriage.

A practical example is the case of Karma Nirvana ambassador Farhana Raval, who was taken to Bangladesh at 16, under the pretence of visiting a sick relative, in order that she should marry a second cousin. Ironically, and tragically, that marriage was allowed in Bangladesh only because of the UK's rules. At the time, girls in Bangladesh had to be 18 to be married, but because Farhana was British and the rules were different, the marriage was allowed. Since then, in 2017 Bangladesh

implemented a new legal provision allowing younger girls to marry in special circumstances. Human Rights Watch confirmed that Bangladeshi officials repeatedly cited the fact that child marriage is legal in the UK as a justification for that change.

The UK's position in criticising child marriage around the world and championing children's future is incompatible with our allowing child marriage at home. To uphold our international obligations under the sustainable development goals and persuade other countries of the importance of banning child marriage, we must first lead by example and ban it ourselves.

**The Secretary of State for Health and Social Care (Sajid Javid):** May I commend my hon. Friend for bringing this vital piece of legislation to the House? I know that this is something she has championed for many years, and I think all Members are pleased to see the Bill before the House today. Does she agree that this is an opportunity for this House to show unambiguously—to make it crystal clear—that child marriage is child abuse and that it will never be tolerated in our country?

**Mrs Latham:** I thank the Secretary of State for his intervention. When he got the opportunity to present a private Member's Bill, he took this Bill on and wanted to take it through, but the quirk of fate that meant he got promoted meant that I was able to take it through. I congratulate him on his new job—well, it is not so new now—and I am delighted that I was able to step into the breach. It is important that we show the world and the whole of this country that we will not tolerate child marriage, because, as he says, it is child abuse.

**Robin Millar:** We have heard a grim account of some of the problems, and we have properly considered them and looked at the legal implications and the penalties attached. Does my hon. Friend agree, however, that marriage is a noble institution, that it is a thing to be desired, promoted and encouraged, and indeed that it is a building block of our society?

**Mrs Latham:** I thank my hon. Friend for making that point. As I mentioned to him earlier, I have been married a very, very long time, so obviously I agree. [Interruption.] Fifty-three years, Mr Speaker.

**Mr Virendra Sharma:** I just want to say that the hon. Lady is not the only one who has been married for so long. I have been married for longer than her, though only by a few months.

**Mrs Latham:** So obviously, the institution of marriage is a good thing. I do not ever want to stop people getting married. It is outdated to talk about people having children out of wedlock being a sin. If a girl becomes pregnant on her 16th birthday, she will not have the baby until she is almost 17—16 years and nine months—and she has to wait for only another year and three months until she can get married. In that time, she and the person that she has become pregnant by—whether that is by design or not—will, between them, be able to judge whether that is the right choice for them. Clearly, children being brought up in a loving household is obviously the best thing for everybody. Eighteen is the age at which marriage should happen, not before.

I have been long aware of and engaged in this issue through my association for more than a decade with Jasvinder Sanghera, who grew up in Derby and originally founded Karma Nirvana there. As I said, it is now run by Natasha Rattu in Leeds. I have been campaigning on this issue in Parliament for several years and proposed a private Member's Bill in the 2019 Parliament, which fell at Dissolution twice. I am therefore delighted to be able to introduce this Bill today, and I hope that it will pass this stage of the parliamentary process and proceed towards changing the lives of young boys and girls who would otherwise have been subject to child marriage, whether in the UK or around the world.

I must acknowledge the help and support that I have had in bringing the Bill forward. The charities that form the partnership Girls Not Brides UK, which include Karma Nirvana, IKWRO—the Iranian and Kurdish Women's Rights Organisation—FORWARD—the Foundation of Women's Health Research and Development—and the Independent Yemen Group, have been instrumental in providing me with data, campaign support and a never-ending source of inspiration to keep on pushing for change in this area.

Thanks must also go to those Members who supported me throughout the process, from the Bill's birth as a ten-minute rule Bill to finally reaching Second Reading today. Like many of the best achievements in this House, it is a truly cross-party effort, and I pay tribute to the hard work and support of colleagues, including the hon. Member for Rotherham (Sarah Champion), my hon. Friends the Members for South East Cornwall (Mrs Murray) and for Central Suffolk and North Ipswich (Dr Poulter), the hon. Member for Ealing, Southall (Mr Sharma), my hon. Friends the Members for Altrincham and Sale West (Sir Graham Brady), for Crawley (Henry Smith) and for Shipley (Philip Davies), my right hon. Friend the Member for North Thanet (Sir Roger Gale), my hon. Friend the Member for Wealden (Ms Ghani) and, not least, my hon. Friend the Member for Congleton (Fiona Bruce). In particular, thanks must also go to my right hon. Friend the Member for Bromsgrove (Sajid Javid), who was drawn out of the private Members' Bill ballot and kindly gave his support to the Bill, allowing me to take it forward in his place when he was appointed Secretary of State for Health and Social Care.

I also place on record my thanks to the Minister for the help and support that he has shown in getting the Bill to this stage. I look forward to working with him if the Bill passes Second Reading today. I have also had productive discussions with and support from the Minister responsible for safeguarding—the Under-Secretary of State for the Home Department, my hon. Friend the Member for Redditch (Rachel Maclean)—and her predecessor in that role, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins). I thank them both and the officials in their Departments for their hard work on getting this important piece of legislation right.

In conclusion, I urge all right hon. and hon. Members to support my Bill, for three connected reasons. First, it will safeguard young people by establishing 18 as the legal age of marriage in this country with no exceptions, giving a clear message to everyone that child marriage is unacceptable. Secondly, the Bill criminalises anyone who causes a child to enter a marriage, whether or not it is in a legally binding ceremony. The data tells us that

many of the cases of child marriage involve only a religious ceremony, so this is an absolutely crucial aspect of the Bill.

Finally, the Bill will help the UK to live up to its international obligations by banning child marriage in all its forms, and allow us to take that message to the rest of the world. We support the UN's call to end child marriage, but we can do that only if we ban it in this country. Let us finally give our children time to mature and see what life can offer after their 18th birthday. There is so much on offer for everyone to enjoy.  
[Interruption.]

**Mr Speaker:** Order. I am sure there was not somebody clapping then.

10.10 am

**Sarah Champion** (Rotherham) (Lab): I cannot tell you, Mr Speaker, how much I welcome this Bill and how grateful I am to my good friend the hon. Member for Mid Derbyshire (Mrs Latham) for all her work campaigning on such an important topic over years. I wish to make it clear that this is not about race, religion or even the institution of marriage; it is about child protection. I also thank the Secretary of State for Health and Social Care, the right hon. Member for Bromsgrove (Sajid Javid), for all his work on not only this issue but child protection across the board.

I thank the organisations Karma Nirvana and IKWRO and the campaigning group Girls Not Brides; they have been campaigning on this issue and helping us all for many years.

I should clarify one point: the vast majority of child marriages involve girls, but occasionally they involve boys, and that is often when the family believe that the boy might be gay.

Let me talk a little about the scale of this issue. Last year, around a quarter of the 753 cases dealt with by the UK's forced marriage unit involved children under the age of 18. Between 2007 and 2017, some 3,096 marriages involving children aged 16 and 17 were legally registered in England and Wales, according to the Office for National Statistics. Under the new law in the Bill, it will be absolutely clear to everyone that no child should face child marriage—whether the marriage is registered or not—and the harms it causes.

As the hon. Member for Mid Derbyshire said, registered child marriages at 16 and 17 are only part of the picture. The ONS statistics do not capture non-registered and religious marriages in the UK. In the past year, Karma Nirvana has supported 76 cases involving child marriages, and only 5% of them were registered. The overwhelming 95%—72 out of 76 marriages—were non-registered and religious marriages, which is why the Bill is so important: it covers registered and non-registered marriages. The fact that some marriages are non-registered makes safeguarding even harder and, therefore, child protection more challenging.

**Mr Virendra Sharma:** Does my hon. Friend agree that forced marriages and honour-based abuse are interlinked with child marriage, which has become child abuse?

**Sarah Champion:** I absolutely agree with my hon. Friend and thank him for his decades of campaigning against this abhorrent practice.

[Sarah Champion]

The problem is that as things currently stand it is very hard to apply the forced marriage parameters to child marriage. That cannot be right. Let me give an example: if someone has been told from the age of four that they are going to marry their much older cousin, they of course accept that that is going to be normal. When they are then married at 16, whether registered or not, why would they challenge that? I argue that that is coercive control: that child has been brainwashed from a very young age. It is unacceptable that to get a prosecution, a child has to recognise that, go to the police and speak against their family, often with horrific consequences. That is why this new legislation is so necessary.

Until now, children living in England and Wales who are at risk of child marriage have too often been failed by the safeguarding professionals who should have protected them, leaving them to suffer the extreme and lifelong consequences of child abuse. Too often, we even hear about social workers who attend the religious marriages of 15-year-olds; where is their safeguarding head when they do that? As a country, we are signed up to the UN definition of a child being someone up to the age of 18. Legally, we accept that, yet in this country we also accept that a child can be married. I just do not understand that. I try, but the only logic that I can find, apart from historical reasons, is that we are confusing sexual consent with consent to be married.

I agree that at the age of 16 someone is aware of their body and should have some control over it. It is their right to be able to give consent, although unfortunately consent is often not sought by others. However, we recognise legally that someone is a child until age 18, which is most obvious from the fact that they have to go to school until the age of 16. Why is it that in this one area we do not allow that recognition?

I go back to the hypothetical child who gets married, say at 16, to someone 30 or 40 years older or even to someone in their 30s or 40s. For an indefinite period, that child will be subjected to abuse, and for two years it will be child abuse. Unless we pass this legislation, we are just accepting that.

Most cases are religious marriages. I know of an example: a friend of mine I met in my first year at university. We will call her Susan. She was married at 16 to a much older man. She was white British; he was a white American. I will not say that they were religious extremists, but they were both very fundamental in their religious beliefs. Susan had barely met the man. They had corresponded by letter for a year or so before they got married; he came to the country as soon as they were married. As she was married when she went to university, they got married quarters, and I would go and see them there. He was very aggressive and very abusive. I was thinking about it as I was walking in today: I vividly remember him pinning her down in front of me and spitting in her face, saying, "It is your duty to obey me. God says you have to obey me."

I just could not believe it. I shame myself now by saying this: I used to see her next to me in psychology class, but until I started campaigning with the hon. Member for Mid Derbyshire, I never recognised that Susan was in a child marriage—a forced marriage. I get chills as I think about that moment of recognition: "Wow—this is going on among us."

Internationally, we should be leading the way. I talk to people in countries around the world and try to encourage them to increase their level of child protection, and the one answer that always comes back is, "You allow child marriage in the UK." If we want to be seen internationally as a country that does the right thing—if we are to have any credibility whatever—we have to pass this legislation.

10.17 am

**Selaine Saxby** (North Devon) (Con): I thank my hon. Friend the Member for Mid Derbyshire (Mrs Latham) for what, to those of us who have not been in the House as long, has been an education in how to progress and deliver a Bill over such a long period. I thank her for the Bill, which is an excellent piece of legislation. I also thank my right hon. Friend the Member for Bromsgrove (Sajid Javid) for his work behind the scenes to make sure that when we work together as a team, we move things forward. Points have been made about cross-party working; we have all seen on recent Fridays what we can do when we work together and how much stronger we are when we do.

This is such an important issue. So many other things happen at the age of 18 that I think many hon. Members will be surprised that the marriage age is different. People cannot make a will, serve on a jury, become an MP or even get a tattoo until they are 18, yet they are allowed to get married. As my hon. Friend the Member for Aberconwy (Robin Millar) said, marriage is a serious undertaking that is not to be ventured into lightly. With increased life expectancy, we have no end of years to get everything packed in. As a former teacher, I am very keen for youngsters to spend as long as possible in education, whether it is vocational or formal, to ensure that they can fully appreciate their later years and enjoy their marriage when they get there.

My hon. Friend the Member for Mid Derbyshire and the hon. Member for Rotherham (Sarah Champion), who are both senior Members of the House, have made the important point that we cannot tolerate child marriage. It is child abuse—that is what we see in society. We have to lead the world. This is one opportunity of so many for us as legislators to lead the world and drive real change.

The charity Action Aid has said:

"Child marriage robs them—  
girls—

"of their childhoods, education, health and freedom".

I am delighted to be able to put my thoughts on the record today, and to support the Bill.

Let me give some more details about youngsters who go into marriage. At least four times as many girls as boys do so, but we need to look after the boys as well. We know that child marriage is associated with leaving education early, limited career and vocational opportunities, serious physical and mental health problems, developmental difficulties for the children born to young mothers, and an increased risk of domestic abuse. Surely it is only right for us to allow this Bill to make progress and ensure that children can enjoy their childhoods and we can put an end to this abhorrent practice.

10.20 am

**Dr Ben Spencer** (Runnymede and Weybridge) (Con): I congratulate my hon. Friend the Member for Mid Derbyshire (Mrs Latham) and my right hon. Friend the Member for Bromsgrove (Sajid Javid) on introducing this crucial piece of legislation.



Let me start my brief speech by drawing attention to the importance of the institution of marriage. I think that all Members throughout the House—those who are married, those who are not married and those who are in civil partnerships—would agree that it is a critical, fundamental part of our society. It is important to our communities, to keeping families together and to raising children. I am married, and getting married was without doubt one of the best things that I have ever done in my life. It was a far greater achievement than becoming an MP. I am amazed that I managed to persuade my lovely wife to marry me: that was surely more of an achievement than being elected a Conservative Member of Parliament!

It is important that the institution of marriage is not corrupted but protected, and that we have strong legislation and strong cultural provisions to ensure that the institution has sanctity and significance in our society. I have already given my pitch on the religious aspect of marriage; now I want to say a bit about the legal, contractual elements. It is important to recognise that this is a serious decision, and that two people are entering into a serious contract with incredible long-term consequences involving finances, rules relating to next of kin, and parental responsibility—which applies to men only by default if they are married to the mother at the time of the child's birth. As we know, when marriages or partnerships unfortunately do not work, there is a high bar which has been very deliberately imposed for unwinding them. This is a contract between two people on steroids. That is why robust measures are required to ensure that those entering into a marriage or civil partnership really know what they are doing, do it willingly, and understand the consequences.

I remember what I had to go through before my marriage: meeting a priest, taking marriage courses—which were fascinating in themselves—and speaking to the registrar, when I was tested on how well I knew my wife. Procedures such as that exist to ensure that people go into marriage with open eyes and understand the gravity of the institution.

I have always thought that allowing 16 and 17-year-olds to be married with parental consent is very odd. Given the personal nature of marriage and all its consequences, to have consent by proxy from one's parents seems bizarre in itself. I am sure that plenty of children, certainly those over 16, have competence, in the sense of Gillick competence, when it comes to entering into a marriage, because in a way it is quite a simple decision. In our society and our culture, we all learn about marriage and its consequences. It is the gravity of the decision, rather than the decision itself, that is problematic.

In medicine we have parental consent by proxy, and parents give consent for medical procedures on behalf of their children all the time. When children get to 16 or 17, parents can still give consent on their behalf, but a doctor or practitioner is involved who is recommending the treatment. There is a third party, an officer of the state—that is what doctors and nurses are in this context—recommending the medical intervention. That deeply personal contract is very different from marriage, but even medicine recognises that there are some decisions that are so big that parental consent is insufficient. One example is giving electroconvulsive therapy to children under the Mental Health Act, where there is an

acknowledgement that we cannot and should not rely on parental consent alone and that we need other legal procedures.

**Cherilyn Mackrory** (Truro and Falmouth) (Con): I congratulate my hon. Friend the Member for Mid Derbyshire (Mrs Latham) on introducing this Bill. Does my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) agree that the Bill will bring legislation into the modern age? I am a big believer that it takes a village to raise a child, but in this Bill we are saying as a society that marriage is not something children should be doing at all. We are giving young people, as they grow, the autonomy to make that decision for themselves without the need for parental control.

**Dr Spencer:** I entirely agree. This Bill essentially brings historical views of marriage and marriage legislation into the 21st century, bringing it into line with other areas of law in terms of consent and individual autonomy. One of the principles of the Mental Capacity Act 2005 is essentially to delay a decision, if it does not need to be made there and then, until a person regains capacity. I would argue that the provision we are debating today is in line with the principles of that Act.

I submit there is no urgent need for a 16 or 17-year-old to enter into a contract of marriage or civil partnership. I think it can wait until they are 18 so that we can be confident that this big, important decision—one that will affect the rest of their lives—is one they enter into with full competence, willingness and foresight of all the consequences and benefits of marriage.

We have talked about child abuse and vulnerable people, but it is also about making sure people make the right decision about the person they want to marry. Not to put too fine a point on it, the people we fancied or liked when we were 16 are often different from the people we fancied or liked when we were 17, 18 or in our mid-20s. There is also a question of maturity as people grow up.

I think this is a fantastic Bill, and I am not at all surprised that it has cross-party support. All I can say is that I wish we had been able to introduce it earlier. I commend my hon. Friend the Member for Mid Derbyshire for introducing it.

10.28 am

**Andy Slaughter** (Hammersmith) (Lab): This has been a short, harmonious and positive debate, and I congratulate the hon. Member for Mid Derbyshire (Mrs Latham) on her Bill. She has engaged with this topic for many years and she now appears to be on the brink of prosecuting it successfully, having secured Government support.

As we have heard, a 16 or 17-year-old in England and Wales can currently enter into marriage or civil partnership with parental consent. Looking at the bare figures, the number doing so is low. In 2018, fewer than 150 16 and 17-year-olds entered into marriage, out of a total of 235,000 marriages in England and Wales. As my hon. Friend the Member for Rotherham (Sarah Champion) said, this may understate the nature of the issue, as allowing marriage at 16 blurs the lines and perhaps gives succour to those who support child marriage at even younger ages. By having a clear dividing line at 18 we will unambiguously be saying that there are no circumstances in which children should be entering legal relationships of marriage or civil partnership. The

[*Andy Slaughter*]

children's charity Barnardo's has raised concerns based on research showing that marriage for children aged 16 and 17 can result in their experiencing domestic violence and sexual abuse, and missing out on educational opportunities. As we have heard at length, there are also arguments that marriage at this age can leave vulnerable young people open to coercion and forced marriage. More than 10% of forced marriages involve the 16 and 17-year-old group.

The United Nations Office of the High Commissioner for Human Rights defines child marriage as

“any marriage where at least one of the parties is under 18 years of age.”

It defines forced marriage as

“a marriage in which one and/or both parties have not personally expressed their full and free consent to the union.”

The Commissioner's view is that all child marriages equate to forced marriages, as a child cannot give

“full, free and informed consent.”

Furthermore, the UN Committee on the Rights of the Child recommended in 2016 that the UK raised the minimum age to 18. Overwhelmingly, the issue affects girls and women; 80% of those who married as children in 2018 were girls. That is by far the strongest argument for raising the minimum age for marriage and civil partnership, and it is why we are happy to see this Bill get its Second Reading today.

However, if we are really to tackle forced marriage, this Bill alone will not be sufficient. I would like to see more from the Government on how they intend to protect children and young people at risk. How will the Government support those who wish to leave marriages that they have been forced to enter? How can we provide a safe space for people to report a forced marriage? We also recognise the importance of support staff in schools in helping to look out for the signs of forced marriage. For that matter, can we have better training for registry office staff to spot the signs of coercive marriage? We are talking about not only forced marriage, but the increasingly common practice of taking advantage of those who lack capacity for financial gain. Only about a fifth of reports to the Forced Marriage Unit in 2019 were from the victims themselves, with the vast majority of reports—64%—having been by professionals, such as those in the education, social services and legal and health sectors, as well as some other third party organisations, such as non-governmental organisations.

**James Daly** (Bury North) (Con): Obviously, this is a most welcome Bill, but the crucial part of it, which we have not talked about today, is how the police are going to investigate and ensure that these offences are prosecuted efficiently and correctly. There have been numerous examples in recent years where issues of safeguarding, serious sexual offending and the protection of victims have not been investigated in an appropriate way by police forces. That must be fundamental to the success of this Bill.

**Andy Slaughter:** I am grateful to the hon. Gentleman for his intervention, and I know from the time we spent together on the Select Committee on Justice that he is very passionate about these matters. Last year, the figures were distorted by the pandemic, but before the pandemic the Forced Marriage Unit supported

about 1,400 victims in any given year. That probably underestimates the problem substantially, with many cases going under the radar. The Home Office itself has said:

“Forced marriage is a hidden crime, and these figures will not reflect the full scale of the abuse.”

He is right to draw that to our attention. Everybody else has been very economical in their remarks, and I will attempt to do the same—

**Mr Virendra Sharma:** Does my hon. Friend agree that this is about not only passing this Bill, but raising awareness? On forced marriages and other institutions, we need to go to the education system and all other participating institutions to promote the law, so that the children in schools are fully aware of their rights. That is the way forward, as Members have said.

**Andy Slaughter:** I am grateful for that intervention as well. It could be argued that this Bill is addressing a narrow and specific, albeit important, point, but the ramifications of the Bill go far wider in drawing attention to exactly the issues that my hon. Friend has raised. As the promoter of the Bill said, the current law is almost a century old and outdated—family life has moved on markedly since then. To take just one example, we now require young people to continue their education or take an apprenticeship up to the age of 18, so being able to marry below that age seems to be somewhat in conflict.

The state should always be hesitant about legislating and intruding on family life and relationships, but our record in the past 20 years is good. We have brought in progressive legislation on civil partnerships and same-sex marriage. I was pleased to sponsor, owing to a constituency connection, the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019 promoted by the hon. Member for East Worthing and Shoreham (Tim Loughton), which gave the rights of civil partnership already enjoyed by same-sex couples to opposite-sex couples, thus completing the equation of equal status.

There is more to do: we should legislate on humanist marriage and look at common-law marriage, where millions of people—women in particular—mistakenly find themselves without rights or assets on the death of their partner. However, the Bill is an important and substantial step forward. It is a progressive Bill, and the Opposition wish it well in its remaining stages.

10.36 am

**The Parliamentary Under-Secretary of State for Justice**

**(Tom Pursglove):** I thank my hon. Friend the Member for Mid Derbyshire (Mrs Latham) for introducing this important Bill. It was terrific to have the Secretary of State for Health and Social Care, my right hon. Friend the Member for Bromsgrove (Sajid Javid), with us at the start of the debate. There was what I would characterise as an immaculate baton passing from him to my hon. Friend to allow this private Member's Bill to progress in this Session. I look forward to her taking the Bill further and hope to see it complete its journey so that we can bring this law to the statute book. Perhaps all hon. Members will accept that, in the last few weeks, we have seen a lot of adversarial politics in the Chamber. I think it is refreshing that, this morning, the country sees a House of Commons coming together to deliver an important reform that we can all support.

The hon. Member for Rotherham (Sarah Champion) spoke eloquently. I also found it chilling when she spoke of the experience of her friend. What her friend went through was horrendous, and it is right that we are coming together to take action to stop young people going through such experiences in future. It is impossible for anybody not to be hugely troubled by those experiences. The hon. Lady put her case well and effectively.

My hon. Friend the Member for Member for Mid Derbyshire did a brilliant job of laying out the provisions of the Bill, the purpose of which is to end child marriage and civil partnerships in England and Wales. There are two ways in which children can currently marry. First, they can have a legal ceremony at 16 or 17 with parental or judicial consent. That includes both civil and religious ceremonies such as those in the Church of England. That aspect of child marriage would be solved by raising the minimum age to 18. Secondly, children of any age can take part in marriage ceremonies that are non-legally binding, which often take place in a community or traditional setting. Those unregistered marriages will be addressed by expanding the offence of forced marriage to make it illegal to arrange for a child to enter marriage where coercion is not used.

Statistics demonstrate that girls are more likely to enter a legal marriage under the age of 18 and, therefore, more likely to be impacted by the adverse effects of child marriage that were so helpfully set out by my hon. Friend. In 2018 in England and Wales, 28 boys under the age of 18 married, compared with 119 girls.

**Mr Mohindra:** I welcome the Minister to his place—it is the first opportunity that I have had to do so. Does he think that Northern Ireland and Scotland will follow suit?

**Tom Pursglove:** My hon. Friend raises an important point. We are, of course, considering measures that relate to England and Wales. That sends out a very clear message about what our intentions are in this House and, as has been mentioned several times today, the point about the international example that we want to send out is an important one, too. I want the United Kingdom to live up to the rhetoric towards which we ask others to work. That is made more challenging when our law in this country does not reflect what we are asking others to do.

**Mrs Latham:** Was my hon. Friend aware that Northern Ireland is consulting on changing the law there? Obviously, he will be aware that Scotland has the same obligations as us to follow the United Nations sustainable development goals. They may end up being complete outliers and not following through, but they may also end up being dragged through with this, which has to be a good thing for children in the whole of the United Kingdom.

**Tom Pursglove:** I am very grateful to my hon. Friend. Of course, devolution and the devolution settlement is very sensitive, and it is right that directly elected politicians in Northern Ireland and in Scotland reach the decisions that are appropriate for the communities that they serve. However, what we are dealing with here is a very serious matter that relates to the welfare and wellbeing of young people. I would like to think that the Scottish Government and the Northern Ireland Assembly will

want to level up their provisions in the way that we are doing today with this Bill, so that, as one United Kingdom, we have a consistent position. None the less, I am proud of the fact that, across this House, we are coming together to send out a clear message of our intentions in this area. This is a long-overdue reform and I hope that we will see the other nations of the United Kingdom coming together to follow suit. It is welcome, too, that Northern Ireland is about to embark on a consultation on this issue.

The Bill plays an important role in the Government's ambitions to end crimes that disproportionately involve violence against women and girls—in this case girls. Indeed, in our tackling violence against women and girls strategy published in July, we committed to ending child marriage as soon as a legislative vehicle became available, which it now has.

The UN sustainable development goals require all countries to

“eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations by 2030”.

The UN Committee on the Rights of the Child has recommended that there should be no legal way for anyone to marry before they turn 18, even if there is parental consent. The fact that it is currently possible to marry at 16 is setting the wrong example both at home and abroad. Having laws that enable child marriage weakens our voice in discussions with other countries and damages efforts to end child marriage globally. This is an area where we should be leading by example, and this Bill will enable us to do that.

This may be a slightly technical point, but it is an important one to make. The Bill will act as a further obstacle to those seeking to take children abroad to marry. That is not covered in the Bill itself, as it relates to the common law, but we anticipate that, following the changes made by the Bill, the common law in England and Wales will not recognise marriages taking place abroad involving under-18s where either party is domiciled in England and Wales. “Domiciled” is a legal term, which, in its simplest form, means the place where a person's permanent home is. To give an example of this in practice: if a 16-year-old girl, whose permanent home is in England, is taken abroad by her parents over her school holidays to enter into a marriage that is legally recognised in that country, that marriage will no longer be legally recognised in England and Wales.

The Bill will not change the age of marriage in Scotland or Northern Ireland, as marriage is a devolved matter. Therefore, the age of marriage in Scotland will remain at 16 and in Northern Ireland it will be 16 with parental or judicial consent. Someone who arranges for a 16 or 17-year-old to get married in Scotland or Northern Ireland cannot be prosecuted for forced marriage under the law of England and Wales, unless they had used coercion to do so. That applies even if they, or the party to the marriage, lived in England and Wales. However, as explained above, if a couple travels to Scotland or Northern Ireland to marry, and either of them is 16 or 17 and has their permanent home in England or Wales, that marriage will not be legally recognised in England and Wales. It will also not be legally possible for that couple to marry in Scotland, due to existing Scottish law. This will add an extra layer of protection for children, and will provide clarity to teachers and social workers, enabling them to report all



[Tom Pursglove]

concerns about children being forced to marry—having a marriage arranged for them here or being taken abroad to marry—to the police.

**James Sunderland** (Bracknell) (Con): I commend my hon. Friend for the repeated use of the word “child”; we are talking about children. We have seen with many other issues an inability to allow kids just to be kids, so I thank him for the work that he is doing and I thank my hon. Friend the Member for Mid Derbyshire (Mrs Latham) for her Bill.

**Tom Pursglove:** My hon. Friend is very generous. It is fair to say that this has been a team effort, spearheaded by my hon. Friend the Member for Mid Derbyshire with support from Members across the House, which is extremely welcome.

I invite our friends in Scotland and Northern Ireland to review the position in their respective countries. I believe that Northern Ireland has just issued a public consultation, to which my hon. Friend the Member for Mid Derbyshire has alluded. I really do hope that this Bill will be the catalyst for levelling up across the whole United Kingdom, so that we have a consistent position and are able to send out this important message internationally.

**Anthony Mangnall:** When I hear my hon. Friend the Member for Mid Derbyshire (Mrs Latham) and the hon. Member for Rotherham (Sarah Champion) speak, I always feel very fortunate to be able to serve in the same place as them. So much of what is in the Bill is dependent on prosecution and enforcement. I wonder whether the Minister can go further on this, because we need to ensure that we bring people to account. As has rightly been said, this is about not making the child someone to prosecute, but supporting and helping them as victims.

**Tom Pursglove:** My hon. Friend raises an important point. He, too, has been a vocal champion on these issues—not just here on the domestic stage in the United Kingdom, but globally—including on the issue of overseas aid. Let me speak to the point that he has just raised, particularly regarding how the police will be able to enforce this new offence.

We should be under no illusions about the fact that forced marriage remains a challenging crime to prosecute, but we would like to see more prosecutions. The Government are working closely with the police to achieve this, but the situation will not change overnight. Forced marriage is often a hidden crime and children are understandably reluctant to criminalise their parents, but this change could make prosecution easier—not only for the behaviour that it specifically encompasses, but for cases already covered by forced marriage law. If there is no need to prove coercion, the burden on the prosecution is easier and there would be less of a role needed from the child victim.

The shadow Minister, the hon. Member for Hammersmith (Andy Slaughter), raised the wider point about the work that the Government are doing to tackle forced marriage. The joint Home Office and Foreign Office Forced Marriage Unit helps many hundreds of victims and trains many hundreds of professionals every

year, and carries out wider outreach activity. The Home Office provides £150,000 a year to the charity Karma Nirvana to run the national honour-based abuse helpline, a large proportion of whose cases relate to forced marriage. The joint police and Border Force operation, Operation Limelight, works to raise awareness of harmful practices at the border, including forced marriage.

The Home Office provides multi-agency guidance and a free e-learning course on forced marriage to assist professionals. The tackling violence against women and girls strategy, which was published in July, confirms that it will develop a new online resources pack to offer further support. The Home Office has produced a leaflet about forced marriage, which is available in 12 languages, and that is also welcome. The Department for Education has added forced marriage to the relationships and sex education curriculum in schools, because it is so important that there is that awareness around the issues.

**James Daly:** My hon. Friend touches on an important point. The criminal justice system at present does not deal with matters such as this immediately. The alleged perpetrator will either be released on bail or under investigation, which can lead to many months of delay in any potential criminal prosecution. The period between complaint and charge is therefore crucial, and we need the support in place to ensure that victims are not penalised any further for having the bravery to stand up and make the complaint to the police in the first place.

**Tom Pursglove:** I am grateful to my hon. Friend for raising that point, which I am mindful of as the victims Minister in my Ministry of Justice capacity. As I said clearly in the House only a few weeks ago, when asked about progress towards a victims Bill, we need improvements to the process right from somebody reporting a crime in the first instance to the courtroom. We are working towards that objective as we hopefully introduce the Bill in due course, because there is room for improvement.

My hon. Friend’s point is well made and we need to be mindful of that in the context of these offences, particularly for the simple reason that we are dealing with children who require comprehensive wraparound support in the circumstances. We are talking about members of their own family putting them in that position which is actually very difficult for all hon. Members to comprehend.

**Sarah Champion:** I will make two points. First, relationship education, where the issue could have been explained to children, should have been mandatory from September 2020. It is still not in force and only one in five teachers have taken the Government’s training on it. Secondly, does the Minister know about the teaspoon campaign, which is worth mentioning? If someone feels that they are being coerced out of the country, they can put a teaspoon in their pants so that when an alarm goes off, the guard knows exactly what they are saying and will put the necessary support around them.

**Tom Pursglove:** I am grateful to the hon. Lady for those points. I was not familiar with the teaspoon campaign, which is clearly valuable and important; Members on both sides of the House will find that intervention informative and useful. I would be delighted



to receive more information from her or have a conversation about that work separately after the debate. On the point about teaching, I will pick that up with colleagues in the Department for Education and make sure that she receives a full answer.

I touched on the tackling violence against women and girls strategy in my earlier remarks. I will say a bit more about it and the work that is going on through it to tackle forced marriage and other forms of honour-based abuse. We will seek out community advocates who can talk to community audiences and explain why forced marriage and other honour-based abuse crimes are wrong. We will provide them with resources to back up their messages.

The College of Policing will also produce advice for police officers on honour-based abuse, so that first responders and investigators know how to deal with cases. The product for first responders will be published soon. We will also produce a resource pack on forced marriage for local authorities, the police, schools, healthcare services and others, similar to our existing one for female genital mutilation.

The Home Office will explore options to better understand the prevalence of FGM and forced marriage in England and Wales, given their hidden nature and the lack of robust estimates. We will work to criminalise virginity testing and will bring forward legislation when parliamentary time allows, which will be accompanied by a programme of education in community, education and clinical settings to tackle the misperceptions and misbeliefs surrounding the practice.

The Department for Education will work with a small number of local authorities as part of the children's social care covid-19 regional recovery and building back better fund to identify the challenges and barriers in effective safeguarding work addressing FGM and to develop and disseminate good practice to other local authorities. Various other general commitments are relevant to tackling forced marriage such as our £3 million programme on what works to prevent violence against women and girls and the appointment of Deputy Chief Constable Maggie Blyth as the first full-time national policing lead for violence against women and girls. That is all important.

**Nickie Aiken** (Cities of London and Westminster) (Con): I put on record my thanks to my hon. Friend the Member for Mid Derbyshire (Mrs Latham) for an excellent private Member's Bill. I am delighted that the Government are favourable to it.

Given what the Minister has said about the violence against women and girls strategy, does he agree that it is important that local authorities play a massive role and that, as part of that, perhaps there should be some training for local councillors? Perhaps the Home Office could work alongside the Local Government Association to ensure that there is training for best practice, so that local councillors who are not from communities involved in practices such as marriage under 18 for their children can understand the cultural differences, be more understanding and protect our children.

**Tom Pursglove:** My hon. Friend is a distinguished former council leader in her own right, and she brings an awful lot of experience and knowledge to the proceedings in this House by virtue of that experience at Westminster

City Council. I think her point is well made, and it is one that I am very happy to share with the safeguarding Minister—the Under-Secretary of State for the Home Department, my hon. Friend the Member for Redditch (Rachel Maclean)—who I know looks at these matters very attentively and is always mindful of them.

As someone who has just come into ministerial office, one of the points I have regularly made in the many conversations I have had with officials over the last two months is that cascading best practice is often so important. I always want to be satisfied that we are doing everything we can to cascade best practice where it exists. There are lots of examples out there in lots of different areas of policy, and we do not always need to reinvent the wheel. What we need to do is pick up what is done well, cascade that throughout the wider system and drive forward improvement. My hon. Friend's point is well made, and I will gladly ensure that it is flagged up.

**Anthony Mangnall:** I apologise for interrupting, but the Minister made reference to a commissioner. I am interested to understand the remit of that commissioner, the response time and the number of reports that will be put forward, how they will act and their purpose, and whether the Government will take on board those things, as we do with the Independent Anti-Slavery Commissioner.

**Tom Pursglove:** I think my hon. Friend is probably referring to deputy chief constable Maggie Blyth being the first full-time national policing lead for violence against women and girls. I am certainly very willing to go away and try to find out more information on the points he has raised about her remit and precisely how that new role is going to make sure that he is aware of that important work. I think introducing that role was an important breakthrough. Again, that does not sit directly within my portfolio, but I am keen that my hon. Friends engage with him about that work.

**Mr Virendra Sharma:** I am so glad to hear that the Minister has recognised the best practices in many local authorities, including mine in Ealing. With such best practice, the number of forced marriages and honour-based abuse will be reduced. I am glad to be the chairman of the all-party parliamentary group on honour-based abuse, and we promote that best practice. Can I ask the Minister if he is looking to make more of the relationship with India through the British high commission? India has recently increased its marriage consent age from 18 to 21, so could he take the best practice from there? We can get best practices from outside Britain as well, although the outside world is looking to Britain to be a guide on that.

**Tom Pursglove:** I thank the hon. Member for talking about the experiences in Ealing and the work his local authority is undertaking, as well as for the point about the international example, which we have talked about in some detail in this debate. Again, if I may, I will feed back to the safeguarding Minister the points he has raised, so that she is mindful of them in the work she is doing in this space.

As my hon. Friend the Member for Mid Derbyshire has explained, this Bill will also strengthen existing forced marriage legislation. It is critical that we end legal child marriage, but as long as children can be part of a ceremony of so-called marriage that is not recognised by the law, as many now are, the evil of child marriage

[Tom Pursglove]

will persist. We know that it is illegal to force a child—or, indeed, an adult—into marriage, but if coercion is not used there is no criminal sanction against the parent. To eliminate this loophole, the Bill rightly updates forced marriage legislation to ensure that it is always illegal to arrange the marriage of a child, whatever the practices used to bring it about.

This Government are committed to making sure that children and young people are both protected and supported as they grow and develop, in order to maximise their potential and their life chances. That includes having the opportunity to remain in education or training until they reach the age of 18. Child marriage can deprive them of these important life chances. The age of 18—not 16—is widely recognised as the age at which one becomes an adult. The Government believe that full citizenship rights should be gained at adulthood. A marriage or civil partnership is a lifelong commitment with significant legal and financial consequences, and this change will allow individuals more time to grow and mature before making a commitment of this nature.

In closing, I reiterate the key point that my hon. Friend the Member for Mid Derbyshire made in her remarks. I want to be crystal clear that this law is not about criminalising children who get married; it is about prosecuting the third parties that arrange the marriage. That point needs to be underscored at every turn and placed on the record. This debate is a big moment for my hon. Friend, who has run an exceptional campaign over many years. When we look back at this debate and the passage of this Bill, we will genuinely look at this as a significant social reform for the better, and probably one that we will think was long overdue. Hearing the stories of girls such as Payzee brings this issue to life and serves as a sobering reminder of why this legislation is so important. With that, I can confirm with great pleasure that the Government will be supporting the Bill's passage through this House, and I look forward to its making steady progress.

11.1 am

**Mrs Latham:** I thank everyone who has taken part in this debate today, because it is a life-changing event. It will change the lives and life chances of millions of girls and young boys over time. It will make us a country that can lift its head up high and say, “We did change the law.” I also thank the Clerks of the House, the Department, which has made it possible to get to this stage, and the Minister, but especially the Secretary of State for Health and Social Care, who came in specifically to speak in this debate, and the former Lord Chancellor, my right hon. and learned Friend the Member for South Swindon (Robert Buckland). This is a cross-party initiative, and I am delighted that people on the Opposition Benches have been so supportive of the Bill. I look forward to the Bill going into Committee, if it goes through today, because it will fundamentally change the life chances of so many people.

*Question put and agreed to.*

*Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).*

## Planning (Enforcement) Bill

*Second Reading*

11.3 pm

**Dr Ben Spencer** (Runnymede and Weybridge) (Con): I beg to move, That the Bill be now read a Second time.

Rogue development is the cause of great anger and misery in Runnymede and Weybridge. Our green belt and natural environment are incredibly important. Our green belt prevents urban sprawl, protects biodiversity, provides a home for countless types of wildlife and provides essential outdoor space for leisure. Whether it is green parks, farmers' fields, meadows or forests, our green belt is our community identity, health and wellbeing, and it must be protected.

I have seen the incredible harm that rogue development does in my beautiful constituency of Runnymede and Weybridge, but from speaking to other Members, I know that it happens everywhere. I am here today to right this wrong, to put strong measures in law to stop rogue development in its tracks and to protect our green belt and local communities.

We have planning policy and rules to regulate where development can happen. We have processes of appeal and enforcement. For the most part, people stick to those rules, but some people do not—they deliberately build on the green belt without permission. They set up lorry parks, with heavy goods vehicles trundling down country lanes in front of people's homes and schools, all without permission.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): Shame!

**Dr Spencer:** It is shameful. They build temporary homes with no thought to infrastructure, sewage, water or the impact on local services, all without permission. They destroy green fields and forest to make a quick buck. That in itself is enough to infuriate anyone, particularly my residents who live next to a rogue development, but there is something even worse—even more toxic and offensive—than the rogue development itself.

One of the things that I believe unites us all is the British sense of fairness and fair play. As the MP for Magna Carta, the importance of due process, proper legal strictures and the right of appeal weighs heavily on me and is always at the forefront of my mind. Sometimes people make innocent mistakes, and our planning enforcement system needs to be fair, but rogue developers prey on that system. They use it to their advantage. They profit from fairness by abusing the system—by appealing, delaying, changing, amending, adapting. What was a farm becomes a spray shop, becomes a junkyard, becomes a dwelling, becomes a block of flats. By redeveloping, appealing, delaying, building, ignoring, they can continue to profit from rogue development with impunity, making vast amounts of money. And the local authority is helpless, trapped in our cumbersome enforcement and appeal system. This must stop.

When I first became an MP and my constituents brought the horror of rogue development to my attention, I spoke to many people about how we could solve it, and I was often told, “Stay out of it. It's too difficult, Ben. It can't be solved.” Such are the challenges of

enforcement that in a particularly egregious case, one of my local councils, Runnymede, has had to use extraordinary methods—a proceeds of crime order—to try to stop this rogue development cycle. This is crazy.

I refuse to accept that this problem is too difficult to fix. This is about basic fairness, protecting our communities and stopping villains profiting from crime, and I do not think there is a single Member of this House who disagrees with me about the importance of fixing the problem.

**James Sunderland** (Bracknell) (Con): I can think of plenty of examples in my neck of the woods in east Berkshire, and indeed in neighbouring Hampshire and Surrey, of where unscrupulous landowners have put scrap cars on sites, contaminated the soil and put up small dwellings, with constant encroachment on what is there already. Does my hon. Friend agree, therefore, that we must give councils the powers to deal with this issue and to ensure that these unscrupulous people cannot make money from their actions?

**Dr Spencer:** I entirely agree with my hon. Friend. That is just another example of something I said at the start of my remarks: while this issue blights many parts of Runnymede and Weybridge, it affects people across England and Wales.

**Sir Christopher Chope** (Christchurch) (Con): May I ask why my hon. Friend's Bill is drafted in such a tentative way? It says that the Secretary of State "may" make regulations. Bearing in mind my hon. Friend's strength of feeling on this issue, which I share very much, why is he not demanding more of the Secretary of State?

**Dr Spencer:** The reason for the Bill's drafting is that this whole area of planning enforcement and law is complicated—I recognise that—and in the discussions that I have had with Ministers—

**Mr Deputy Speaker (Mr Nigel Evans):** Order. Dr Spencer, would you face the Chamber? I know that it is awkward and that you want to respond to Sir Christopher, but you have to talk to the Chamber.

**Dr Spencer:** My apologies, Mr Deputy Speaker.

I recognise that this is a very complicated area. Rogue developers will use any chink in the armour of enforcement and the appeals process to their advantage—I will come to that a bit later—so it is important that there is as much scope as possible for regulations to be adapted, amended and updated to ensure that we get this absolutely right and prevent these rogue developments. That is why the Bill is drafted in the way that it is.

**Anthony Mangnall** (Totnes) (Con): Sorry, I am not helping my hon. Friend make any progress. He mentioned the impact that this issue has on local authorities, but there is also the impact that it has on our residents and constituents. They spend countless hours on neighbourhood plans and trying to get the best for their communities, only to find that developers ignore them. This is about them; it is about taxpayers' money, where it goes, and what our local authorities do. I hope he recognises, as is recognised in the Bill, that there is an enormous opportunity to restore faith in process and ensure that greed is not winning the day.

**Dr Spencer:** I thank my hon. Friend for his intervention—it is exactly that. One challenge is that residents see what is effectively a two-tier system, in that those who do not play by the rules are managing to benefit from that. It is a source of great frustration. For enhancing faith in the law and the faith of local authorities in the Government, the inclusion of measures to stop people getting away with breaking rules is critical.

Why is all this so hard? Let us go through it. Under our current processes, if someone builds a lorry park on a farm without permission, first that needs to get reported. The local planning authority must investigate and, if necessary, issue an enforcement notice. All that time, the lorries are moving and the rogue developer is making money. Section 174(1) of the Town and Country Planning Act 1990 provides a right of appeal, and this is where it really starts to get fun. Written notice of the appeal must be sent to the Secretary of State before the date specified in the enforcement notice as the date on which it is to take effect. If an applicant gives notice of appeal without providing a statement in writing, specifying the grounds on which he or she is appealing, they are granted a further 14 days to provide it. So far, the council has found a breach, and that takes time. It has investigated it, which takes time. If one games the system by submitting an appeal without a statement, one gets even more time. All that time, lorries are moving and the rogue developer is making money.

If an enforcement appeal is delayed because the appellant fails to provide sufficient information and the Department's request for it is ignored, the Department will involve the Secretary of State's powers under regulation 5 to require a time limit to be observed. Before we even get to the appeal, not providing information can lead to ongoing delays. That means more lorries, and more money for the rogue developer. Most enforcement appeals are transferred to planning inspectors for determination. Appeals represent the highest volume—but not all—of their work, and the number of open cases is vast. It increased to about 11,000 in August 2020, and although that number began to reduce, in recent months it has been rising again. This summer it reached 10,500. The average time for inquiries to be heard is 60 weeks. Think about that—60 weeks! That is 60 weeks of lorries moving, and rogue developers making money.

Once the Secretary of State or planning inspector has determined an appeal, an application for leave to submit a further appeal in the High Court can be made on a point of law, under section 289 of the 1990 Act. That must be submitted within 28 days of the appeal, or in an extended period at the court's discretion. So long and drawn out is the process that Government guidance even sets out considerations for if it takes longer than four years. That is four years of lorries, and by that time, it is no longer just a lorry park as homes are starting to be built. The next cycle is about to begin, and all that time the rogue developer is making money by changing the goalposts, gaming the system, and destroying our communities.

My constituents say to me, "Ben, look at this. We live in a society where the rule of law is broken." What can I say to them? We can add to all that the fact that planning enforcement is a discretionary service, at a time when local authority finances have been under significant pressure. I must stress: this is not the fault of our local authorities and their planning enforcement



[Dr Ben Spencer]

teams. They are fantastic, and they are equally frustrated by the lengthy delays in trying to tackle these issues. They would welcome further powers, so that we can identify and address rogue development more swiftly and effectively.

In a nutshell, tackling that is the aim of the Bill. First, it will create greater transparency, making it easier to identify persistent offenders. Currently, there is no way to identify or track those who persistently flout planning rules. This Bill will therefore create a national database for planning enforcement issues and a duty to declare whether an applicant has been subject to previous enforcement notices. This will be populated by planning enforcement teams and paid for through the existing mechanisms of the planning application fee. To address the most serious planning breaches—those that cause the most significant damage to or impact on our communities and natural environment—the Bill also seeks to strengthen the powers available to local planning authorities. Clause 3 therefore sets out a mechanism for local authorities to apply for a High Court injunction, where the court may apply conditions on the site or developer, including, but not restricted to: restricting the use of a site currently subject to enforcement proceedings; stopping the lorries; requiring remedial action to return the site to its prior condition; putting back the forest; digging up the concrete and asphalt; and preventing further applications being made until the initial enforcement matter is resolved, to break the endless cycle of overlapping applications and appeals.

**Cherilyn Mackrory** (Truro and Falmouth) (Con): Does my hon. Friend have any knowledge—if he does not, perhaps the Minister might say something on this in his wind-up—of what happens when such a situation occurs on a pure greenfield site? If the planning application had gone ahead, the damage would turn that into a brownfield site, which would then become somewhere we could build on afterwards. What happens to the site? If it is put back to normal, does it become a greenfield site again or will it always be seen as a brownfield site because the damage has been done?

**Dr Spencer:** I thank my hon. Friend for her intervention. I cannot answer that question, but I hope the Minister can do so in his wind-up. I realise that we have now set him a task to do so. Where this flouting of rules has happened in my constituency and things such as the POCA have been used, the damage has been done. I recognise that the duty to try to put things back to how they were before is a bit of wishful thinking. If we take out the commercial incentive, we can, I hope, stop this behaviour dead in its tracks. That is a better approach, and the measures I have mentioned are fundamental in bringing that about. As everyone has said, all this is complicated, so in addition to bringing forward these measures, we will need to review them to make sure that they work. My Bill therefore also seeks to review their effectiveness to see whether more needs to be done.

I would like to finish up by thanking everyone who has worked with me to get to where we are today—my local authorities, planning officers, the Government and Members from across this House. Rogue development is a nightmare that wreaks havoc on all our communities. I believe it can be solved.

**Anthony Mangnall:** Before my hon. Friend finishes, let me say that I find it extraordinary that in this House we spend a great deal of time on these Benches being attacked by the Liberal Democrats over planning and the lack of accountability of developers, yet on the day he brings forward a Bill that holds developers to account, the Liberal Democrats are nowhere to be seen.

**Dr Spencer:** I thank my hon. Friend for pointing that out. I hope that all our constituents will be watching our debate and reading the *Hansard* record of our discussion on these important issues. I believe this issue can be solved. It must be solved, for all our communities, and I hope that we will look back on this debate today as the start of the end of rogue development.

11.19 am

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I congratulate my hon. Friend the Member for Runcymede and Weybridge (Dr Spencer) on his dedication and determination in leading the Bill to a Second Reading.

Green-belt land is one of our country's most important assets. It spans approximately 6,000 square miles and provides beautiful open spaces and woodland across the whole country for us all to enjoy. Not only is the green belt critical for our environment, but it provides many people with respite from their busy daily lives.

As my hon. Friend may know, my beautiful constituency of South West Hertfordshire is approximately 80% green belt. My constituents value that land and enjoy using it; it enables them to get closer to nature and enjoy the fresh air, whether they are walking, jogging, running, cycling or even exercising their pets. I have made preserving the green belt one of my top priorities as Member of Parliament for South West Hertfordshire, and I am working hard in collaboration with my constituents and local authorities to achieve that. It is essential that we utilise the plentiful brownfield sites that I and many hon. Members have in our constituencies, to ensure that we preserve vital unspoilt land as best we can.

Green-belt land is not just good for recreation; it is a vital flood defence. Sadly, flooding affects South West Hertfordshire, just as it affects many other areas across the UK. Green-belt land serves as an important defence against flooding, better absorbing water and slowing its flow down rivers such as the Chess, the Gade and the Colne in my constituency. Residents, particularly those who live in Long Marston, have long suffered the detrimental impact of flooding. Only last week, we passed the landmark, wide-ranging Environment Act 2021, which introduced several new measures to incentivise farmers and landowners to use their resources to combat flooding further. It would be a step back to undo that hard work by allowing the destruction of our beautiful green-belt land, which serves a similar purpose, while spending extensively on flood-prevention measures.

Destroying green-belt land can also cause irreversible damage to wildlife and ecosystems, have a negative impact on our biodiversity, and damage land that contributes significantly to our world-leading efforts to reach net zero by 2050.

**Mark Garnier** (Wyre Forest) (Con): My hon. Friend makes a very good point. Does he agree that one of the problems with unwanted developments, particularly lorry parks or scrapyards, is that the land that he is talking about—the rivers and streams that Conservative Members



very much cherish, as everybody knows, and the areas of outstanding natural beauty and nature reserves—get contaminated by fuel oil or by whatever comes out of the developments? There are so many reasons why this is such a good Bill, but preserving nature from such contaminants is one of them.

**Mr Deputy Speaker (Mr Nigel Evans):** Order. I remind Members: when you make interventions, please face the House, because the microphones can then pick it all up, and because it is respectful to both sides of the House.

**Mr Mohindra:** Thank you, Mr Deputy Speaker. I thank my hon. Friend, who I know is newer in this place than he looks. I totally agree with his comments about the unintended consequences and the knock-on ecological damage associated with bad practice by some landowners.

Like many fellow Members, I am in regular contact with local authorities, so I am aware of proposed developments and any future plans to utilise brownfield land in my constituency. I also attend monthly meetings with residents associations across South West Hertfordshire, so I know that my constituents are passionate about protecting their green-belt land and preventing its destruction. They repeatedly raise the need for greater measures to protect the green belt and the desire to be more involved in local planning decisions. My constituents work hard, in collaboration with local councils, to ensure that brownfield land is prioritised for development instead of our valuable green-belt areas.

**Sir Christopher Chope:** In the light of what my hon. Friend says, can he understand why the Government objected to my Green Belt Protection Bill last week? Does he share my hope that when the Bill comes forward today, the Government will no longer object?

**Mr Mohindra:** As my hon. Friend will know, that decision is well above my pay grade. I suggest that he takes it up with Front Benchers and with his Whip.

I am supporting the Bill so that we can advance the discussion around our responsibility to protect our green-belt land from development.

**Anthony Mangnall:** My hon. Friend refers to the green belt, and although I am not pulling him up on this point, this is about not just the green belt, but green spaces. Those of us outside the green belt would wholeheartedly agree with his speech, but we recognise that we are in a different situation.

**Mr Mohindra:** I thank my hon. Friend for his invaluable contribution, as always. I support the Bill so that we can advance the discussion around our responsibility to protect our green-belt land—and our green spaces; sorry, I should broaden that out—from development, and preserve it for our constituents and for the environment to enjoy for generations to come.

We need to review what we as legislators can do to help to protect the green belt. As well as reviewing the penalties for violating the law, it is vital that we encourage sustainable development and make use of the brownfield sites that we have. I believe that providing incentives to developers who repurpose brownfield land, instead of seeking to build on our green belt, would potentially be beneficial in helping us achieve that.

As many Members will know, I also chair the all-party group on regeneration and development. Having been both a property developer previously and now a politician, I am fully aware of the need for a collaborative approach between developers and politicians to find solutions to this issue. I know that property development is a very emotive issue and that developers are seen as working against those aiming to protect the green belt. That is not always the case, so we should not taint all the developers with the broad brush used for those, unfortunately, who know and play the system.

We know that in this country there is a housing shortage and that we must build new, affordable homes. However, as I and many colleagues have mentioned, that must not come at the cost of our green belt. I have not yet had a chance in the Chamber to welcome the new Secretary of State for Levelling Up, Housing and Communities, or, indeed, the Minister on the Front Bench today, to their roles, but I know that they are already working hard on ways that we can provide the housing we need while protecting our vital green belt.

**Nickie Aiken (Cities of London and Westminster) (Con):** My hon. Friend is absolutely right about protecting the green belt and I welcome the Bill that my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) is promoting. However, is my hon. Friend the Member for South West Hertfordshire (Mr Mohindra) shocked, as I am, that although the Liberal Democrats have constantly berated the Government for trying to destroy the green belt and for not building enough housing, today, when we are debating this very important issue that concerns so many of our constituents, there is not a single Liberal Democrat MP in this Chamber? It is, in fact, the Conservative Government and Conservative Members who are so determined to build more homes and protect the green belt.

**Mr Mohindra:** My hon. Friend makes an excellent point. I would have made a comment in my speech if Liberal Democrat Members had been in their place, but as we Conservative Members all know, we are a bit fairer. However, I will report back to my neighbouring Liberal Democrat Members that we would have appreciated hearing their views in this place, not just on social media and in local press releases.

**Saqib Bhatti (Meriden) (Con):** If my hon. Friend, in looking at the Liberal Democrat Benches, had to rate the Liberal Democrat interest in this issue on a scale from one to 10—10 being the most interested and most serious about this issue—what rating would he give them?

**Mr Deputy Speaker (Mr Nigel Evans):** Order. That is the last intervention on the fact that the Lib Dems are not here. Let us on focus on the Bill, please.

**Mr Mohindra:** Thank you, Mr Deputy Speaker. I did not appreciate that we were doing a knock, drop and collect survey of zero to 10 on voting intentions. My hon. Friend makes a valid point: we need both sides of the House to be engaged in this debate. That is how we make better laws and legislation and our role as parliamentarians is to be critical friends, even on the Government Benches, to those in the Executive.

[Mr Mohindra]

It is, and will continue to be, for local authorities, rightly, to grant planning permission. However, it is for us as legislators to decide what planning enforcement powers local authorities have and are able to use. This is where we, as legislators, play an important role and must support our local councils and developers in their efforts to build on brownfield sites instead.

A small minority of people and businesses do not care about preserving the green belt. They do not seek planning permission, but would rather take the law into their own hands and destroy our beautiful green belt. Unfortunately, there have been several instances of that in my own constituency, including people building dwellings on green belt land without permission and destroying woodland to create new paths to their land. The process of dealing with such cases can be long and drawn out, as my hon. Friend the Member for Runnymede and Weybridge has pointed out. In the two cases I have just outlined, fines of £12,000 and £8,000 were issued to the homeowners.

I do not want to see my constituency's defence against flooding being lost to people who do not abide by planning laws. Illegally building on the green belt reduces our ability to fight the adverse impacts of flooding, which is why we must review what policies are in place to help protect the green belt. In order to truly protect the green belt, we must enforce the law and penalise those who breach it. It is clear that we need to take stronger action against those who cause illegal damage without consulting the authorities. Now is the time to increase the penalties on those who repeatedly and intentionally flout the law to stop further destruction of our green belt. We must ensure that local authorities have the power to effectively punish those who do break the law and prevent individuals or companies that continue to do so.

We should also look at the timescales involved, as my hon. Friend the Member for Runnymede and Weybridge said in his opening remarks. The time taken to enforce better behaviour can be years, and, therefore, bad behaviour is, unintentionally, rewarded by gaming the system. I know that my hon. Friend has proposed some measures, including creating a national register to enable local authorities to identify repeat offenders, enabling them to prevent and prosecute those who flout the laws more quickly and effectively. Although I am not convinced that that system is the most effective method of catching repeat offenders at the time, I would be interested to hear more about it and how it could be implemented.

We must balance tougher fines and stronger laws with legislation that encourages good behaviour, rather than just penalises people. By encouraging people to develop sustainably by utilising brownfield sites, we are taking a better approach to preventing green belt planning breaches. By reducing stamp duty or council tax at the beginning of construction as one solution for a fixed period, we can hopefully incentivise development on those brownfield sites rather than watch our green belt land be built on.

We are all in agreement that the best way to protect our green spaces is to maximise the use of sustainable brownfield sites. Members across the House will also know that there are plenty of under-utilised brownfield sites that are perfectly fit for new, affordable homes across the country.

**Cherilyn Mackrory:** Does my hon. Friend agree that, in addition to the brownfield sites, which we know will help with our housing shortage at the moment, we have a huge amount of buildings in our town centres that could also be repurposed for that end?

**Mr Mohindra:** I do agree. My hon. Friend raises a really important point: planning is an evolutionary process and what might have been right for planning five, 10 or 15 years ago needs to be amended and evolve. The pandemic has raised some interesting questions that need answering: what will our high streets look like; where will people be commuting to work; and what is the distinction between working from home versus returning to offices, factories and the like. Absolutely, this is something that needs to be under constant consideration. I am not necessarily talking about in this place; it might be more appropriate for this to happen at a local council level, but it is definitely something that we will continue to debate.

The collective brownfield registers of local authorities identified an estimated 26,000 hectares of brownfield with potential for around 1 million new homes in 2018. By having a brownfield-first approach and implementing my proposed tax cuts to encourage that, we will incentivise sustainable development and not only ensure that our green belt is better protected, but enable us to meet our housing pressures.

**Julie Marson** (Hertford and Stortford) (Con): I thank my hon. Friend and constituency neighbour for giving way. Will he join me in paying tribute to the Hertfordshire branch of the Campaign for the Protection of Rural England, which has a great many interesting things to say about possible solutions to the green belt problems that we are all discussing? Such groups have a valuable part to play in this regard.

**Mr Mohindra:** As my hon. Friend will know, I have already engaged with CPRE Hertfordshire. Given her extensive experience in this area, she will be aware of the other community groups and bodies whose wealth of knowledge leads parliamentarians on all sides to engage with them. I firmly believe that one can learn something new every day, and the CPRE is a body to which I frequently return.

Let me finally thank my hon. Friend the Member for Runnymede and Weybridge for initiating the debate and raising awareness of planning breaches. I support increased penalties for those who break these laws, but I would also stress the importance of legislation that seeks to encourage good behaviour. By incentivising the development of brownfield sites, we can better prevent the destruction of our green belt and green spaces and reduce the risk of planning violations. Only by utilising brownfield land can we truly protect those green spaces, ensuring that they are accessible to us and, more important, to future generations.

11.36 am

**Selaine Saxby** (North Devon) (Con): I thank my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) for introducing the Bill. Back home in North Devon, my district council, which is very small, has reported that it receives 500 planning enforcement applications a year. That is clearly far more work than a team of fewer than five people can undertake.

While some of the developments in my constituency may be much smaller than those with which my hon. Friend is dealing, this none the less puts considerable pressure on a very small and hard-working council team. It also enables people to play the system, and I think we are all seeing that on different scales in our constituencies. Why on earth would someone who knows that there is a backlog of several years in the planning enforcement department bother to pop in an application for a small development? In a beautiful constituency like mine, every space that we can keep in pristine condition counts.

I agree with my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) about the need to see our high streets as an opportunity. There is plenty of space, notably in Barnstaple, where a number of large units are now vacant with no property conversions above them. There is a large amount of brownfield that is hidden; it is not traditional brownfield, but it is a brownfield development site.

I agree with my hon. Friend the Member for Runnymede and Weybridge about the need to simplify the system and reduce delays throughout the planning process. Such action is long overdue, and I hope that the Minister will have an opportunity to feed back to the new Secretary of State how much we are all looking forward to seeing his planning reforms. We have a real opportunity to improve a system that has not kept pace with development, and to deal with the needs of our council teams recovering from covid whose backlogs prevent them from going out to sites to look into enforcement issues.

The Bill refers to the establishment of

“a national register of persons who have committed planning offences or breached planning controls”.

Such a shared resource to help small district authorities like my own would be a fantastic addition to the system in enabling people to check what was going on. My constituency is very remote and rural, so it presents a useful opportunity to people who want to sneak off to somewhere a bit quieter to do something which, perhaps, they should not be doing.

Constituencies such as mine contain a burgeoning number of second homes and Airbnb rentals, so perhaps we could also consider an accommodation register to ensure that there are enough homes for people to live in in villages like Croyde and Instow, so that they do not turn into massive holiday camps in the summer and ghost towns in the winter. We need, through planning reforms, to tackle these issues at many different levels. The second-home situation in North Devon has hit crisis point, and we need help at both district council and Government level.

The planning system is certainly in need of reform, but we do not need a dodgy bar chart to show us that it is the Conservatives who are sorting out our planning system, and are seriously winning here.

11.39 am

**Ruth Cadbury** (Brentford and Isleworth) (Lab): I congratulate the hon. Member for Runnymede and Weybridge (Dr Spencer) on his success in the private Member's Bill ballot and on choosing planning enforcement as his topic. I thank him for taking the time to meet me earlier this week to discuss the detail of his Bill. I also congratulate the hon. Member for South West Hertfordshire

(Mr Mohindra) and my friend the hon. Member for North Devon (Selaine Saxby), with whom I co-chair the all-party parliamentary group for cycling and walking, on their contributions.

As has been expressed in the Chamber through speeches and interventions, there cannot be many MPs or councillors of all parties and none who have not had constituents complain about the delays and apparent weaknesses in the planning enforcement system. The Bill seeks to address the most egregious breaches of planning law—those of multiple abuses. Often, but not exclusively, they are on the green belt or on metropolitan open land and on other green open spaces, involving uses such as junk yards, coach and lorry parks and mobile home parks. I cannot imagine the pain and stress experienced by immediate neighbours and those in the communities affected by the damage caused by these sites while they are operating.

I would like to add another example of egregious abuse: too many houses in multiple occupation. I have seen some truly terrible housing conditions in Hounslow, with back-garden shacks—not even sheds—and front rooms of small terraces split into two, with eight bedsits squeezed into a home. I think that Hounslow was the first local authority to use the Proceeds of Crime Act 2002 against such abuses. The victims of this abuse of the planning system are the residents who are charged rip-off rents, and their children. Furthermore, it appears that in these egregious examples, the perpetrators' names come up repeatedly in different places.

**Nickie Aiken:** I absolutely accept the hon. Lady bringing up HMOs as an issue. Does she agree that planning enforcement should be strengthened to prevent the ongoing blight that concerns people particularly in London—especially in my constituency—of short-term, one-night lettings under Airbnb or Booking.com? The 90-night rule should be enforced under planning law.

**Ruth Cadbury:** I appreciate the pressure that the hon. Member faces in her constituency. My friend the hon. Member for North Devon expressed concerns about seaside resort cities and my hon. Friend the Member for York Central (Rachael Maskell) is also experiencing this blight. The Airbnb situation is a further example of weaknesses in the planning system. Perhaps the planning system in a wider sense needs strengthening rather than planning enforcement—that might be the subject for another debate and another Bill—but I understand the pain of the hon. Member for Cities of London and Westminster (Nickie Aiken) and that of her constituents.

I agree with the hon. Member for Runnymede and Weybridge that it is not fair that while everyone else play by the rules, a tiny number are apparently able to cock a snook at the council and their neighbours. His Bill is not aimed at the far more common lower-level breaches such as residential extensions built higher or closer than allowed in planning permission or under permitted development rights, but neighbours say that the system takes far too long to sort out even those cases. People do not appreciate that planning enforcement is not like licensing, where a miscreant's premises can be closed down immediately.

I turn to the Bill's clauses. First, it would create a single England-wide database of all major or repeated planning enforcement breaches that would be publicly



[*Ruth Cadbury*]

available. The cost of maintaining the database is to be covered by charging planning fees. Does that mean increasing current fees? Local planning authorities are currently each required to maintain their own register of enforcement notices, stop notices, breach of condition notices and planning enforcement orders. The data is there, but it is not all in one place.

If enacted, the clause would make it really easy for planning enforcement officers to see whether they were dealing with regular offenders who work across a number of council areas. This could certainly be useful. For example, in prosecuting cases for failure to comply with enforcement notices, local planning enforcement officers could join up and bring a bigger case against that particular individual. A database would also provide a source of reference, so that planning officers could look at the types of breaches that have been enforced against and how officers in different boroughs dealt with them, such as the wording used for complex breaches.

Let me return to how the database would be resourced. The Bill refers to making a call on planning fees. However, there are any number of pressures on planning department budgets, thanks to 10 years of Government cuts to local councils, so if there were any opportunity to raise funds from planning fees to support the planning system, I am sure that borough planning officers would have a long list of greater priorities to spend that money on, such as employing more staff. This week, the Royal Town Planning Institute told me that it had a report of one authority that has just five planning officers to deal with everything: planning policy, planning applications and enforcement. Besides, why should well-behaved applicants be subsidising the prosecution of unauthorised activity? Although I appreciate the intent, and the proposal has some merit, I fear that the database could be seen as a sledgehammer to crack a nut.

Clause 2 would require all applicants for planning consent to declare if they or their company has ever had any planning enforcement action taken against them. One difficulty is that planning applications and planning permissions run with the land, and not the person who makes the application as such. It would therefore be quite easy for anyone to circumvent the need to declare whether they have had enforcement action taken against them or their company by simply getting someone else to put their name on the application.

Appearing on the list could also be held against someone in determining any application they make subsequently. Each application has to be judged on its merits and not the prior actions of a person making a new application on a different site. The provision could catch many perfectly innocent people who just do not understand the planning system. It ignores the fact that the majority of people subject to enforcement action breach the system unwittingly; in the vast majority of cases the process of being served with an enforcement notice leads them to rectify the mistake and, in the process, learn about the planning system. Why should they be forced to declare and have their past mistake hanging over them?

Clause 3 would enable the local planning authority to seek an injunction in the High Court, with the effect of a stop notice, so that no further planning applications could be considered on that particular site. Now, I am

no planning lawyer but my understanding is that provisions for injunctions are already available to local planning authorities under the Proceeds of Crime Act 2002.

I share the frustration of the hon. Member for Runnymede and Weybridge with the situation in his constituency, and the cases raised by other Members. I do not know what other remedies were sought by the planning authorities in these egregious cases, nor why they did not work. As he will be aware, there are a number of tools in the enforcement officers' armour that can be used to tackle ongoing and serious breaches of planning consent, and the ignoring of planning enforcement notices. Those tools include stop notices and temporary stop notices, POCA, planning enforcement orders if there may have been concealment—I remember the case of a farmer who built a house hidden behind walls of hay bales; I think he was prosecuted in the end—and injunctions, as I have already said.

Many of the appalling cases described by the hon. Member for Runnymede and Weybridge are subject to other criminal and civil proceedings relating to pollution, noise and smell, housing conditions and tenure, health and safety breaches, modern slavery and more.

**Cherilyn Mackrory:** The hon. Lady is demonstrating well the complexity of these cases; our constituents all feel frustrated by how long and complex they are. As my hon. Friend the Member for Runnymede and Weybridge said, our constituents have to put up with it while cases go on for months and often years. Does the hon. Lady welcome the fact that my hon. Friend has brought this issue to the House for us to examine? Hopefully, Ministers can take the matter back to the Department and it will come back later in the planning enforcement paper.

**Ruth Cadbury:** The hon. Lady anticipates the end of my speech.

In the planning system, enforcement action is intended to be remedial rather than punitive. That might be the difficulty. To carry out development without the necessary consent is not in itself a criminal offence, and as I understand it this place has always baulked at the idea of making it one; however, the failure to comply with a planning enforcement notice is a criminal offence and carries the risk of heavy fines and, ultimately, imprisonment.

We have a lot of sympathy for the Bill and, most certainly, for the reasons why the hon. Member for Runnymede and Weybridge has brought it to the House, and we understand why so many Members with green belt and open space in their constituencies are present, but we are not convinced that the specific measures in the Bill will actually address the egregious breaches. Clearly, a failure somewhere in the system has allowed to arise the situation about which Members have spoken so eloquently; it is cumbersome and slow.

In conclusion—

**Sir Christopher Chope:** Will the hon. Lady include in her conclusion a consideration of whether it is appropriate for people to be able to continue to appeal against enforcement notices? That is where a lot of the abuse arises, particularly in respect of the length of time.

**Ruth Cadbury:** As I say, I am no planning lawyer. The situation clearly needs to be investigated. The hon. Member for Runnymede and Weybridge described just that situation when we met earlier.



We would like assurance from the Government that there will be a review of the particularly extreme examples of planning abuses and the cases that go on and on for many years. Particular attention should be given to cases in which it appears that the same offenders try the same tactics at multiple sites, which is the reason why the hon. Member for Runnymede and Weybridge had the idea of a database. The review should consider whether aspects of planning law should be amended to better address the kind of breaches that have led the hon. Member to introduce the Bill.

11.53 am

**Saqib Bhatti** (Meriden) (Con): I congratulate my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) on introducing this insightful Bill for which he made the case articulately. I thank him for that.

My constituency of Meriden is one of the largest, by geographical size, in the west midlands and arguably has some of the largest amounts of green spaces and green belt, so I really sympathise with the Bill because I, too, have to deal with a lot of planning issues. I am sure colleagues from all parties find it deeply frustrating that, as my hon. Friend the Member for Runnymede and Weybridge said, we are often told that individual planning cases do not fall within the remit of Members of Parliament. That can be deeply frustrating and really goes to the heart of people's faith in the system.

My local council has put forward its local plan and started to tackle the duty to co-operate. There is great need for housing and so on and there are immense pressures on the green-belt and green spaces in my constituency. There is not only the need for extra housing in my constituency but the duty to co-operate at a regional level. I have the HS2 interchange in my constituency, so HS2 goes through it and puts additional pressure on it. I have other planning applications, such as for motorway service stations. Constituents often say to me that if a development needs to be done, it will be put in the constituency of Meriden, because it seems that that is where there is space for it. It is incredibly frustrating at times, and we do not feel we have the powers to hand to deal with these situations. My hon. Friend the Member for Runnymede and Weybridge captured that sentiment and the frustration of residents, constituents, councils and Members of Parliament about the time it takes to enforce.

I commend my Conservative council, which is determined to do everything it can to protect our green spaces, including a commitment to plant a quarter of a million trees, alongside its other environmental ambitions. There is even talk of a west midlands national park, which I hope to see come to fruition.

I am also delighted to have the support of the Conservative Mayor of the West Midlands, Andy Street, who is determined to unleash brownfield sites to alleviate the pressure on our green belt and our green spaces, which is an acute situation I have often had to deal with. Fundamentally, on planning, it comes down to the faith people have in the system and the stake they have in society and in our communities.

This is why I believe in the spirit of the Bill. If we do not have effective enforcement, procedures, processes and rights of appeal, if people do not feel that due process is being followed and if they do not feel a sense of fairness, it undermines faith not just in our system

but in our democracy. That speaks to the broader principle of people needing to feel enfranchised and that they have a stake in a democratic society.

Every person should feel that their home and their environment is safe, and they should have a stake in that, so I am a big supporter of local support in the planning process. I hope the Government will take note of the spirit of the Bill, as I am sure the Minister will, and take it into account when they propose future planning reforms. Legislating for good planning practice demonstrates the delicate balance between the needs of residents, development and progress as we change aspects of our neighbourhoods.

Unfortunately, there are many scenarios in which planning controls are contravened and people do not feel they are being enforced. Where these breaches occur, it is not just a breach of the planning system but an assault on our environment. In the weeks after COP26, we should think about the impact on our environment, on our precious green belt and, as my hon. Friend the Member for Totnes (Anthony Mangnall) said, on our green spaces.

Such breaches not only cause physical scars but they damage people's trust in us, and I will return to that point throughout my remarks. Of course, it is essential to have confidence and trust in our system, and we should have appropriate punishments, too. I am intrigued by the proposed database, which is a signal of intent to those who comply with the system and to those who do not. There is a strong Conservative argument for giving people a stake so that they have faith in due process and natural justice in the planning system.

This Government have sought to remedy some of the problems in our current planning arrangements, particularly those related to breaches of planning agreements. The "Planning for the Future" White Paper gives ample thought to the future of enforcing planning rules, and I strongly welcome its commitment to introducing more powers to address intentional unauthorised development.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Does my hon. Friend agree that intentional unauthorised development leads to a great loss of confidence among local residents when it is allowed to go unchecked? Does he agree it is extremely odd and an anomaly in the planning system that a council can secure a court injunction to stop a person continuing to build on a site and then that person is allowed to apply for planning permission retrospectively?

**Saqib Bhatti**: Absolutely; my right hon. and learned Friend makes an excellent point. That goes to the essence of the Bill, and it is why I really believe in what my hon. Friend the Member for Runnymede and Weybridge has brought forward.

As I have said, I am particularly interested in the national register, which I think will prove to be an effective instrument if it is implemented in the right way; as ever with good policy, it all comes down to the execution. I commend my hon. Friend for including that.

Let me end on three quick points. I thank the CPRE for all the work that it does, and I thank the Woodland Trust, with which I have had lots of engagement. I originally had a reference in my notes to engagement with the Liberal Democrats, but I am not going to go

[Saqib Bhatti]

down that road, Mr Deputy Speaker; I will take your direction. However, I say to unscrupulous developers and immoral people who abuse our planning system, as they will see if they are watching today's debate: we are coming for you.

12 noon

**Claire Coutinho** (East Surrey) (Con): I start by thanking my hon. Friend the Member for Runnybridge and Weymede, who is not only a friend in this place but a neighbour. I have seen his work in supporting his constituents not only with challenges such as flooding but on so many other issues in Surrey. We are so lucky to have him. I know from the various WhatsApp groups that I am in that there is so much support for the work that he is doing in this area across Surrey.

I am glad to see the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Harborough (Neil O'Brien), on the Front Bench. Not only is he known as one of the smartest people in Whitehall, but he has a much more important accolade: he is a former constituent of mine, so he knows the joys of the beautiful landscape in East Surrey. I am sure that he will be listening very carefully to the debate.

When we look at planning controls, we should start by thinking about what they mean. The reason they are so important is that they protect our heritage and ensure that planning improves the infrastructure that we all access. It is so fundamentally important that we have good planning, because it is a key part of people's lives—of how they interact with their community and feel at home.

On heritage, I am lucky in East Surrey because I have not only areas of outstanding natural beauty but sites of special scientific interest, listed buildings and one of the largest proportions of green belt in the country. We have heard from many Members across the House, and I fully concur with them about the importance not only of green spaces, which my hon. Friend the Member for Totnes (Anthony Mangnall) mentioned, but of protecting the landscape, the luxury of clean air, and the beauty of the biodiversity that we have in those wonderful spaces.

I do quite a lot of work on the environment. On the point that my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) made, it is not only that building on these spaces in this way might denigrate their green-belt status; the environment is a delicate chain, and once we take away parts of natural habitat, it is so hard to replace them. I work with so many organisations that are trying to do exactly that, but in these cases they should not have to.

The things that these rogue developers do are not limited to the rogue development that my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) talked about; they also affect infrastructure, such as infrastructure to handle sewage and flooding—things that my constituents face particular challenges with. That is why it is so important that development goes through planning controls and that measures can be looked at as a whole, so we know that anything that is being built in an area is fit for purpose and fit for the local community.

However, that is not always what happens. We know that some of these rogue developers not only do things that might encumber the local infrastructure, but cause great upset in our communities by doing things that affect local heritage, whether it is the landscape or something else such as listed buildings. It is so important that we crack down on these things.

One of the challenges that I face in my community is that there is sympathy for the need for homes—when I talk to people about affordable homes in particular, they know that we need more homes—but there is a problem with trust in the planning system and in developers. People feel that where there are rogue developers and people not building to planning controls, there is not enough enforcement. When people feel like there is no rule of law, it makes it so much harder for them to trust in more house building, and I will be very clear—I have said it before in the House—that we do need some of that.

These people are not nimbys. Many have spent many hours and weeks working on neighbourhood plans. They have put forward sites, and sometimes there can be difficult conversations about green fields or beautiful places, and they say, “We all agree we can build some homes on that site.” What they do not trust is that developers as a whole will ensure that they build in the way that people would like to see. I know that the Minister will be considering that carefully.

This particular challenge around rogue builders and rogue developers is a real problem, and not just in affluent parts of this country; it affects deprived parts of this country, too. I visited a deprived part of Bristol recently, and I talked to residents there who had not only set up a local lettings policy, but had got their own equipment to go and check building standards. They would look at some of the developments that had been built and use their own equipment that they had personally bought to see whether building standards had been met, and they had not. They felt that they did not have a place to turn to. We should work out how we can give people that confidence when building standards are not being met.

**Mark Garnier:** I hope my hon. Friend will stay for the next couple of debates and will contribute to make that point about building standards in the debate on my Bill about a licensing scheme and rogue builders—hopefully that debate will not be too long away.

**Claire Coutinho:** I always like to listen to what my hon. Friend has to say, particularly in this area.

Turning to some of the interesting measures in the Bill, the database is particularly good. We all know that good government runs on good data, and the database should enable us to find some of the people who are repeatedly breaching proposals. The hon. Member for Brentford and Isleworth (Ruth Cadbury) made an interesting point when she said that for so many people, a breach is a first-time mistake and they learn about the planning processes through making it. Certainly we do not want to catch too many of those people out, but where there are major breaches and repeat breaches—I notice that my hon. Friend the Member for Runnymede and Weybridge has put this in his Bill—we should take that into consideration, so that we know who is carrying them out.

My hon. Friend talked about creating a financial offence, which is particularly important, because for so many of these people, they will keep committing the same offences over and over again, as he so clearly set out, because there is a lot of financial gain for them. It is not only the fact that they can do it multiple times, but the length of time it takes for enforcement. We heard earlier that it can take up to 16 weeks and possibly longer just to go through the appeals process set out in the Town and Country Planning Act 1990. I would welcome that being looked at again.

I have talked about the importance of why we must protect heritage and people's confidence in their local infrastructure, while also allowing for the house building that we need, and this Bill is a very good starting point. My hon. Friend knows I have some technical questions that I would like to see answered, but this is an interesting area and I hope the Minister is listening carefully.

12.8 pm

**Julie Marson** (Hertford and Stortford) (Con): It is a great pleasure to follow my hon. Friend the Member for East Surrey (Claire Coutinho), with whose words I completely agree. I also commend my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) for bringing forward this important Bill. Perhaps there is something in the water in Runnymede, with the history of Magna Carta, about wanting to stand up for the voice of the people. Before historians write to me, I know it was not that simple and that was not exactly what the barons had in mind, but it plays into the theme of what he is trying to achieve, which is to have people's voices heard and to ensure there is integrity and faith in the planning system. That is so important, because housing and our lived environment play into what most of us want from our lives.

We want a decent place to live. We want our neighbours to respect our rights and we have to respect our neighbours' rights. This plays into a sense of fairness and of right and wrong in the system, and if systems do not have that innate sense of fairness and of right and wrong, we lose trust in them. Once we lose faith in such systems, we are all in a very dangerous place.

Planning is one of the things that those in government—whether at local authority level or at parliamentary and national level—find really affects people's lives. This can seem esoteric, but when people's bins are not collected or someone is building an illegal garage or parking lot next to them, it causes them so much distress and truly causes so much anxiety in their lives. That is when they turn to those in authority—they come to us for help, but when that help is not available, it has a real effect on their faith in all of us, which is why I think this is so important. As a policeman's daughter and a former magistrate, I do not think I am much of a rule breaker, so to see other people break the rules—[*Interruption.*] I am not; I am a good girl.

Turning to the measures in the Bill, I think there is a lot to commend them. The database is a really pragmatic way of determining who breaks the rules and how often, and of seeing how widespread this problem is. So often, this is a commercial decision for people, and that plays into the second part of what my hon. Friend is trying to do, which is about breaches and fines. I think the fines and other disincentives to people doing this have to be based on commercial reality, otherwise they

can easily be factored into the decisions made by rogue developers and those who want to break the rules, and be seen as just a cost of doing that business. That is covered in the Bill, but the devil is in the detail as to how it might work.

**Robin Millar** (Aberconwy) (Con): My hon. Friend makes a powerful point about the impact on residents of rogue developments. My hon. Friend the Member for East Surrey (Claire Coutinho) likewise made a point about the time taken up by the impact on people. In my own constituency of Aberconwy, the town of Deganwy is suffering from exactly that, as a rogue development has led to sewage outfall going directly into the Conwy estuary. Does my hon. Friend agree that the size of the penalty needs to be proportionate to the longevity and the nature of the distress that residents suffer?

**Julie Marson**: My hon. Friend is absolutely right, and it is so cynical. Some of these things are accidental—people do not mean to do it—but so often they are intentional and commercial decisions. Whether people make such a commercial decision or abide by the rules so often depends on the penalties available to local authorities and planning enforcers. As I say, the cynical breaking of planning provisions undermines all faith in the system, particularly for the vast majority of people who abide by the rules. They take the rules seriously, and they do not want to push the envelope as some people do. It is a great contrast.

Going back to the Bill, the ability to go to the High Court for an injunction is a pragmatic and realistic way to stop people doing this again or making further applications, as well as to restrict the use of a site or to return a site to its original state, notwithstanding the comment made by one of my hon. Friends about that. Another interesting provision included in the Bill by my hon. Friend the Member for Runnymede and Weybridge is the requirement on the Secretary of State to review the adequacy of its measures. As another of my hon. Friends said, this process is an evolution, and we need to monitor it, determine whether the provisions in the Bill are sufficient, and see whether other criminal offences or increased penalties are needed in the future. That is all part of this, and we should take it very seriously.

As I have said, this issue causes people great anxiety, and what plays into that is the fact that the power is held by large developers in so many cases. There is no one silver bullet for many of these issues. One constituent has been waiting for two and a half years for a developer to resolve issues with the house that they moved into. We should encourage more competition in the market from small and medium-sized enterprise providers to improve the market and ensure fair competition so that those types of practices, which push the envelope, are not allowed to take root.

**Cherilyn Mackrory**: My hon. Friend is making a brilliant point. Does she welcome the help to build scheme that will hopefully come forward next year to encourage families and SME builders to build varied and small housing stock as homes for families to live in?

**Julie Marson**: My hon. Friend makes a typically astute intervention. She is right and I welcome the fact that the Government acknowledge that there are lots of things that we need to do in this area, to which I am sure that the Minister is committed. Planning reform, help



[Julie Marson]

to build and Help to Buy are different ways to address the issues, because people just want to have a nice, decent home and to live in peace with their neighbours.

I am conscious that other hon. Members want to speak, but I will mention that my constituency has one of the largest releases of green-belt land for development ever, as far as I can see, in the Harlow and Gilston garden town plan for seven garden villages. I pay tribute to the local Hunsdon, Eastwick and Gilston Neighbourhood Plan Group, which has an award-winning neighbourhood plan. It faces a David and Goliath situation, however, with developers who do not respond to its questions.

They are a group of volunteers who are having to cope with questions about sewage, environmental protection, cycleways and the quality of builds. They are doing a fantastic job, but it is wearing; I am trying to support them in every way I can. Even last week, a planning meeting was supposed to go ahead to look at huge infrastructure issues. They were originally given six minutes to respond, but because another parish wanted to respond as well, that time was brought down to three minutes. The meeting was cancelled, but it is not good enough.

People who are genuinely, actively and positively engaging in the process and who are proactively not nimbys should be given the chance to have their voice heard. I congratulate my hon. Friend the Member for Runnymede and Weybridge on introducing the Bill and on a worthwhile debate.

12.17 pm

**James Sunderland** (Bracknell) (Con): It is a great pleasure to be called to speak in the debate. I commend my good friend, my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer), who has been an excellent champion for his constituency, in which I was born. I have watched his excellent work with interest and I commend him for a brilliant Bill, which I will support really hard.

As we know, the Bill creates offences relating to repeat breaches of planning controls, makes provision about planning offences and establishes a national register of persons who have committed planning offences. That is all good. The key point is to protect our countryside. Although the majority of developers and councils follow the rules, the Bill will hold those who flout the rules to account.

Clause 1 would facilitate the establishment of an England-wide database of breaches of planning control. That is important, because councils such as Bracknell Forest Council, a working borough council, are spending an absolute fortune fighting breaches and repeat appeals. It is right that the cost of those appeals should be covered by the fees. Why should we as taxpayers pick up the tab for rogue developers?

Clause 2 would require planning applicants to declare previous breaches, which is absolutely right. Clause 3 would allow planning authorities in England to seek an injunction from the High Court in response to an unresolved breach of planning control; again, that is spot on. Clauses 4 and 5 are also excellent clauses that will aid transparency.

Why is my hon. Friend doing this? It is quite simple. At the moment, development is immune from enforcement within four years of substantial completion for a breach of planning control, and within four years where there is an unauthorised change of use to a single dwelling house. Councils are powerless to deal with the problem, and it is morally wrong. Again, my hon. Friend has an excellent Bill and I support it.

On wider planning, I am very enthused by what lies ahead in the Government's forthcoming planning Bill: a new £11.5 billion affordable homes programme over five years, a new mortgage guarantee scheme for those with a 5% deposit, and discounts from the market price for first-time buyers. The abolition of section 21 of the Housing Act 1988 on no-fault evictions will help to protect tenants against being thrown out into the streets.

That is all excellent stuff, but there is a big "but". The housing and planning Bill needs to focus its future planning on areas that have the capacity to absorb planning and whose need for the levelling-up agenda is most acute. To put it bluntly, that cannot come at the expense of the quality of life that constituents enjoy in parts of the UK, notably in the congested south-east. It must not include building on green belt or green spaces, eroding what is left of our open spaces, or ripping the heart out of our rural or even urban communities.

In the Bracknell Forest Council area, which I am proud to represent in this place, 1,688 homes were built in 2019-20—a 123% increase. Bracknell Forest Council is doing that in line with the local plan, mostly on brownfield sites. That is really important, but this Government-driven policy is vexing our communities. It is wrong that councils should be forced to build on whatever scraps of land are left over, including pub gardens, school playgrounds, golf courses, common land, forest blocks, recreational areas and open spaces. That is a disgrace. There is a similar picture in Wokingham, where the council is almost powerless to stop the activities of speculative developers. I urge Wokingham Borough Council to engage with its MP and run its local plan past its MP, particularly in relation to Pinewood.

Ripping up the Lichfield table was absolutely right. What we need is not the Lichfield formula, but a new formula that focuses on residual land availability as a percentage of total available area. If there is nothing left apart from residual farmland, golf courses or school playgrounds, we should not build on that land. We must build on urban and brownfield sites, particularly in areas such as the midlands, the north-west and the north-east. The Government should therefore incentivise developers to target less valuable land by levelling up further north and in areas that need new housing.

I am led to believe that 1 million homes across the UK are currently unoccupied, and a further 1 million permissions have already been granted. Let us exploit that first, before building on yet more green-belt land. We also need more protections for farmland, so let us impose punitive and progressive taxes on those who seek to build on what is left of our constituencies. We must also allow councils to honour existing local plans and not have extra targets forced upon them. We need to give communities the autonomy and ability to say no.

Our communities need a voice. Our constituents need a voice. They must not have targets imposed on them, particularly in the south-east. Will the Government listen, please, to Conservative voters in particular, who

are really concerned? Let us get the planning Bill done, please. I say to the Minister, who is in his place: let us get it done in the right way and build in the right locations. Let us not erode the quality of life that our constituents already have with yet more concreting over what is left of our green and pleasant land. That is just plain wrong.

Lastly, let us subsume my hon. Friend's Bill into the planning Bill. It is the right thing to do, and we must support it. Let us deal, once and for all, with these rogue developers.

12.24 pm

**Anthony Mangnall** (Totnes) (Con): What a pleasure it is to speak in this debate. In the next five minutes, I am going to say why my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer)—or Runnybridge and Weymede, as has been said—is absolutely right in putting forward this legislation. I disagree slightly with my hon. and gallant Friend the Member for Bracknell (James Sunderland) about the planning Bill, because I have not seen anything in it yet. What I do know is that the strength of feeling on planning in this House means that we need to have new reforms that take into account infrastructure, design, local affordability and jobs. We need to ensure that we can rebuild the faith and trust that has been lost in our planning reform system, which for too many years has let people down, as so many Members have said.

We know that planning does not sit within our remit, but we also know that day after day our inboxes are filled with concerns about planning development, the way in which it goes through local authorities and the way in which developers do what they do. Unfortunately, we have heard far too many stories of that today. We have heard that developers time and time again ride roughshod over local authorities and, perhaps most importantly, over our constituents, who take the time to do neighbourhood plans and to fill in their views about what they want in their area. I can give you countless examples of this in my constituency, Mr Deputy Speaker, but I am conscious of the time and so I will not do so. I will just point out the figures for the past three years. In 2019, there were 474 planning breaches in South Hams, and there were 561 in 2020 and a further 560 in 2021. These are not just individual houses; they are development sites. That is a huge amount of housing where developers are doing what they like, without listening to the local authorities, who do have the best interest of their constituents in mind. We need to address this issue because the planning rules are there for a very specific purpose: to try to build the houses for our constituents, so that we can build for the future and allow people to get on to the housing ladder.

On the Bill, it is right that we have to ensure that those who have broken the law elsewhere, or who have breached planning provisions, are held accountable not just in that local authority, but across the whole country. Therefore, a database is the right thing. It is right that we look at where we can put fines on these people. I could not agree more with my hon. Friend the Member for Hertford and Stortford (Julie Marson), who makes the point about developers factoring that into their prices and that getting passed on to the consumer. If we are going to go forward in this way, how do we make sure that we have a fine that is going to hit where it hurts and make sure that developers rethink their proposals?

My second point is about what happens to planning applications until breaches have been addressed. In my constituency in south Devon, in Kingsbridge, at Lock's Hill, the developers have had a planning breach notice and they are continuing work on the site—that is unacceptable. The residents look on as a greenfield site is turned into a mud pit and development continues while we are putting it right.

The third point I wish to make in the last minute available to me is that we have to find a balance, ensuring that we are still building houses and fulfilling the commitment to provide affordable houses across the country. There are some loopholes and issues that can be tightened up in the Bill, and I think my hon. Friend the Member for Runnymede and Weybridge knows that. As my hon. Friend the Member for Christchurch (Sir Christopher Chope) said, we must find the tightened language so that we can ensure that this provision is not exploited. He and I know that in a host of areas, be it second homes or park homes, housing is being exploited by people who want to get more money out of others, rather than deliver a service, a house and a style of living that should be expected for all people.

I hope that we let this Bill pass its Second Reading today, but that we have a massive opportunity in the planning Bill to ensure that we can deliver something for the whole country that makes a real difference. My constituents in Totnes and south Devon expect that. They expect us to stand up to developers. My hon. Friend the Member for Meriden (Saqib Bhatti) finished his speech by talking about how we are coming for developers. They need to be very careful, because the standard of what they supply for people who spend their hard-earned money is outrageous. The faults and the mistakes that they make, without constituents and communities having the ability to appeal, is shocking. Where there is the opportunity for any one of us in this place, in any part of the country, to stand up to counter the greed and the drive of property developers, I will be four-square behind them, as I am today.

12.29 pm

**James Daly** (Bury North) (Con): It is a pleasure to follow my hon. Friend the Member for Totnes (Anthony Mangnall). I agreed with every word he said. I congratulate my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) on bringing before the House the incredibly important issue of planning enforcement. If we do not have effective planning enforcement, we have no local democratic accountability within the planning system. This is such an important issue.

I start my brief remarks by having to address, as the sole northern voice in this debate, the comments made by my hon. Friend the Member for Bracknell (James Sunderland), who is a great man but who appeared to suggest that all the houses being built on the green belt should be in the north of England and that we should preserve the green belt in the south of England. Like me, the Minister, with his origins from the same town as mine in the north of England, will appreciate that the green belt in Bury, Huddersfield and other parts, including, dare I say, the Ribble Valley, Mr Deputy Speaker, is just as valuable, precious and important to local people there as the green belt is to those in the south-east of England.

**James Sunderland:** My hon. Friend is absolutely right. I was trying to suggest that we should be building on brownfield sites across the country. There is clearly a preponderance of brownfield sites further north. We should be building on the best sites, not on the wrong sites.

**James Daly:** I thought I had misinterpreted my hon. Friend, and I am glad we are in complete agreement on these matters. A group called Bury Folk in my constituency has over 12,000 members. It is committed to ensuring that there is a voice for local people so that they can be heard on how they view their area and what it should look like. The most basic thing we should expect from our local councillors is that, as part of the planning process, they should have an idea and vision about what the local environment should look like, but that is not the case in Bury or Greater Manchester.

We have a regional strategic building plan called Places for Everyone. It has been taken forward by the Mayor of Greater Manchester and supported by the Labour council in Bury. Effectively, it has subcontracted development policy for the next 20 years to unknown developers. The whole plan seems to come down to this: we will allow the concreting over of large sections of the green belt, without any details of how that will happen. That is clearly unacceptable and there is no democratic accountability for it. How can my constituents have any confidence in a plan such as that, which has no vision, is lazy, and when we have no idea about what bespoke details will be required and enforced to ensure we have that local voice in the planning process?

I could not agree more with my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) about the use of our town centres, and how the Government should consider working with local authorities to incentivise developments on appropriate brownfield sites, as my hon. Friend the Member for Bracknell (James Sunderland) said. This comes down to the voices of all our constituents, and to their confidence that those voices will be heard and that the local authority will act on that. My hon. Friend the Member for Runnymede and Weybridge is correct about individual rogue developers, but there also are issues with large developers, because their financial might impacts the enforcement process in many applications. Essentially, local authorities are intimidated into not taking appropriate action to address egregious breaches by large-scale developers, which is hugely significant.

I agree with my hon. Friend, and his Bill has brought important issues to the Floor of the House. We must ensure that we have enforcement that works, supports local people and—most of all—supports a vision that protects the green belt and the environment that is so important to us. We must incentivise and ensure that local authorities take decisions in the best interests of the people who pay their wages, and who pay council tax to ensure a fully functioning, democratic planning system. Local authorities must not simply subcontract planning to large developers that do not care about individual areas and are eating up large sections of the green belt to build thousands of houses, without any thought or care for the people whose lives they will blight. We need effective enforcement. My hon. Friend's important Bill contributes to that debate, and I thank him for it.

12.33 pm

**The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Neil O'Brien):** What superb speeches we have heard today, and I thank my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) for his proposals to strengthen the hand of local planning authorities, protect our precious green belt, and crack down on rogue development. He makes an important point that this is not just about protecting our green spaces, but is a basic issue of fairness. As the hon. Member who represents the place where Magna Carta was signed, he is very conscious of fairness and the rule of law. Of course, when Magna Carta was signed, barons tried to drag concessions out of a rather unwilling Executive, but in this case we are entirely in alignment. I am sure hon. Members across the House will have experienced problems similar to those he describes. They are problems we must solve, and I look forward to doing so with my hon. Friend.

While the Government are very sympathetic to the objectives of the Bill, we believe that the changes that we need to enforcement are best developed as part of a package and aligned with our wider planning reforms. As my hon. Friend the Member for Runnymede and Weybridge will know, we are currently reviewing these departmental programmes and engaging with key parties ahead of setting out our proposed way forward.

I believe that hon. Members across the House will agree that the current system does not always serve local communities effectively, which is why we want to modernise the planning system in England, so that it strengthens enforcement and provides better outcomes for local authorities and communities. We want to make it easier for local planning authorities to tackle deliberate unauthorised development and ensure that the retrospective planning process is not abused. At the same time, we want to see retrospective applications used only by those who have genuinely made a mistake.

I know how important it is to make sure that local authorities have the right capabilities to implement these reforms, especially with respect to the planning enforcement regime. The additional £65 million announced by my right hon. Friend the Chancellor in the Budget will enable us to make the upfront investment in skills, digitisation and capability required to make these reforms a success. My hon. Friend proposed the creation of a database of local enforcement registers. While the hon. Member for Brentford and Isleworth (Ruth Cadbury) raised some important questions about this, we are keen, as part of the investment we are making in digitisation, to make sure that more data enforcement is digitally available to be shared among local planning authorities.

My hon. Friend the Member for Runnymede and Weybridge raised a series of really important issues about the potential gaming of the system, and those are exactly the kinds of issues that we are looking to address. To address the point of my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory), who asked whether sites that had been illegally developed would be considered brownfield as a result, my understanding is that most local planning authorities would not consider them to be brownfield sites as they had not been subject to previous lawful development. There is, of course, some theology around what exactly is brownfield, having been asked before whether Stonehenge



is a brownfield site. That is one, perhaps, for the philosophers, but, on that particular point, I hope that I can put the mind of my hon. Friend at ease.

Today, in addition to my hon. Friend the Member for Runnymede and Weybridge, we have heard some really excellent speeches from my hon. Friends the Members for South West Hertfordshire (Mr Mohindra), for North Devon (Selaine Saxby), for Meriden (Saqib Bhatti), for East Surrey (Claire Coutinho), for Hertford and Stortford (Julie Marson), for Bracknell (James Sunderland), for Totnes (Anthony Mangnall) and for Bury North (James Daly). My normally mild-mannered hon. Friend the Member for Meriden was, I think, channelling John Rambo when he said, “We are coming for you”, and we absolutely are. I am not sure what was put in his tea this morning, but he is passionate, and rightly so, because this is a hugely important issue.

We have also had hugely important contributions from my hon. Friends the Members for Christchurch (Sir Christopher Chope), for Wyre Forest (Mark Garnier), for Truro and Falmouth, for Cities of London and Westminster (Nickie Aiken), my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) and my hon. Friend the Member for Aberconwy (Robin Millar). We all share the same concerns and we all want to see the same things changing and to fix these unfairnesses. This Government are committed to improving the planning system.

**Sir Christopher Chope:** Does my hon. Friend share the sense of urgency that has been palpable in all the contributions from the Conservative Benches? From what he is saying, it seems as though the Government are in the process of kicking this down the road.

**Neil O’Brien:** I absolutely share the sense of urgency of my hon. Friend, and it is something that we are actively working to solve. Yes, absolutely, the level of interest from hon. Members, particularly on the

Conservative Benches, is striking and they are quite right to be provoked and interested in this important subject.

This Government are committed to improving the planning system so that it works more effectively, delivers better outcomes and supports our mission to level up communities right across the country.

12.39 pm

**Dr Ben Spencer:** I thank the Clerks, the Government, the officers in my local council, the Opposition Front Bench and the Conservative Members who took part in this important debate. The strength of feeling across the House is palpable. I have to say that I feel a degree of sadness hearing stories from fellow Members about how many people have been affected. I knew that this issue affected not just my constituency, but there is a difference between knowing, and then hearing people’s personal stories and the stories of their constituents; this has blighted so many people. The situation clearly needs to be fixed, but the methods that we use to fix it need to be invulnerable to abuse. I choose the word “invulnerable” carefully, because rogue developers will use every possible means in their power to continue, because of the massive financial incentive.

This has been a powerful debate, and I have reflected on lots of good comments from Members on both sides of the House. I am pleased to hear from the Minister that he and the Government see this as a critical issue that needs to be driven forward. I am particularly pleased to hear the strength of feeling about taking on some of the database provisions in my Bill, and ensuring that we can break the issue down and stop it happening. With that spirit of co-operation, I very much welcome ongoing discussions with the Government to get these measures into the planning Bill in a form that is invulnerable to abuse by rogue developers. For those reasons, with the leave of the House, I beg to ask leave to withdraw the motion.

*Motion and Bill, by leave, withdrawn.*

## Glue Traps (Offences) Bill

### *Second Reading*

12.41 pm

**Cherilyn Mackrory** (Truro and Falmouth) (Con): I beg to move, That the Bill be now read a Second time.

First and foremost, I pay tribute to my good and hon. Friend the Member for Wolverhampton North East (Jane Stevenson), who has put in a huge amount of hard work to bring this private Member's Bill forward, and is hugely disappointed that she cannot be here today due to illness. I am sure that everybody in the Chamber will wish her the very best, and I know that she is watching proceedings as we speak. She would like to thank the team at the Department for Environment, Food and Rural Affairs, the House Clerks and all the animal welfare organisations that have helped her to bring the Bill to this stage.

Perhaps it would help if I started by explaining why I consider it to be crucial to ban the use of glue traps to catch rodents in all but the most exceptional circumstances. For those who do not know, these primitive traps are exactly what they sound like, and the way in which they are often used is every bit as barbaric as Members might imagine. Glue traps are cardboard or plastic boards with non-drying glue applied to them, and are set to catch rodents that walk across them. To quote the British Veterinary Association, animals caught in these traps can suffer from

“torn skin, broken limbs and hair removal and die a slow and painful death from suffocation, starvation, exhaustion and even self-mutilation.”

In modern Britain—a country that seeks to achieve the highest animal welfare standards in the world—we simply cannot allow these traps to be used in everyday life anymore. If countries such as New Zealand and Ireland can restrict these traps without any demonstrable impact on rodent control, I can see no reason why we cannot follow suit in England.

Hundreds of thousands of glue traps are sold every year in the UK, with many users unaware of how to deal with the animals that they may catch. Like many organisations, Humane Society International has worked hard to raise awareness about the harm that glue traps can cause. A survey that it conducted in 2015 unearthed some truly upsetting information.

Just 20% of the people surveyed would recommend killing a trapped animal using the method advised by the professional pest control industry—a manner that is regarded as humane by experts. Some 15% said that they would recommend drowning an animal, throwing it away alive or just leaving it to die in such a trap. All these are inhumane and could be considered an offence under the Animal Welfare Act 2006. More than two thirds, or 68%, of respondents agreed that glue traps should be banned.

People who have used glue traps have shared their experiences online and say things such as:

“Please don't use glue traps. I naively didn't think what they would entail when our next door neighbour had a rat and when we put a glue trap a small mouse got caught and I cried for hours because it was so horrific. It was dying slowly and all its limbs were broken. I gave it some water and food and my husband had to end its life because it was obviously in so much pain.”

**Julie Marson** (Hertford and Stortford) (Con): My hon. Friend is outlining the reasoning behind the Bill and the horrific deaths that these poor creatures can endure. Will she explain why the Bill refers only to rodents and not some of the other small wild animals that can be affected and hurt dreadfully?

**Cherilyn Mackrory:** Glue traps are generally bought to be put down for rodents, so we can legislate for that. They are often used to catch other animals—and other animals can be caught unintentionally—but they are not necessarily put down for that purpose. Legislation is already in place—I cannot quite remember, because it is not my Bill, but it is either the Animal Welfare Act 2006 or the Wildlife and Countryside Act 1981—to protect wild birds, but the Bill will go one step further to protect all animals, not just rodents, albeit that we can only really legislate for that.

**Sir Christopher Chope** (Christchurch) (Con): A housing estate in my constituency has plagues of rats—so much so that I have seen them going round on the fencing and into people's houses where their young children are trying to play. What is my hon. Friend's view about rats?

**Cherilyn Mackrory:** Where do I start? That is a horrendous problem; once such problems get out of hand they can be extremely difficult to get under control. I hope my hon. friend will forgive me if I make some progress; perhaps he will hear how we can tackle such things later in my speech. In short, though, in all these circumstances prevention is better than cure, and alternative methods can be used to help with situations such as the one he described.

Let me return to the experiences we have read about online. Another lady said that her husband

“found three mice last winter stuck to”—

a glue trap—

“and told me never ever again to use it. He said they had started to bite their legs off to get free.”

I must make a confession. When I discovered that I had to step into the breach for my hon. Friend the Member for Wolverhampton North East, my mind went back to when I lived across the river in Kennington 20 years ago. We were on the third floor of an old house that had been made into flats and we had a mouse problem. I was quite squeamish—I still am, to a certain extent—so my housemate decided that he would take care of it and put down one of these glue traps. The next morning, I got up for work early—much earlier than him—and saw a mouse in the trap. It was horrible: it was twitching and had not quite died but I could not bring myself to do anything. I feel so guilty, but I am not the sort of person who could just plonk an animal on the head, so I had to wake him up and ask him to deal with it. So I have seen this with my own eyes and it is just horrible. Nobody would do this on purpose to a cat, dog or any other living creature; I do not know why we think it is acceptable for animals by which we are repulsed, such as rats or mice. We really need to do better.

The examples I have given are far from exhaustive. Glue traps also pose a risk to other animals—as mentioned, wild birds, hedgehogs and cats have all been caught on glue traps, often fatally. Those are just some of the incidents that have been reported to the RSPCA, which

has seen hundreds of cases over recent years—and those are just the tip of the iceberg. Some Members may remember the harrowing story of Miles, a black and white cat who was found in an alleyway in north London last year with four glue traps stuck to him. Miles was scared, in extreme pain, and suffering with such horrific injuries that unfortunately he had to be put to sleep.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I thank my hon. Friend for filling in for my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). How can she be sure that the proposed restrictions on the use of glue traps will not lead to problems with rodent control?

**Cherilyn Mackrory:** As I said earlier, many alternatives can be used. For example, similar legislation was introduced in New Zealand some time ago. The Bill would introduce a licensing scheme, to which I will refer later; in New Zealand, with its population, the number of licences and instances of use is still in single figures and we are not aware of an overwhelming rodent problem in New Zealand. The industry has moved on. It is about managing problems in a better way, similar to how pest-control professionals use chemicals and such like.

**James Sunderland** (Bracknell) (Con): I commend my hon. Friend for stepping into the breach because of the absence of my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). She makes a persuasive case about the unpalatable nature of this treatment. Does she have a view on the overall effectiveness of glue traps in the totality of pest control? Does she think that, by banning these awful things, there will be a negative effect on our ability to control rodent populations?

**Cherilyn Mackrory:** As I alluded to earlier, that does not seem to be the case because of the alternatives already available to the industry and the examples that we see in other countries.

What can people use instead? As always, prevention is better than cure, and effective rodent-proofing is always the best solution. However, when the problem has already been identified and got out of hand, people can consider live capture and release, which is much more humane, and lethal options such as the good old-fashioned snap traps from “Tom and Jerry” cartoons, which are designed to kill instantly. Although that might be horrific, it is a better, quicker and more humane death for the rodents. Many businesses already stock those alternative traps, and an increasing number of people are refusing to stock glue traps, already believing them to be inhumane and entirely unsuitable for amateurs.

The Bill, as we see in clause 1, would make it an offence to set a glue trap for the purpose of catching a rodent or in a manner that gives rise to a risk that a rodent could become caught in it. That would also prevent such traps being used where they pose a risk to other animals. The maximum sentence of six months in prison and/or an unlimited fine is consistent with sentences for similar trapping offences in the Wildlife and Countryside Act 1981.

In exceptional circumstances, the use of glue traps by professional pest controllers may unfortunately still be necessary. Glue traps may capture rodents more quickly

than other methods, so they could still be needed when a rapid capture is required for reasons of public health or safety, such as in the cockpit of a jumbo jet before it is due to take off or if there was a risk of a fire in a hospital. If rodents have got in and are gnawing wires where other types of traps cannot be placed and we think that public safety is at real risk, glue traps might need to be used. To cover such eventualities, clause 2 sets out the provisions for a licensing regime that will allow the Secretary of State to authorise a pest controller to use a glue trap to catch a rodent if that is needed to preserve public health or safety and—this is key—no other satisfactory solution is available. Such situations are expected to be very rare, as I mentioned in the New Zealand example. A licensing regime has the benefit of allowing strict conditions to be imposed on the use of said glue traps, such as the frequency of checking traps, to minimise any detrimental impacts on animal welfare. That is key. If such traps must be laid, a qualified pest controller would be on hand to put the poor thing out of its misery, should it get trapped.

Clause 2 would allow the Secretary of State to delegate the licensing functions to any competent public authority. That is currently expected to be Natural England, which is already responsible for administering other licences relating to wildlife. Provision is made to charge fees for licence applications to enable the recovery of costs for processing applications and monitoring for compliance.

The Bill would grant enforcement powers to police constables and, in clause 5, to authorised inspectors. Inspectors would be authorised by the Secretary of State and are expected to be employed by the licensing body. Authorised inspectors would have the powers to inspect pest control businesses authorised to use glue traps under licence to ensure that those licence conditions were being complied with.

Clause 10 would allow for the Bill’s provisions to be commenced by regulations made by the Secretary of State. The expectation is that offences in clause 1 will be commenced two years after Royal Assent. That will allow the users of glue traps ample time for any transition to other legal methods of rodent control that are already available. It will also give sufficient time to put a suitable licensing regime in place, in consultation with the pest control industry and other stakeholders. Regulations relating to the licensing regime may be commenced prior to the two years to allow the said licensing regime to be in place before the offences in clause 1 are applicable. As wildlife management is a devolved matter, the Bill applies only to England. I am aware, however, that the Welsh and Scottish Governments have indicated an interest in legislating to restrict the use of glue traps.

I thank my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) for promoting the Bill, and she would like to thank everybody who has been involved—I will probably miss some names out, so forgive me—including Animal Aid, the Royal Society for the Prevention of Cruelty to Animals, the Humane Society International, the British Veterinary Association and many more, not least the Conservative Animal Welfare Foundation.

It is often said that we are a nation of animal lovers, and I believe that we are. All Members will recognise the truth of that through the correspondence that we receive from our constituents on animal welfare matters. The hon. Member for Sheffield, Hallam (Olivia Blake)



[Cherilyn Mackrory]

and I have been on the Animal Welfare (Kept Animals) Bill Committee this week; this issue is very emotive and we always strive to do the best that we can on a cross-party basis. We must take this opportunity, therefore, to continue to raise the bar on animal welfare in this country and ban the use of glue traps in all but the most exceptional circumstances. I urge all hon. Members to support the Bill from my hon. Friend the Member for Wolverhampton North East in its smooth passage through the House and on to the statute book.

Several hon. Members *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** Do you not wish to speak, too, Ms Marson? Oh, sorry—I call Dr Ben Spencer.

12.56 pm

**Dr Ben Spencer** (Runnymede and Weybridge) (Con): Thank you, Madam Deputy Speaker—I was worried I was in a bit of trouble there.

**Madam Deputy Speaker:** Even though it is a Friday, for the avoidance of doubt—as there seems to be some confusion—if hon. Members wish to speak, they should stand up; that means, “I wish to speak”. If they do not stand up, that means that they do not wish to speak and they will not be called. Let us get that absolutely straight.

**Dr Spencer:** Thank you, Madam Deputy Speaker.

I congratulate my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) on her powerful speech about glue traps and particularly on her confession about having used them. I rise to make the same confession: I have used glue traps and I deeply regret doing so. Although they look very good in terms of their effectiveness and getting rid of vermin, I had to deal with the consequences of trapping a mouse using glue traps. I had to dispatch it to put it out of its suffering when it was caught in the glue trap, and it is exactly as she said: it is a very brutal and horrid form of vermin control and it is absolutely right that we are introducing a Bill to get rid of them.

As for our personal vermin control in my household, I have a Frazzle—a ginger rescue cat who is the No. 1 enemy of vermin in my local area. If anything, Frazzle is too effective at vermin control, because every day he brings us gifts of the vermin that he has got rid of locally.

It is clear that other methods can be used that are not as cruel. An important point is that although we all recognise the very negative impact of mice and rats as carriers of disease, all the damage that they cause and the fact that we need to keep them under control, they are sentient creatures who can feel pain. They have the neurological structures in their brains that mean they can experience suffering. They are not stupid creatures and it is correct that we bring forward measures to control them in the most humane way possible. Banning glue traps is absolutely appropriate in order to drive that forward and I commend my hon. Friend for introducing the Bill today.

Several hon. Members *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** I call Julie Marson.

12.59 pm

**Julie Marson** (Hertford and Stortford) (Con): It is a pleasure to rise to support the Bill prepared by my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). Her commitment to animals and their welfare is absolutely not in doubt, and I congratulate her on the Bill. I also congratulate my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) on introducing it so brilliantly; she did our colleague proud. I am pleased to support both colleagues.

My mother—I hope she is not watching—has an almost cartoon-like reaction to rodents of any description. She would leap on to any elevated surface—a chair or whatever—to avoid them and would be absolutely panicked. I recall from when my son was younger a film called “Ratatouille”, which was a brave attempt to rehabilitate and rebrand rats in kitchens. That did not quite wash with me, and I am sure it did not with other people.

However, as my hon. Friend the Member for Truro and Falmouth said, we are a nation of animal lovers; it sounds clichéd, but we are, and we should be proud of that aspect of our national character. I listened to her with horror. I have not seen one of these traps in action—following this debate, I hope I never will—but I certainly would not want to see animals suffering in the way that she described.

I think this all comes down to humanity. My hon. Friend the Member for Christchurch (Sir Christopher Chope) raised an important point about circumstances where rodents need to be controlled, which can be horrific for people. Clause 2 plays into that very clearly; if something is potentially so inhumane in the wrong hands, we should give it to a professional to deal with it properly in order to reduce the risk of really inhumane consequences, even though there might be circumstances in which they can be justified, while there are other options that are more appropriate in less trained hands.

That is the important distinction that the Bill makes. If something is humane, I could use it. If the general public do not have to be trained in it and do not need to mind the consequences of what they are doing, they can handle it. However, if its potential consequences, not just for rodents but for other animals—birds, small mammals and pets such as cats—are so catastrophic and upsetting, then we should leave it to a professional to use it in very prescribed and definite circumstances. That is an issue that the Bill addresses effectively.

There is no hierarchy of animals and whether they should suffer. Even those of us who eat meat—I am a meat eater—do not want animals that are slaughtered for that purpose to be treated in an inhumane way. That is the important principle in legislation and in what this Bill is trying to achieve. Let me give an example. For those of us who supported Brexit, one of its important features was that, as a nation and as a Government, we could stop cruel, long and unregulated animal exports because of the inhumanity involved. I remember seeing pictures of the carnage of 50 dead sheep at Ramsgate port a few years ago, and I remember the passions that that cruelty raised in people. As I say, there is no hierarchy of suffering for animals; where we see it, we should address it.

That is what this Government are trying to achieve; that is our direction of travel. We have put restrictions on imports from the ivory trade, on trophy hunting and

on primates as pets. We have the Animal Welfare (Sentience) Bill and, in the Ministry of Justice, we have the pet theft amendments to the Police, Crime, Sentencing and Courts Bill. That all plays into a very welcome direction of travel, which I think most of us across the House want to see, on humanity to all creatures.

I think I have reached the end of my comments. I thank my hon. Friend the Member for Truro and Falmouth for introducing the Bill so brilliantly, and I am pleased to support it.

1.4 pm

**Olivia Blake** (Sheffield, Hallam) (Lab): I congratulate the hon. Member for Wolverhampton North East (Jane Stevenson) on the Bill, and wish her a speedy recovery. May I add that the hon. Member for Truro and Falmouth (Cherilyn Mackrory) did an excellent job in opening the debate?

Although Labour Members have some reservations about the scope of the Bill, which I shall come to later, it is definitely a big step in the right direction. The proposal to ban glue traps is backed by an overwhelming number of people and organisations, including the Royal Society for the Prevention of Cruelty to Animals, the Royal Humane Society and the British Veterinary Association, and earlier this year more than 40,000 people signed a petition asking for a ban. Ending this inhumane practice also featured in Labour's animal welfare manifesto. It is good to see that greater regulation is now supported in all parts of the House, including on the Government Front Bench.

Glue traps are clearly cruel and inhumane. I was shocked to read the report from the RSPCA that in just four years it had received 236 call-outs to animals caught in these traps, and that many suffered long drawn-out deaths owing to the horrific injuries that they sustained in trying to escape—as described by the hon. Member for Truro and Falmouth—or simply from hunger, stress, dehydration, exhaustion, or suffocation. That is not humanity in any form, and it is a horrible way for an animal to die. The traps are also indiscriminate, affecting not only rodents but all small vertebrates. Again, some of the stories are quite shocking, with kittens, hedgehogs, squirrels and even parrots and snakes becoming trapped and killed or seriously injured.

I should also point out that glue traps are not the only cruel and indiscriminate form of trap in use. We have just finished the Committee stage of the Animal Welfare (Kept Animals) Bill, and it was disappointing to see the Government vote against a ban on the use of snares in areas where kept animals could become trapped. I hope that the consultation on snares about which we heard in Committee will bring their thinking more into line with their approach to glue traps. Labour certainly believes that snares should also be banned.

As I said at the outset, the Bill is a step forward, but there remain some issues which I hope can be resolved as it proceeds further. The first is its limited scope. I pointed out earlier that rodents are not the only animals affected by the traps, and while I take on board what was said by the hon. Member for Truro and Falmouth, we feel that the language is rather too exclusive. We hope that that can be rectified in Committee. Secondly, I know that many organisations have expressed concerns about the licensing arrangements described in the Bill. Those concerns are well founded, certainly in so far as

they relate to who licences might be issued to and what kind of training those people would need to possess a licence. The Bill could be strengthened with far clearer language on both those issues.

Finally, we should revisit any training required of licence holders, given the guidance issued by the industry. Currently, the British Pest Control Association recommends that traps should be visited within 12 hours, but it seems to me that that allows plenty of time for animals to do harm to themselves as they try to escape: 12 hours is an incredibly long time for suffering to continue. It is hard to envisage a feasible, economic way of using these traps humanely without having to return to them frequently over short periods. For that reason, an outright ban seems more feasible than a licensing regime, and I do wonder why that was not considered by the Member for Wolverhampton North East. The Bill is extremely welcome as a stepping stone towards a further reduction in the use of glue traps, but a ban would be in line with the view of the Scottish Animal Welfare Commission, which has said that

“there is no way that glue traps can be used without causing animal suffering.”

The commission recommends an immediate outright ban, which is what our animal welfare manifesto calls for.

The Opposition welcome the Bill, which brings Government Members into closer alignment with our thinking on the use of traps. They are not quite there yet, either on glue traps or on other traps such as snares, but I congratulate the hon. Member for Wolverhampton North East on introducing the Bill. If it receives support today, we will wish it well through its remaining stages.

1.9 pm

**Jerome Mayhew** (Broadland) (Con): When I was preparing for this debate, my mind was drawn to the question of how long we, as a community, have been considering our responsibilities for and relationship with the animal kingdom. I thought of Genesis 1:26:

“Let us make humankind in our image, according to our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the wild animals of the earth, and over every creeping thing that creeps upon the earth.”

Genesis is traditionally attributed to Moses, who lived at roughly 1,200 BC, but modern scholarship suggests that it is slightly more modern, from about the 6th century BC. Either way, we have been considering our relationship with the animal kingdom for at least 2,500 years. During that time, public attitudes towards our relationship with animals have developed enormously, although perhaps not so much in the first 2,000 years; right hon. and hon. Members will recall that man traps with teeth were outlawed only in 1827. I wonder what the devout members of our community would have thought of the Bill if we had introduced it in 1826. As a matter of passing interest, man traps were not outlawed in their entirety until 1861, which was not actually that long ago.

I am very pleased to say that public attitudes towards animal suffering—and human suffering, for that matter—have developed over the past 150 years or so. Section 8 of the Pests Act 1954 introduced restrictions on trapping animals, including restrictions on non-approved spring traps, albeit with an exception for “rats, mice or other small ground vermin.”

[Jerome Mayhew]

The Wildlife and Countryside Act 1981 included further prohibitions on cruelty to animals. It focused particularly on traps and snares, whose use was controlled but not outlawed entirely; from memory, there were exceptions for agriculture and public health. A wider, more all-encompassing approach to our relationship with animals was taken in the Animal Welfare Act 2006. As hon. Members will recall, it created a wider offence of allowing or causing unnecessary suffering to any animal—including trapped animals, of course.

The underlying factor in all that legislation was an increasing concern, reflected in the views of the public, about suffering—particularly the suffering, over time, of animals that might need to be controlled for public health or other reasons. Public attitudes have changed, so I think it is right to consider the prohibition of glue traps for vermin. They do not cause a quick death; the animal is just stuck. It is not like fly paper; these are intelligent animals, as hon. Members have said, and they are physiologically capable of suffering.

The British Veterinary Association has expressed concerns about how animals caught in glue traps die. It notes that they

“can suffer from...torn skin, broken limbs and hair removal and die a slow and painful death from suffocation, starvation, exhaustion and even self-mutilation.”

Should we really allow that kind of animal control in the society that we have the honour to represent? The RSPCA has received about 200 reports of non-target species being caught, often fatally, in just the past five years. That includes birds and hedgehogs, as well as people’s pet cats.

Glue traps are an important issue that we need to address. I welcome the action that the Bill proposes to control their use, but we have to recognise that rodents equate to a significant public health risk. In large numbers, they can breed incredibly quickly.

Members may have been amazed by television footage from Australia from about a month ago that showed an absolute explosion in numbers of, I think, mice. I am pleased to say that we do not suffer from such plagues in this country, but it highlights the need for ongoing control of rodent numbers. We need to retain an effective range of measures to control our rodent populations.

I welcome the licensing regime element of the Bill—I vary in that view from Opposition Members—because there are certain circumstances, perhaps in an operating theatre, where the public health imperative is so overwhelming that we need to accept such measures. They should be licensed, however, and operated by pest control professionals.

Although I am concerned that we retain effective and quick measures when other systems are not available, it is crucial to maintain regular monitoring and follow up by humane dispatch or killing of the rodents that are caught in glue traps, as is already addressed in the Animal Welfare Act 2006. Originally, when I read this Bill, I was concerned that there was an omission, but on reflection I think that the 2006 Act encompasses that.

I have one concern with clause 1(5), which I wonder if the Minister will consider in her response. It proposes creating an offence if a passer-by sees a glue trap and

does not take effective action to remove it and make it harmless. I am deeply concerned that we are at risk of criminalising passers-by who may, or in fact are very likely, not to have any idea of the legislative status of a glue trap, particularly as it could be legal in some circumstances under the terms of the Bill.

What steps does a passer-by have to take to satisfy him or herself that the glue trap that they have seen is one that potentially exposes them to criminal liability if they do not take steps to make it harmless? That is a recipe for chaos if a pest control professional has spent time, effort and money properly laying a glue trap in legal circumstances, only for the good samaritan to throw themselves on the glue trap to prevent their own criminal responsibility. We need to perfect that area at a later stage of consideration.

With that exception, I support the Bill. It shows that we are listening to the changing attitudes of our society and are being responsive as legislators.

1.18 pm

**Sir Christopher Chope** (Christchurch) (Con): It is a pleasure to follow my hon. Friend the Member for Broadland (Jerome Mayhew). His last point was very important, and I hope it will be taken on board by the promoter of the Bill. I wish my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) well and I hope that she is soon back in her place in this House.

In my many years of assiduously attending Fridays, I have seen some extraordinary Bill titles, but this is the first time that we have had what is essentially a rat protection Bill. It is difficult to explain to our constituents that we need to protect rats through legislation. Rats carry disease, particularly Weil’s disease which, as my hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) will know, is a bacterial infection also known as leptospirosis. It is carried most commonly in rats and can be caught by humans by being in contact with rat urine or faeces. There are a significant number of cases of Weil’s disease in our country every year.

We know that rats breed incredibly rapidly, and reference was made by my hon. Friend the Member for Broadland to that. The figures are that brown rats can have 2,000 babies in a single year. It is commonplace to have 22 in a single litter. For that reason, we should take very seriously what seems to me to be growing evidence of a plague of rats across large parts of our country. In my constituency, there has been what I regard as inappropriate housing development on former forest and heath. What has happened in many respects is that the rats that were living there naturally beforehand have taken over the new area that has been built and are creating mayhem for residents.

Why are we bringing forward legislation that is effectively designed to try to make people think of rats as friends rather than enemies? They are enemies to our public health. If we are going to wait for two years before we introduce these constraints and the regulations set out in the Bill, what will be the test as to whether things have improved in that period?

**Cherilyn Mackrory**: I appreciate the points that my hon. Friend is making, but I want to clarify a point before he carries on down that road. The Bill is absolutely not to protect rats; I certainly would not support a Bill



that protects a rat population. If there are rat populations in his area, as he suggests, perhaps the banning of glue traps will not make any difference to that, because they are not making any difference to that at the moment. There are other methods in circulation that are more effective and more cost-effective. If there is a problem such as the one that he describes, a licensed pest controller can be brought in to deal with it forthwith.

**Sir Christopher Chope:** I can assure my hon. Friend that licensed pest controllers have been very active on this housing estate. I have spoken to them, and they have said that it is fantastic; it is money for old rope, because nothing that they do has any lasting impact, which is one of the problems.

Some people—this happens with farmers and people who keep chickens and so on—say, “To deal with rats, I am going to get a cat as a ratting cat”, but what do cats do? They do not only attack rats; they also attack birds and wildlife, so much so that that is a real crisis in our country. Rats themselves often attack small birds, and they certainly take birds’ eggs. We would be going down a very slippery slope if we tried to treat one of these areas of the whole balance of nature in isolation. Basically, nobody likes the idea that glue traps will result in suffering for other animals, any more than I like the idea that as a result of the behaviour of cats, a lot of birds are dying needlessly. We have got to have a balance.

The Bill sets out the offences and so on in clause 1, but it does not require the Secretary of State to issue any licences in clause 2. It just says that the Secretary of State “may” grant a licence, so there is no connection between the creation of the offences and ensuring that the Secretary of State has to issue licences to try to counteract the consequences of outlawing glue traps used by unlicensed people.

I am concerned about this Bill, and I do not think my constituents will understand it at all. I hope we can have stronger confirmation from the Government that we are going to eliminate rats before we start dealing with eliminating the means by which we may be able to control rats. As I said at the beginning, rats and rodents are dangerous to public health, and we ignore that at our peril.

**Madam Deputy Speaker (Dame Eleanor Laing):** Thank you. I call Cherilyn Mackrory.

**Cherilyn Mackrory** With the leave of the House, I would like to address a few of the points that have been made today. *[Interruption.]*

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jo Churchill)** I had hoped to speak.

**Madam Deputy Speaker:** I beg the House’s pardon. My mistake, I have not allowed the Minister to speak. I have no intention of stopping her from speaking. I call Minister Jo Churchill.

1.24 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jo Churchill):** I will not take it to heart, Madam Deputy Speaker.

First, I thank my hon. Friend the Member for Truro and Falmouth (Cherilyn Mackrory) for taking this role on at extremely short notice. I spoke to my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) this morning, and she still sounded a little under the weather. I would like to add my voice to those wishing her well and a speedy recovery. I also wish to thank all who have spoken in today’s debate, because the point of our Friday sittings is that we discuss the challenges, where the holes might be and where we might need to come back in Committee to do that extra work to make sure that everybody feels that the law is a useful one, with belt and braces.

We have heard that glue traps are an inhumane way of trapping rodents, as well as posing significant risks to other animals, and that it is right to ban them in all but exceptional circumstances. I thank my hon. Friend the Member for Truro and Falmouth for the clarity with which she laid things out. The Bill does have Government support; I will come to the issues raised by some hon. Members, but we will do all we can to support its passage. The UK has a strong history of leading the way on animal welfare, as my hon. Friend the Member for Hertford and Stortford (Julie Marson) said, and we are looking to improve those standards further. In the “Action Plan for Animal Welfare”, published in May, we announced that we would like to restrict glue traps, as part of that series of ambitious reforms to raise the bar on animal welfare. We are planning further reforms: the new Animal Welfare (Kept Animals) Bill, which I know several Members have been talking about in Committee this week, will improve welfare standards through a range of measures for pets, farmed animals and kept wild animals, and through a ban on keeping primates as pets.

The Glue Traps (Offences) Bill will restrict the use of glue traps, keeping them completely out of the hands of non-professionals and ensuring that they are used only in exceptional circumstances, where there is no satisfactory alternative, thereby improving the welfare standards for rodents, as well as for other animals that may fall victim to their use. At this point, it would be useful to set out the fact that other more humane rodent control measures are available. Any business currently relying on glue traps will have ample time to transition; that is why we have given two years. As we have heard, pest controllers should be using such traps only as a last resort, including on the grounds of public safety. One such example might be that of the airline cockpit, when electrical wires are being chewed through, but they might be used in other areas such as hospitals—that was mentioned during the debate. Pest controllers have many other methods of rodent control at their disposal. Under the licensing regime, it is thought that these traps could still be used in exceptional circumstances, but we would try to avoid their use at every opportunity should we be able to do so. Having this balance of being able to use them has come about because New Zealand, where their use was completely banned, had to pull back so that they could be allowed in exceptional circumstances. This measure is written in a way that means that we do not have to approach the matter in that iterative way, where we go back and ask for something when we have banned it in the first place. It is not the ideal way, and we would much prefer deterrence and exclusion to be achieved by rodent proofing buildings. As the hon. Member for Christchurch (Sir Christopher Chope) said,

[Jo Churchill]

having rodents coming into properties in the first place is quite revolting, not least because of the public health risk—they carry Weil’s disease and so on. Arguably, the same is true of mice. Given that they go into properties, leave their droppings all over the places where people usually eat, they are highly unpleasant. There are plenty of other more humane, effective and inexpensive rodent traps that are already widely available, including spring traps and capture and release traps, which we have heard about. These have the advantage of being reusable in most cases, which further reduces costs, while, at the same time, actually helping things.

Where there is a large rodent infestation, we would always say that professionals are needed. They will do their job and help communities get on top of the problem. My hon. Friend the Member for Broadland mentioned the appalling situation in Australia where it has had to face the challenge of literally millions of mice.

Making the use of glue traps an offence and ensuring that professionals use the best methods will improve welfare standards for wild rodents as well as helping other animals that may fall victim to their use. We have heard about wild birds, hedgehogs and pet cats to name but a few. The hon. Member for Sheffield, Hallam (Olivia Blake) mentioned a parrot. I have heard about buzzards and all sorts of small animals being caught in these traps and, as we have heard, having the most appalling, painful deaths. We need to make sure that we can cover that through the use of humane pest eradication where we can, so that we can stop the use of glue traps. Some Members asked why we are not just banning the use of these traps completely—I hope that I have answered that point with the New Zealand example. A total ban on these traps is, arguably, desirable, but there are rare circumstances where we might need them, which is why I want to ensure that the Bill has a degree of flexibility. The safeguard is that only professionals can use them, which is overlaid with the licensing work as well.

The ban in New Zealand suggests that professional users move away from glue traps. There, the ban was introduced in 2015, allowing exceptions only by ministerial approval. The pest control industry has adapted well, and the number of approvals in New Zealand has declined each year and is now only in single figures.

The licensing regime in the Bill, which has been mentioned several times, will allow conditions to be placed on the use of glue traps in order to safeguard welfare, such as the regular monitoring of traps in those rare cases where they are needed. I would like to spend a minute on the licensing regime. Some Members asked when licences would be issued. It would only be on an exceptional basis in order to preserve public health or safety when there is no satisfactory alternative. The use of licences will allow strict conditions to be imposed on the use of glue traps to safeguard welfare, such as the regular monitoring of traps. Many of the decisions over whether licences will be general, class or individual have not yet been taken, and the precise details of the licensing regime will be worked out in consultation with the pest control industry and other stakeholders before this comes into force—again, we have had a short period of time. Whether licences will be time-limited will be decided in consultation. However, we would expect them to be

time-limited for an individual case, because someone cannot say that they are using the traps for an exceptional circumstance and then just go on ad infinitum. More than likely, they would need to be applied for annually.

Let me turn to licences issued to pest controllers. As defined in the Bill, the only time that we will issue such licences is when the use of the glue trap is needed to preserve public health and safety and

“there is no other satisfactory solution.”

My hon. Friend the Member for Broadland raised that matter. The question of how we ensure that glue traps will be used appropriately goes in part to my hon. Friend’s point about the passer-by.

Glue traps will have professional oversight. The Bill grants enforcement powers to authorised inspectors as appointed by the Secretary of State and expected to be employed by the licensing authorities, and inspectors will have the power to inspect pest controllers who are authorised to put down glue traps in order to ensure compliance.

The point about the passer-by was well made. A passer-by who knowingly sees the inappropriate use of a glue trap will be able to report it to the police in the usual way and the police will be able to respond accordingly, but my hon. Friend the Member for Broadland made a good point, on which I will reflect. We are not asking people to do the impossible in order to achieve the objective, because how do we know what we do not know? I think that that was his basic point.

**Sir Christopher Chope:** The Minister has covered many points of concern that have been raised. Will she also tell us about her Department’s policy on the burgeoning population of rats that are such a threat to public health? What is her Department doing to reduce the number of rats?

**Jo Churchill:** We are working with pest control companies and so on to ensure that they have all the tools at their disposal to keep down the population of rodents—both rats and mice—appropriately in areas such as those mentioned by my hon. Friend, where housing has perhaps encouraged a bigger population. We want to ensure that such companies can use effective measures to control that population.

I am glad that Frazzle came up. My hon. Friend the Member for Runnymede and Weybridge (Dr Spencer) brought Frazzle into the conversation on Second Reading of the Animals (Penalty Notices) Bill the other week. I thank my hon. Friends the Members for South West Hertfordshire (Mr Mohindra) and for Bracknell (James Sunderland) for the points that they made about when traps might be needed.

The licensing regime will allow conditions, such as the monitoring of traps, to be placed on their use in order to safeguard welfare. This will also allow for the scale of glue traps used by pest controllers to be monitored. The provision in the Bill for inspection of authorised pest controllers will ensure compliance with licences and allow enforcement if terms are breached. A transition time of two years will also allow us to work with the devolved authorities to ensure that we walk in lockstep, hopefully, as we improve the situation and ban glue traps.

I close by reiterating how grateful I am not only to my hon. Friend the Member for Truro and Falmouth but to my hon. Friend the Member for Wolverhampton North East, who is probably watching us, for introducing the Bill. My officials and I will do all we can to support the Bill and we will hopefully see it on the statute book.

1.39 pm

**Cherilyn Mackrory:** With the leave of the House, I wish to address a few of the points made in the debate.

The hon. Member for Sheffield, Hallam (Olivia Blake) was concerned about the possibility of 12 hours of suffering. The technology is now available: some of the glue traps used by professional pest controllers have pad sensors that alert the pest controller that there is something on the trap, so they can be there an awful lot quicker than 12 hours. One would therefore hope that it would not be that long in practice. She also asked about the Bill being confined only to rodents; rodents are the reason why people buy glue traps—people do not buy them to catch birds—so if the legislation covers the use of glue traps for rodents, it will cover the vast majority of purchases.

I agree with my hon. Friend the Member for Broadland (Jerome Mayhew)—having come late to this issue and having read the Bill very late, the issue of passers-by jumped out at me, too, so I am pleased that the Minister addressed it. We should not forget that there will be two years between Royal Assent and the introduction of licences, so a huge amount of education can go on among the general public—in respect of retailers, labelling and whatnot—so that people know what is going to happen. If somebody stumbled across a glue trap, they would probably think they needed to do something about it.

I reiterate to my hon. Friend the Member for Christchurch (Sir Christopher Chope) that this is not a rat-protection Bill; all it will do is remove one method that the public use on a daily basis to deal with rodents. There are many much more effective and cost-effective alternatives. I hope that that reassures my hon. Friend.

I again thank my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). I am sorry that she could not be present today—she is desperately disappointed not to have been able to present the Bill.

*Question put and agreed to.*

*Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).*

## Domestic Building Works (Consumer Protection) Bill

*Second Reading*

1.42 pm

**Mark Garnier** (Wyre Forest) (Con): I beg to move, That the Bill be now read a Second time.

In a debate in which we will talk about the activities of some possibly not-so-enhancing builders, I wish to start by saying what is good and brilliant about builders. Builders constructed the place in which we work, which is a testament to the building trades. They build our homes, workplaces, communal spaces, places of worship and recreational facilities. They build things of utter joy and things of absolute necessity. In short, they are extraordinarily important not just to our society but to our entire way of life.

There are enormous numbers of opportunities in the building trade for many different people. The skills involved range from those of the extraordinary artisans who do stunning carvings to those of the people who help with some of the most menial tasks. Were it not for this mainly manual industry, many people who prefer to work with their hands—who may not have found academia to be something for them—may not have found any gainful and worthwhile employment. The building trade is as important for those who work in it as it is for those of us who need its services. With 1.3 million people working in the industry in the UK, it is an incredibly valuable source of income for millions of workers and their families.

The industry is very wide. We have all seen large developments of homes or other buildings being carried out by well-established, well-resourced and well-run construction companies that take responsibility for their actions. When things go wrong, they have large legal departments and the processes seem to work well, on the whole. However, I am keen to concentrate on the smaller, domestic and small-business end of the market. The sector known as the repair, maintenance and improvement sector—RM&I—is where we see lurid and appalling stories of people's lives ruined after taking on dodgy builders. There are countless stories in the press, and TV shows have been made that specialise in such problems.

I could turn to any number of articles in the national and regional press that talk about cowboy builders. A relatively simple search for stories about rogue builders reveals 1,500 such stories from the past five years alone, and that is just those stories that make the press. We could chat to almost anyone who has had any building work done, and they will roll their eyes in frustration at the problems they have had. However, we do not have to rely on hearsay and the media to understand the problem and its implications. The Federation of Master Builders, which I have been working with, conducts surveys to see the effect of this issue on the RM&I market. A recent poll of homeowners discovered that one in three were put off having building work done on their home by the fear of being ripped off. That equates to a potential £10 billion of lost economic activity every year, as a result of the fear of being ripped off by rogue builders. I can see why and there are any number of examples. My constituent, Gillian Smith, and her husband came to see me last week about their experience with Bromsgrove



[Mark Garnier]

Construction and Development Ltd. They showed me some pretty appalling photographs of how the back end of their house is falling down as a result of appalling behaviour. They are now entering into a huge problem in trying to resolve that issue.

The consumer is not the only victim of the rogue cowboy builder. In the industry, many find themselves victims of the same problems as consumers, and subcontractors find that they are not paid or subject to poor safety standards. Merchants are the same, and plant hire companies are frequently the victims of theft or the abuse of equipment. Alarming, health and safety is a low priority among many SME building firms that operate within the RM&I market. While large firms working on major commercial and civil engineering projects have embraced health and safety legislation, a blitz of small refurbishment sites by Health and Safety Executive inspectors in 2016 found that a stunning 49% of sites fell below the standards set to comply with health and safety requirements.

More alarmingly, that cavalier attitude to health and safety reveals the potential problem of cowboy builders leaving dangerous sites. When someone builds an extension, might someone else be risking life and limb when they climb those stairs to go to bed one evening? Poor-quality building results not just in shoddy work, but potentially in work that is fatally dangerous. Cowboy builders also have an effect beyond their own unhappy activities. By undercutting those reputable builders who make up the majority of the market, they force high-standard builders to cut their margins to compete for work. Price competition is fine, but not when a worthwhile and reputable SME builder is competing against someone with no care for safety, honesty, or customer satisfaction. Given that the RM&I market is dominated by occasional customers, it is likely that the key element of choice is price. Unhealthy price competition drives down standards, even if those reputable firms are unhappy at being forced to cut standards to compete.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Does my hon. Friend also want to say a word about the environmental consequences? Is it not right that a number of extensions are built with the rainwater directed into the sewers? We have been talking about the result of that over recent weeks.

**Mark Garnier:** My right hon. and learned Friend is absolutely right. The implications of cowboy or rogue builders who do not build to standard are unbelievably widespread—indeed, that opens another interesting debate about inspections by local councils in terms of the amount of work done, and there is a completely different debate about that to ensure that building standards have been maintained. Sometimes there are questions about whether some councils examine building standards properly, and my right hon. and learned Friend raises an important point.

How does the victim of the rogue builder seek redress? The answer, as it turns out, is not simple. In the first instance they could go to trading standards, but with a rogue builder being, by definition, a rogue, the sanctions available are weak at best. Ultimately, the home or small business owner who has found themselves the victim of a rogue builder has no other recourse than the courts.

This is the point at which it is really important that I declare my interest. There has been much debate of late about Members' experiences—I think you were in the Chair, Madam Deputy Speaker, when we discussed the Domestic Abuse Bill, and we heard a stunning speech from the hon. Member for Canterbury (Rosie Duffield) about her experience, which was very valuable. When someone finds themselves the victim of a rogue builder, they suddenly discover that they are in an extraordinary Kafkaesque world of misery, and trying to deal with legal practitioners, professionals and all the rest of it. I was going to speak at length about my first-hand experience but, frankly, it is important to move along in the interest of the next debate. Suffice it to say that, apart from anything else, as Members of Parliament we find ourselves subject to blackmail, threats to break into our property to recover items that we have already paid for and multiple final bills—in my case multiple fictitious final bills. The list goes on and on, and it becomes unbelievably depressing and wearing, as we find ourselves having to deal with the problem and, ultimately, there is no justice.

The fundamental fault with the whole system is that contract law simply does not work for people with problems bigger than the small claims court, which is fine, but below a value of £1 million. The reality of the situation is that anyone can make up a fictitious account that they want us to pay and we have to negotiate. In addition, if we want to get redress against a builder, we have to go to court and seek legal action. It works both ways. It is not just about bad building standards; it is also about builders' bad business practices and vexatious bills.

To challenge or defend this type of bill requires a commitment of between £100,000 and £200,000 in legal fees, court fees and professional fees to demonstrate the loss and to provide the evidence. I have spoken to any number of friends and colleagues with very senior legal experience—this place is stuffed to the rafters with lawyers and barristers—and they all say that the type of problem I am facing, and that hundreds of thousands of people face, has nothing to do with justice and everything to do with trying to achieve a negotiated settlement.

**Anthony Mangnall** (Totnes) (Con): My hon. Friend is making an extraordinarily important point. Many of my constituents have had to deal with rogue builders, and I am sorry for what he has had to go through. Could we improve the civil litigation process rather than creating an ombudsman under this Bill?

**Mark Garnier:** I have privately asked all sorts of senior people and, weirdly, they just roll their eyes and say, "It is what it is." Perhaps we could, but I am certainly not qualified. I was an investment banker rather than a lawyer, so I approach this from a slightly different direction.

One of our colleagues pointed out that the process of negotiated settlement is like being mugged and then being charged for the mugger's knife, and it has the backing of the law. The consumer of repair, maintenance and improvement building services has no consumer protection at all. There is absolutely no practical protection for consumers that avoids the highly risky, unbelievably expensive and emotionally draining prospect of prosecuting contract law. Indeed, the subcontractors working on our home were victims of the same rogue builder. They were eventually paid, but they were not paid initially.

While we were going through this nightmare, an unrelated subcontractor came to me with a complaint that he had not been paid by the firm with which we were in litigation. The builder's manager even boasted to our subcontractor that he usually had five legal cases on the go at any given time, playing the system to get more money. This is not just an accident; it is a deliberate action by these builders.

It is extraordinary that consumers are completely unprotected. When we think about the whole building process, it is even more astonishing. The proud homeowner who is seeking to improve their home will go to an architect, who will be regulated by the Architects Registration Board. They might contract a quantity surveyor, who will be regulated by the Royal Institution of Chartered Surveyors. They will probably need to borrow money, so they might approach a mortgage broker who is regulated by the Financial Conduct Authority. The mortgage broker will help with the mortgage, which will be provided by a lender, again regulated by the FCA and possibly by the Prudential Regulation Authority, with advice from a solicitor regulated by the Solicitors Regulation Authority. The money will then be deposited in a bank, regulated again by the FCA and the PRA. The whole process is laden with consumer protection and regulation, right up to the point at which the money is handed over to someone with no regulation—and possibly no qualifications—and with no protection mechanisms for the consumer in any way, shape or form.

Unbelievably, the problem gets worse. The victim may well prosecute the court and win—possibly both damages and costs—but at that point the rogue builder goes bust with no assets and starts a new business the following day to continue the process of ripping off consumers. Meanwhile, the costs to the victim, running into hundreds of thousands of pounds, are unpaid. The reality is that there is absolutely no disincentive for the cowboy builder to present fictitious bills or to do shoddy and appalling work. While the consumer must engage in a risky legal process to seek redress or protection, the rogue builder can game the system with no jeopardy whatsoever.

What is the solution? How do we protect honest builders and subcontractors, builders' merchants and, importantly, consumers? I repeat that most people in the trade are very honest people who also need to be protected from the activities of rogue builders. How do we redress the balance of risk away from favouring the rogue builder to giving equal weight to both consumer and builder? We must remember that the builder is not always in the wrong, so we need to ensure that the solution is balanced. The answer must lie in a regulation and licensing scheme.

My Bill asks the Government to come up with a scheme of compulsory licensing for SME building firms working in the RM&I space. While it does not set down the specific framework for a licensing scheme with associated regulations—it would be wrong for a Back Bencher to try to undertake that work, because it is complicated—I will suggest my vision of how it would work. My experience, which informs how I look at it, is with financial services and banking regulation—back in the 2010 Parliament, we were heavily involved in changing financial services regulation—and while I do not propose anything remotely as complex as the FCA or PRA, there are some important carry-acrosses from financial regulation.

First, any regulatory scheme must not be a financial burden on the wider taxpayer. A licensing scheme for builders must be self-financed through licence fees. Rules for having a licence must be straightforward; they cannot be complicated. Importantly, no firm can be allowed to offer services direct to customers without a licence. That in itself would result in the wider industry policing the market. For example, mortgage lenders would require evidence that money would be spent on a licensed firm, while architects and surveyors acting as project managers would need to see a licence to engage a building firm, ensuring that builders were licensed. The consumer could check the builder on the regulator's website, just as can be done with the FCA. The regulator should probably be TrustMark, which currently operates a voluntary scheme. There should be rules regarding code of conduct, honesty, safety and quality of work. Those failing to comply should face a series of sanctions resulting in the ultimate sanction of the loss of licence and, therefore, the loss of the ability to work in that industry.

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): My hon. Friend is making some valid points. Does he think that the voluntary scheme is not effective as things stand?

**Mark Garnier:** Self-evidently not. My hon. Friend is right to ask that. A voluntary scheme is good, because builders who sign up to it can demonstrate that they are maintaining a certain level of trust and obligations to their consumer. The problem is that the consumer needs to know an awful lot about the building trade to know about that scheme in the first place. We as Members of Parliament have many people coming to our surgeries who have got themselves into trouble with, for example, financial advisers, only to discover that they were not regulated. The problem is that those people did not understand the system well enough to work that out. While some will recognise that there is a voluntary scheme that they can check out, it was not until I got deep into the weeds of the Bill that I discovered it, having spoken to all sorts of quantity surveyors and all the rest of it as I tried to progress my own building problems.

Within all this, there should be rules regarding a code of conduct, honesty, safety and quality of work. Failure to comply should carry a list of sanctions, including losing the licence. An option that could be included is a compensation scheme rather like the Financial Services Compensation Scheme. That is an example of how consumers who have lost out as a result of poor and bad practice are compensated for their loss from a scheme financed, again, not by the taxpayer, but by levies placed on licence holders of the relevant sector. The double effect is that the consumer gets their losses covered, if that is deemed appropriate, while the industry as a whole is incentivised to self-police. At the end of the day, the industry does not want to pay more money to bail out these compensation schemes for rogue builders; it would be incentivised to report rogue builders. Importantly, an ombudsman would be able to assess loss to consumers without the need for expensive and lengthy engagement of legal and professional experts to defend bogus bills or to challenge poor work.

These proposals are aimed at ending the decades-long history of consumers who being ripped off in one way or another by shoddy, rogue, cowboy builders. Voluntary

[Mark Garnier]

schemes do not seem to have done away with this problem, and the building industry seems to be the one industry remaining where consumers spend quite significant amounts of money in a totally unregulated and uncovered area. Indeed, many people agree that this is beyond redemption. The report of the Federation of Master Builders on this subject in 2018 cited the fact that even the construction firms themselves agree that a compulsory licensing scheme is necessary: 77% of SME builders agreed to the FMB proposals, while 78% of consumers did likewise. I think we would all agree that enough is enough. To steal a phrase from those on the Front Bench, you cannot build back better if you cannot trust your builder.

This is a very complicated area, and I do appreciate that it is not straightforward to go rushing in and create a compulsory licensing scheme, but I am very interested to hear what the Minister has to say. By the way, I am very grateful to him for coming along. Although building is his area, his role does not cover the Bill, but the Minister responsible for consumer protection—the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully)—was not available. However, I am very interested to hear what he has to say, and incredibly keen to continue to collaborate with the Government to try to find a solution to this quite huge problem.

2.2 pm

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): I congratulate the hon. Member for Wyre Forest (Mark Garnier) on bringing forward the Bill. I very much join him in his opening tribute to the building trades, which are not always as much valued or appreciated as they should be. Particularly now, after two years of pandemic times, our homes are very important to us. We have spent a lot of time looking at our walls and imagining how we can improve them. Unfortunately, however, people have often been put off by rogue traders, for the reasons the hon. Member laid out.

Currently, anyone can call themselves a builder. They are not required to provide any evidence of training, qualifications or experience. This makes it really difficult for homeowners to know which traders are legitimate, and it allows cowboy builders to undercut legitimate builders. The only legal protection for consumers is contract law, but that is not a viable option for many, for the reasons the hon. Member set out, meaning that cowboy builders can largely get away with shoddy work.

This Bill sets out to provide greater protection for homeowners by requiring builders to get licensed and by outlawing cowboy builders, who would face fines. It also makes provision for consumers to get compensation, as well as for a licensing service to oversee the scheme and an ombudsman service to resolve disputes between traders and consumers. We very much welcome the intention behind the Bill, and we will not be opposing it.

Although there are some schemes to help consumers find legitimate and reputable builders, such as TrustMark, they are voluntary and therefore cannot fully tackle this issue. It is an issue that must be familiar to MPs up and down the country, and indeed to many homeowners. Earlier this year a constituent of mine applied for heating work to be carried out under the Government's

green homes scheme, but the builder left her home in a completely unacceptable state. She was unable to use her living room for five months, and mice—which featured in a debate earlier today—started coming in because the floorboards had not been replaced properly.

Consumers like my constituent are unable to find appropriate redress. They are also faced with scam ads and fake reviews online, which makes the task of finding a reputable builder even harder. I commend the campaign launched by Which? earlier this year, calling on the Government to introduce laws that would force tech giants to protect consumers online. According to research conducted by Which?, consumers are more than twice as likely to choose poor-quality products after being exposed to fake reviews. The Federation of Master Builders has been warning consumers about customer review sites promoting rogue traders since 2015. This cannot be allowed to continue. In 2018, the FMB found that 32% of homeowners were discouraged from arranging home improvements requiring a builder because they feared hiring a rogue builder, and it estimated that this was causing the economy to lose £10 billion of construction activity a year. That figure was also quoted by the hon. Member for Wyre Forest. This is not only about protecting homeowners; it is also an economic issue for our country.

We welcome the intention behind the Bill, but the Government should have acted sooner. It should not be the job of a Conservative Back Bencher, however well respected, to rectify the mistakes of his own Government. Bodies such as the FMB and Which? have been calling on the Government to act on this issue. The chief executive of the FMB, Brian Berry, has said:

“Licenses for the building trade are long overdue and have widespread support in the industry. They will protect consumers, enhance the reputation of the industry, and provide a significant boost to the economy.”

Which? says that the enforcement of rogue traders falls to local authority trading standards services, but as we have heard, they are not always able to inspect buildings as they would like to, because their budgets are not ring-fenced, and their funding has been cut for several years.

The Chartered Trading Standards Institute estimates that local trading standards services have lost 56% of their full-time equivalent staff since 2009, and 20 services have had their funding reduced by more than 60% since 2011. That has left 44% of local authorities lacking the expertise needed to enforce legislation, because staff are having to perform other duties. We would like to ensure that those services have the resources and funds that they need in order to carry out their duty to protect consumers from rogue traders. Not only have the Government failed to support local authorities in this respect, but their funding cuts have made it harder for those who do have the powers to enforce existing legislation.

The Bill is not perfect, and there are questions that I shall want to pursue if it makes further progress, but I think it is up to the Minister and the Government to set out what they are doing to address the critical issue raised by the hon. Member for Wyre Forest—an issue that is spoiling the lives of so many of my constituents and, I am sure, constituents of Members in all parts of the House. What are the Government going to do to address this issue if they are not going to support the hon. Member's Bill?



2.9 pm

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Lee Rowley):** Thank you for giving me the opportunity to contribute to the debate, Madam Deputy Speaker. Let me first congratulate my hon. Friend the Member for Wyre Forest (Mark Garnier) on the points that he has raised about the important issue of consumer protection and the need to get the balance right between the sale of goods and services and ensuring that quality is achieved at the end of the day. Ensuring that we have a high-quality and professional construction industry and consumer protection is very important, and I am really grateful to him for raising awareness of that.

We all know there are issues and we all have such stories, whether they are ours personally or others that we have heard, and I am very sorry to hear about his constituents Mr and Mrs Smith. We know that there is a challenge from a minority of people and organisations in this industry who do not do the right thing time in and time out. The question is not about the problem—I think the definition of the problem would be accepted by people across the House and outside it—but about what is done proportionately to try to mitigate and reduce it. As we know from other elements of consumer protection that we deal with, even if we have ombudsman schemes, licensing schemes and alternative resolutions, they may improve situations but they are not guaranteed to and they are not panaceas on their own.

The question always comes back to the philosophical discussion that we have daily in this place: what we think the Government should do, when they should intervene and when it is proportionate to do so. This is rightly about balancing how we protect the consumer and protect and support individual agency—with markets that have sufficient information and knowledge in them so that people can make decisions without needing other organisations, groups or the state to intervene—with how we prevent guilds from being created, which is vital. I am not suggesting for a moment that my hon. Friend's Bill would do that. There are already hundreds and hundreds of employee systems that require substantial qualifications, licensing schemes or costs to be paid, which, over time, create issues for a dynamic workforce, industry and sectors that support people wanting to obtain goods and services.

As my hon. Friend rightly indicated, this is a question of risk. It is about where to draw the line. Although, I am afraid to say, on balance we as a Government are not minded to support the Bill at this time, we are very keen to continue to discuss this, because we accept that there is an issue. The question is whether a licensing scheme is proportionate to the problem at this time.

Notwithstanding the fact that we understand there is a problem, the Government are doing a lot of work on this. Let me run through some of that quickly. First, the Government have recently consulted on proposals for a mandatory alternative disputes resolution scheme in the home improvement sector. There will be more information on that in due course, because none of us wants a situation where any consumer or business should have to, want to, need to or be required to go to court in the first instance to try to resolve such a situation.

Secondly, additional work is under way through the domestic household decarbonisation retrofit programme. That is where the Government have more ability to

impact processes. We are requiring installers to hold appropriate certifications or to be TrustMark-registered.

Thirdly, we are working closely with the Department for Levelling Up, Housing and Communities to look at the consumer protections available through the competent persons schemes, which allow builders to self-regulate in areas where they can self-certify. For example, competent person schemes must ensure that consumers are provided with the appropriate financial protection for a minimum of six years to put work right to dwellings that are non-compliant with building regulations.

Fourthly, we have the Building Safety Bill. To ensure that there are safe and high-quality buildings, we want to make sure that, throughout a building's life cycle, the building safety regulations can provide support. There are powers in the Bill to make regulations regarding competence requirements. These have already been published in draft alongside the Bill.

In summary, nobody would disagree with the actuality of the problem and the challenge that it creates for individuals, such as for my hon. Friend and his constituents as well as for people in my constituency and those of all Members. Given that this is such a long-standing issue that has been around for decades, if not centuries, the question is what we do about it. We hope that the measures that are being taken, which I have outlined, indicate that the Government intend to step in where necessary while retaining proportionality in what we do and in making sure that there is a functioning market without state intervention. The Government would like to extend to hon. Members, including my hon. Friend, an invitation to continue to discuss the ways to address this issue and how we build on existing organisations and initiatives and the other activities that I have outlined. I finish by thanking my hon. Friend.

**Mark Garnier:** My hon. Friend is being incredibly kind. First, let me quickly say a great thanks to everybody, particularly the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) and all the various people who have been involved in the Bill. I think the Minister is very sincere in what he is saying about how we can collaborate. Before he finishes, in the light of all his undertakings and assurances of collaborative work, it would probably be a good idea if I were to withdraw my Bill. Am I allowed to beg to ask leave to withdraw my Bill, Madam Deputy Speaker?

**Madam Deputy Speaker (Dame Eleanor Laing):** The hon. Gentleman cannot procedurally withdraw his Bill during an intervention on the Minister. If the Minister finishes his speech and the hon. Gentleman, with the leave of the House, is able to make another speech, then he may withdraw his Bill, but I have another Member trying to catch my eye. I think the answer might be that if we proceed speedily, all this might come to pass.

**Lee Rowley:** There has never been more of an invitation to be brief. In the interest of brevity, let me say that I would be very happy to continue the conversation with my hon. Friend, and I look forward to doing so.

2.16 pm

**Sir Christopher Chope (Christchurch) (Con):** Very briefly, may I say that I very much welcome the proportionate response from my hon. Friend the Minister?

[Sir Christopher Chope]

He says that this issue goes back many years. I remember raising an Adjournment debate entitled “Cowboy Builders” in the 1983 Parliament. In the 1987 Parliament, I was rewarded by becoming the Minister for the construction industry. I remember the representations then, and I remember working with the Federation of Master Builders and others.

As a lawyer, one of the most difficult questions I ever had to answer was, “Can you recommend a good solicitor?” That is also a really big challenge for those who are engaged in or thinking about having building work done. I hope that, as a result of today’s debate, people will realise that they should look at organisations such as the Federation of Master Builders and Checkatrade, and go for people who have a reputation locally. It may be a little more expensive, but otherwise they could get into all sorts of difficulties. When I worked for Ernst and Young, my boss there, who I thought had the wisdom of Solomon, ended up getting a rogue cowboy to redo his driveway. He then came to me, as a non-practising lawyer, asking for legal advice about it, and I said that it was too late.

Anyway, that is enough from me. I am pleased by the Government’s proportionate response. The Bill does not seek to define “domestic building works”, which must obviously be the starting point for any regulations.

**Madam Deputy Speaker (Dame Eleanor Laing):** I call Mark Garnier.

2.18 pm

**Mark Garnier:** Thank you, Madam Deputy Speaker. I will just rattle through some thanks to colleagues—

**Madam Deputy Speaker:** Order. The hon. Gentleman has to ask for the leave of the House. Say, “With the leave of the House”.

**Mark Garnier:** I was going to lead up to that.

**Madam Deputy Speaker:** No, you have to do it now. Can we just get on with it, please? Say, “With the leave of the House”.

**Mark Garnier:** Okay. With the leave of the House, and in the light of the Minister’s assurances of further collaborative work on this issue, I beg to ask leave to withdraw the motion.

*Motion and Bill, by leave, withdrawn.*

## Pedicabs (London) Bill

*Second Reading*

2.18 pm

**Nickie Aiken** (Cities of London and Westminster) (Con): I beg to move, That the Bill be now read a Second time.

I am aware that time is of the essence, so I will make this as quick as possible. The reason I am bringing the Bill to the House again is that pedicabs remain the only form of public transport on the streets of London that is unregulated. Black cabs and private hire vehicles such as Ubers are all under very stringent regulation and have licences through Transport for London. Under some legal anomaly, pedicabs remain unlicensable and unregulated by TfL, and I think that is wrong and must be addressed.

I welcome the fact that the Government have supported my Bill, and I hope we can get it through today, because women’s safety is at risk. We should be under no doubt that as it stands, pedicab drivers and their vehicles are not checked. They go through no checks on the security of the drivers and the vehicles go through no form of MOT. That is unsafe for women and for passengers. There is also no fare regulation, which affects tourists in particular. They enjoy using pedicabs, and why would they not? They can be an exciting offer for central London in particular. A tourist couple reported getting into a pedicab in Leicester Square, going 0.8 miles to Stratton Street and being charged £380. An Uber fare for the same trip would cost £7—54 times more was charged by the pedicab driver. Until they are regulated, we will not stop this dreadful practice.

The police and councils such as Lambeth Council and Westminster City Council have supported my Bill, as have the Mayor of London and the deputy Mayor of London for transport. It is important to mention that some enforcement is available under antisocial behaviour legislation, but I can tell the House from speaking to council officers and councillors that there is nothing they can do to stop drivers or prevent them from going about their business. They can ask them to stop their noise and playing ghetto blasters, but they cannot take them off the streets. The police and Westminster Council, under current legislation and current regulations, cannot police drivers for having no insurance, no training or unsafe vehicles.

Having a licensing regime, as suggested by my Bill, would bring in the ability for TfL to provide licences where drivers have to prove that they are safe and their vehicles are safe. If a council worker, official, city inspector or a police inspector comes along, they can check their licence and ensure that they are safe. If they are not, the licence can be taken away and, importantly, the vehicle can be taken away and impounded. That is key to why I want to bring in this Bill—at the moment, those actions are not possible. A city inspector from Westminster City Council can present an enforcement notice, but without any proof of who that person is, that person will not turn up at the magistrates court and will not be held to account by anybody. Under the licensed and regulated scheme that I am suggesting, that would happen.

It is important to note that we are talking about a minority of rogue drivers. The London Pedicab Operators Association supports what I am trying to do. It has told me that it is

“in concord with the universal view that pedicabs must be fairly and appropriately regulated—fast!”

The guys who are part of the association do their own checks. They organise their own insurance, but they are under absolutely no obligation to do so, and that is why I want to bring in this Bill to ensure that there are proper safeguards for them and a level playing field. Black cab drivers have to do that, and they will be parked up at traffic lights next to a pedicab driver who may have passengers. The passengers in the black cab know that they have safeguards; the passengers in the pedicab have no safeguards.

The noise and disruption that my constituents are having to live through is getting worse. Since lockdown, it has got worse. I have had 4,000 representations made to me about this one issue. People living in Soho and Covent Garden are particularly suffering from this dreadful antisocial behaviour and rogue type of pedicab driver. Let us not forget that the majority of people who live in Soho and Covent Garden are in social housing. They do not have the choice to move; they are there because they have the privilege of a social housing home, but that means that they cannot move. People who have a private home can sell up or not have to rent any more, but let us remember people in social housing.

Let me give the House an example from Covent Garden last weekend. A city inspector from Westminster City Council told me:

“At approximately 21.10...two city inspectors attended the area...there were 25 Pedicabs all parked up on Drury Lane...City inspectors spent the next 45 minutes moving Pedicabs along, as they were blocking road traffic”.

The inspectors had no real enforcement powers but to move the pedicabs on; they could take the drivers’ names and addresses, but they could not prove whether they were real. There was no further action that these guys could take.

Pedicabs have no regard for disabled people, either, or for people trying to cross the road with guide dogs or in wheelchairs. This is a real, real issue: I have been told by numerous people about the noise that rogue pedicab drivers make. I emphasise that there are many who are part of the London Pedicabs Operators Association who are good, but there is an element who are not. I quote from an email from a constituent who spoke to a pedicab driver:

“He said ‘There’s nothing the police can do about it. This nuisance is permitted as the operators are able to use a bylaw related to the power of their machines.’”

That means that the operators know that pedicabs are currently not regulated. This is not only about noise and sheer antisocial behaviour, but about safety and fair regulation. That is why I ask all hon. Members present to support the Bill.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Do pedicab drivers need a driving licence? Do they require insurance? If not, it seems that that could be dangerous.

**Nickie Aiken**: That is the crux of the matter: a pedicab driver does not need a driving licence and does not need insurance. Under my Bill, that would change. They would have to have insurance, have a driving licence and prove that they have been properly trained. At the moment, they can ignore the highway code—believe me, I have example after example of pedicab drivers ignoring it.

I emphasise that the Bill is not about banning pedicabs. I firmly believe that pedicabs, properly regulated and licensed, can provide an offer to tourists in central London as they do in other European nations. In London, they are not regulated; in every other part of England, councils have the powers to regulate and license them. I wonder whether that is why we do not see them in other cities. I was in Manchester recently, and I do not recall seeing a pedicab. I would have thought that a city such as Manchester would want pedicabs, but because they can be regulated and licensed, many of the rogue elements choose not to operate, because they know that they will be held to account.

Does the Minister agree that it is so important to give my pedicabs Bill a Second Reading today so that we can keep our passengers and tourists safe, keep other road users safe and ensure that the west end and central London remain a vibrant place? I hope that all hon. Members will support the Bill today.

2.29 pm

**The Parliamentary Under-Secretary of State for Transport (Robert Courts)**: I thank my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) for promoting the Bill and for her extensive campaign to bring it before the House, as she has done on a number of occasions. This is an extremely important matter.

Pedicabs are currently unregulated in London. They are the only form of public transport that is unregulated, despite having been on the capital’s streets for approximately 30 years. Transport for London estimates the number of these cabs on the streets of London to be about 400, but other estimates go up to about 1,400. The Government fully support the Bill.

**Sir Christopher Chope** (Christchurch) (Con) I had understood from talking to my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) earlier that I was going to have a chance to contribute to this debate, because I objected to her Bill in the last Session, on the basis that it looked as though—

2.30 pm

*The Deputy Speaker interrupted the business (Standing Order No. 11(2)).*

*Bill to be read a Second time on Friday 3 December.*

## Business without Debate

### NHS ENGLAND (ALTERNATIVE TREATMENT) BILL

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

### PUBLIC ADVOCATE BILL

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 10 December.*



**PUBLIC HEALTH (CONTROL OF DISEASE) ACT  
1984 (AMENDMENT) BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**BBC LICENCE FEE NON-PAYMENT  
(DECriminalISATION FOR OVER-75S) BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**CARAVAN SITES BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**GREEN BELT (PROTECTION) BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**PUBLIC SECTOR EXIT PAYMENTS  
(LIMITATION) BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**COVID-19 VACCINE DAMAGE BILL**

*Motion made, That this Bill be now read a Second time.*

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 26 November.*

**Cancer Diagnoses: Young People  
in Hertfordshire**

*Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)*

2.32 pm

**Julie Marson** (Hertford and Stortford) (Con): I wish to start by pointing out that this debate really does not belong to me. It belongs to Jessica Brady, as it is her tragic story that brings us all here today. The first thing I want to do is pay tribute to Jessica's parents, Andrea and Simon Brady. They could not be here today, but I know they are watching, even though it is very difficult for them to do so. The pain they have experienced, and the pain they face every day of coping with their daughter's illness and death, is unimaginable. They have told me that they are utterly broken, yet with dignity and determination they have committed to improving the diagnosis of cancer among young adults. They wish to ensure, in Jess's name, that others do not have to go through what they have gone through. They have already done much to raise awareness of Jessica's story. I was honoured, along with Simon and Andrea, and my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald), to hand in their petition calling for better awareness and diagnosis of cancer in young people to No. 10 Downing Street. The petition currently has more than 213,000 signatures, which is remarkable and sobering. I am grateful that my right hon. and learned Friend is in the Chamber for this debate and grateful for all of his support.

**Sir Oliver Heald** (North East Hertfordshire) (Con): I pay tribute to my hon. Friend for securing the debate. My thoughts, as hers, are with Andrea and Simon Brady on the sad loss of their daughter Jess. Does my hon. Friend agree that at least two areas need to be improved in the way that we deal with cancer in young people? First, in general practice, we need to concentrate much more on young people and perhaps have a lead in each practice who looks at it and makes sure that every doctor is up to speed with the latest thinking. Secondly, we need to improve blood tests. There have been recent innovations, so perhaps a blood test could help with diagnosis.

**Julie Marson:** I thank my right hon. and learned Friend for those comments. He has followed the case closely and has supported me. He puts his finger on some of the key lessons that we want to learn from the Brady's tragic experience to improve the situation for the future. I will expand on the exact points that he has made.

Andrea and Simon first got in touch with me in April. They told me how Jessica, their 27-year-old daughter, had been unwell since mid-2020 suffering with abdominal and back discomfort. We know how difficult it has been to get a face-to-face appointment with a GP during the pandemic, so Jessica had an online consultation and was diagnosed with a kidney infection and prescribed antibiotics.

Over the ensuing weeks, Jessica was prescribed numerous medications, including countless courses of antibiotics and steroids, all without an examination. For months, she was told that she was suffering from long covid, despite the fact that she had never tested positive.

Unconvinced by the assessments and desperately worried, Andrea and Simon decided to go down the private healthcare route.

On 26 November 2020, Jessica received the worst news imaginable: she was diagnosed with an extremely aggressive stage 4 adenocarcinoma with an unknown primary. Jessica's dependency on oxygen from that date meant that she did not leave the hospital or ever return home. By the time the cancer was discovered, it had already spread to her spine, liver, stomach, lungs, bones and lymph nodes. Jessica passed away on 20 December 2020.

I never had the pleasure of meeting Jessica, but by all accounts she was a remarkable young woman. She worked as a satellite engineer for Airbus in Stevenage and on the day of her funeral, a satellite that she helped to design was launched into space from Cape Canaveral inscribed with the words, "Thank you, Jess!"

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I commend my hon. Friend for bringing this Adjournment debate on an important issue for Hertfordshire residents. Does she agree that early diagnosis of cancer would mean that stories such as that of Jess, which she has eloquently put forward, will not necessarily happen again?

**Julie Marson:** My hon. Friend is right: early diagnosis is key. From Jess's experience, I want to dig into some of the ways that we can get early diagnosis and a diagnosis that speeds up the process to help to stop unnecessary suffering and death from cancer.

Jessica had her whole life in front of her, but because of the restrictions on face-to-face GP appointments and misdiagnoses, she finally received the correct diagnosis just three and a half weeks before she died. I was immeasurably moved by her story and immediately contacted the then Secretary of State for Health and Social Care, my right hon. Friend the Member for West Suffolk (Matt Hancock). I take this opportunity to thank him, because he immediately met me, and Andrea and Simon, and we agreed numerous follow-up points. I thank the current Health Secretary for carrying on that work. Andrea and Simon also shared Jess's story at the Health and Social Care Committee.

There are four key elements to Jessica's story: the fragmented nature of the GP care and provision that she received; the misdiagnosis that caused so much pain to her and her family; how her age helped to shape the process; and how we need to use her story to make sure that the same mistakes are not repeated. I will take those elements in turn.

Jessica's experience of the GP care she received was, at best, fragmented and, at worst, insufficient to deal with the specific needs that she faced. The problem here was not the individuals involved; the problems for Jessica often came from the organisation of the system itself. The GP provision that Jessica experienced was definitely exacerbated by covid. At the Select Committee session, Andrea described how, at Jessica's lowest ebb, she struggled to navigate receptionists and switchboards while trying to receive any kind of contact from a doctor. In Andrea's own words, "Nobody listened" and "Nobody took it seriously." I cannot imagine your child suffering such pain and yet saying, "What's the point? Nobody will do anything."

We talk so much about how crucial an early cancer diagnosis is, but all parts of the system need to be working for the process to be efficient and, above all, effective. Andrea Brady summed this up perfectly at the Health and Social Care Committee session. She explained:

"No one looked at the big picture and assembled the jigsaw puzzle pieces."

Jessica really needed one person on her case, looking at all the evidence and looking at things holistically. Whether we see it as an umbrella model, a wheel and spoke model or whatever, they all need a focal point that holds the rest of the process together. Without this, we know just how awful the results can be. In the end, Jessica saw four different doctors, with not one of them taking ultimate responsibility for her care.

The impact of not having that single point of contact was profound. Vital clues were lost or not examined properly. At one point, a blood test revealed high levels of D-dimer in Jessica, which is often indicative of a clotting disorder, but can also be a cancer warning. Jess was fighting two battles: on the one hand, coping with her debilitating symptoms and, on the other, persuading anyone to listen to her. The results can be catastrophic. I would be grateful to the Minister if, when he responds, he detailed what steps are being taken to create a more joined-up strategy in this field. For example, after the third contact with a GP surgery, could that case be elevated for review? Similarly, after perhaps five pieces of correspondence, could the case not be red-flagged and set procedures followed? I remind the House again that Jessica contacted her surgery on 20 occasions in five months. Some kind of escalation procedure could certainly help with cases such as this.

To give proper care, a named GP could handle the case in its entirety—not just in principle, but in practice too. Someone needs to take the time to listen to the case fully to make sure that every facet is assessed. I would be grateful if the Minister also addressed that. Will he detail what steps are being taken to ensure that each GP surgery has access to a designated cancer specialist? Having this available to every surgery would aid the diagnosis of cancers in the young and would come into its own especially when reviewing rare cancers and seemingly inexplicable symptoms.

We absolutely can and should trust our medical professionals. In the vast majority of healthcare situations, they get it right, but we cannot ignore the danger of misdiagnosis, particularly in unusual circumstances. In Jessica's case, her raised D-dimer levels indicated a significant clot formation and breakdown within her body. It was only later, in their own research, that Andrea and Simon discovered that D-dimer levels are elevated in the plasma of patients with various solid cancers, suggesting a possible link to Jessica's later diagnosis. However, this possible link was not investigated further at the time, because no medical professional asked further questions when they had the test results. If Jessica's test results had been coupled with critical thinking from those in medical positions, proper decision-making would have taken place and, in Jessica's case, it could have led to a different outcome.

I hugely welcome the Government's commitment to better cancer research. The recent spending review announcement of £5 billion into health research will help us to identify new treatments, but will the Minister explain to what extent research will be carried out that

[Julie Marson]

looks specifically into new blood tests that accurately highlight incidence of cancer early. Such a test would have been a game-changer in Jessica's case, providing a much clearer answer much earlier in the process. Will the Minister detail how improvements are being made in respect of misdiagnoses that derive from such a lack of information and questioning?

Jessica's age, 27, was also a factor. Simon and Andrea have described Jessica and other young adults in a similar situation as

"too old for their diagnosis to be truly shocking and too young to be deemed at serious risk."

Every diagnosis of this nature is shocking, yet Jessica was seemingly caught between two different age groups. Even her dramatic weight loss and vomiting and the swollen glands on her neck were not taken seriously or linked to possible cancer, because she was not deemed at high risk of cancer, partly because of her age. We really need to think about how this can affect young people.

Cancer Research UK tells us that adults aged 25 to 49 contribute 9% of all new cancer cases, with almost twice as many cases in females as males in that age group. That is far too large a number to ignore. Currently, the 24 to 49 age group is not prioritised, even though many cancers are found to be aggressive and require immediate treatment.

As well as raising awareness among the public of just how serious cancer can be for young adults, Andrea and Simon's petition and campaign strives to do the same in GP practices, too. I am glad to have the opportunity to get this campaign on the Minister's radar and hope he will remember this message long after we leave the Chamber today.

One of the biggest tragedies is that Jessica's story is not an isolated incident: many other people have found themselves in a similar situation, and will continue to unless we can learn the lessons that we need to learn now. The petition has prompted countless people to come forward to tell their own stories of their young family members who have had their lives curtailed by late or undiscovered cancer diagnoses, including some people who were told that they were too young for cancer. We know that cancer can develop in children, elderly people and everyone in between. In 2021, it is just not good enough to tell someone they are too young to have cancer.

In Jessica's case, it is deeply troubling that her symptoms were explained away with a long-covid diagnosis, despite her not believing she had ever had covid or having even registered a positive test. We need to ask more questions. We need to become better at using data properly. We need to improve cancer diagnosis among young adults.

I welcome the NHS's introduction of rapid diagnostic centres—their focus on cancers that generate non-specific symptoms that are otherwise harder to diagnose will make a huge difference—but the point remains that a GP still needs to refer a patient to one of the sites. Rapid diagnostic centres are just one of a number of measures that are being introduced to tackle this acute problem; will the Minister outline the other measures?

We cannot help but wonder what would have happened if just one thing had been different about Jessica's case. What if her case was escalated in the GP surgery? What if the raised D-dimer was investigated further? What if she had seen a doctor sooner? For her family, those are agonising questions.

I stand here and try to do justice for Jessica, and for Andrea and Simon, but I will never be able adequately to describe or encapsulate what they have gone through. Nevertheless, we can try to understand what went wrong in Jessica's case. We cannot make it right for her, but we can prevent others from going through what she was forced to go through. Andrea and Simon deserve to see the change that will help so many families who find themselves in their shoes.

I am grateful for the support of my right hon. and learned Friend the Member for North East Hertfordshire. I hope that this debate can be a significant moment for cancer diagnosis among young adults, not just in Hertfordshire but right across our country, so that they too can say, like the message launched into space, "Thank you, Jess!"

2.49 pm

**The Minister for Health (Edward Argar):** I thank and pay tribute to my hon. Friend the Member for Hertford and Stortford (Julie Marson) for bringing this debate before us, and for raising this difficult issue in a typically dignified and sensitive way. She has done justice to Jessica and her family.

I join my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) and my hon. Friend the Member for South West Hertfordshire (Mr Mohindra), who intervened, in sending my condolences to Andrea and Simon, and to Jessica's family and friends, following her death. We know that the passage of time can help, but it can never totally remove that sense of loss. I pay tribute to them for the work that they are doing to highlight the issue. It must be very difficult for them and it is humbling that they—through their excellent Member of Parliament, but also in person—have been willing to share this deeply upsetting experience to seek to build a better future for others. I put on record my tribute and gratitude to them.

As my hon. Friend the Member for Hertford and Stortford has set out, Jessica sadly had a very rare form of cancer. I am advised that the timescale and complexity of diagnosis in this case was due to the rarity of the cancer, especially in younger people, but we are always willing to look more broadly and holistically at other factors that we may have some control over that could help to improve diagnosis in the future. It is absolutely right that we do so because, as my hon. Friend said, sadly no one is too young to fall victim to cancer, so it behoves all of us in this House and beyond to do all we can to improve diagnosis.

As my hon. Friend alluded to, we are working nationally on achieving the long-term plan commitment towards early diagnosis of cancer, including rarer cancers or those that are harder to diagnose, in order hopefully to avoid situations such as Jessica's being repeated in the future. Hertfordshire's hospital trusts are working extremely hard to that aim. In delivering the long-term plan for cancer, we have the aim of diagnosing three quarters of cancers at stage 1 or 2, and increasing cancer survival rates so that an additional 55,000 people survive their



cancer for five years or more. Delivering those ambitions through earlier and faster diagnosis, rapid adoption of innovation and, crucially, the roll-out of personalised care—looking at someone as an individual—will benefit children and young adults across the country.

Alongside this, as my hon. Friend set out, all cancer systems continue to roll out rapid diagnostic centres or rapid diagnostics services, which are an important part of the clinical commissioning groups' broader strategy to deliver faster and earlier diagnosis, and an improved patient experience. By summer 2021, there were 102 live rapid diagnostic centre pathways across hospitals in England and a further 98 in development, compared to just 12 in March 2020.

To make the discussion rather more local, in East and North Hertfordshire NHS Trust, the services to support and assist patients whose cancer is of unknown primary origin and those who have what are clinically known as "vague symptoms" are being brought together to make best use of clinical resource. Multi-disciplinary team co-ordinators will track patients on their pathways and ensure that the new 28-day faster diagnosis standard is met. Funding has also been put in place to provide psychological support to support patients earlier, at a time when they may be worried about receiving a potentially life-changing—or, tragically in some cases, life-ending—diagnosis.

Herts Valleys CCG is developing services for patients with non-specific symptoms that could indicate cancer—for example, a 12-month pilot of a primary care-led vague symptoms pathway, with direct access to CT scanning. This began in February and is reported to be working well, and the CCG is looking further to develop this work and integrate it more with the acute trust. There is also a significant amount of work on the site-specific pathways through more efficient diagnostic pathways. This goes to what my hon. Friend was saying, as it supports earlier and faster cancer diagnosis by assessing patients' symptoms holistically—bringing all the symptoms together when considering them, rather than looking at them in isolation, when it would be understandable if a misdiagnosis were made.

**Sir Oliver Heald:** I want to follow up on the point that I made when intervening on my hon. Friend the Member for Hertford and Stortford (Julie Marson). The project that the Minister is talking about is very good, but I just wonder about disseminating best practice more widely in GP surgeries. Does he think that the idea of having one GP in a practice who takes a lead on cancer—ensuring that the practice is up to date with the latest diagnostics, treatment and so on—is worth pursuing?

**Edward Argar:** My right hon. and learned Friend is also an old friend, so I suspect that he has a slight insight into where I was to be going in a few minutes. I hope to be able to answer that point specifically.

On education in cancer diagnosis within Hertfordshire and on GPs having the necessary skills and keeping them up to date, GPs in the region are encouraged to maintain their knowledge and skills in the field and are supported by Macmillan GPs, who are specialists in cancer care. Cancer education programmes such as Gateway C are available online, and face-to-face education sessions have now resumed, including monthly seminars offered by providers and by Cancer Research UK. A

primary care network cancer clinical leads group has also been established to share the latest local issues and best practice.

I turn to specific points highlighted by my hon. Friend the Member for Hertford and Stortford. On face-to-face appointments and the ability to diagnose in that context, £20 million of elective recovery funding has been distributed to cancer alliances in this financial year to help accelerate the implementation of service models that streamline the front end of the pathway and support the management of high referral volumes. Throughout the pandemic, NHS England and Improvement has provided guidance to general practice and continually updated standard operating procedures to ensure that changing services could operate safely. NHS England and Improvement set out clear expectations that general practices offer face-to-face appointments alongside remote appointments—telephone or online—and that clinical necessity and patient preference should be taken into account to determine the most appropriate method.

My hon. Friend raised research and how it could help save lives in the future. NHS England and Improvement is supporting GRAIL's Galleri trial, where studies have shown the ability to detect more than 50 types of cancers through a single blood test. The Galleri test can, as she said, detect chemical changes in blood as cancer can release small particles of DNA into the blood—known as circulating tumour DNA—which leak from tumours into the bloodstream, to give a vital early warning. The Cancer Research UK and King's College London cancer prevention trials unit is conducting a randomised control trial along with the NHS and GRAIL. The blood samples from the first subjects in the trial are being obtained at mobile testing clinics in retail parks as well as at various convenient community locations. The trial's participants must not have had a cancer diagnosis in the last three years. The main trial has now started. As hon. Members will know, I am always cautious about such things, but I am cautiously optimistic and genuinely hope that the trial will yield innovation that will make a huge difference in the ways mentioned by my hon. Friend.

My hon. Friend also raised the central point of GPs handling cases in their entirety or of having a point of contact who can look at a case holistically from the individual's point of view, with knowledge of all their symptoms, medical history and so on. The general practice contract requires practices to provide a named accountable general practitioner to all registered patients. That GP must take the lead in ensuring that any primary medical services considered necessary to meet the needs of a patient, including appropriate referrals to specialist care and liaison with other health professionals involved in the patient's care, are co-ordinated and delivered to that patient.

As of 1 April last year, we introduced the supporting early cancer diagnosis service specification for primary care networks to support improvements in rates of early cancer diagnosis. The 2021-22 quality and outcomes framework, which is a reward and incentive scheme for general practices, includes five indicators related to cancer care, including a quality improvement module on early cancer diagnosis. That improvement module was designed specifically to improve referral and safety net practices.

[*Edward Argar*]

I hope that that answers some of my hon. Friend's questions. She rightly highlights that there is always more to do in this space, and as we think of Jessica and her family it behoves all of us to continue to work to improve the quality of care provided, improve research, improve early diagnosis and look at each person who comes forward with symptoms or concerns as an individual, bringing all those factors together.

One of the privileges for the Minister responding to the Adjournment debate on a Friday is to speak on a subject outside of their usual portfolio, and this is one such opportunity. It has been a humbling experience, and one that I hope will inspire us all to renewed efforts, thinking of Jessica, to improve services as we go forward.

*Question put and agreed to.*

2.59 pm

*House adjourned.*

# Written Statements

Friday 19 November 2021

## EDUCATION

### School Uniform Costs: Statutory Guidance

#### **The Secretary of State for Education (Nadhim Zahawi):**

The Department for Education will today publish statutory guidance on the cost of school uniforms. This guidance is issued under the Education (Guidance about Costs of School Uniforms) Act 2021. This Act requires the appropriate authorities of relevant schools to have regard to this guidance when developing and implementing their school's uniform policy.

Through creating a common identity amongst all pupils, regardless of background, a school uniform can act as a social leveller, but to do so it must be affordable. No school uniform should be so expensive as to leave pupils or their families feeling unable to apply to, or attend, a school of their choice.

This guidance will provide a framework to schools to help them keep the costs of uniform affordable for parents. The guidance sets out the key principles which schools should consider when setting their uniform policy and is based on views from members of both Houses, feedback from stakeholders and our own research. Throughout the guidance we encourage schools to take a holistic approach to the cost of school uniform, therefore the guidance covers a range of issues such as branded items, supply arrangements and second-hand uniform.

Schools will not be expected to make sudden, drastic, changes to their uniform policy. We want schools to implement changes in a timely and considered manner to ensure it works effectively but in doing so we would want to ensure that parents do not incur additional costs from sudden uniform changes. However, we would like parents to see the benefits of the guidance as soon as possible. The guidance provides more information to schools on how they can be compliant with the guidance and when any changes need to be made by.

I will place a copy of the cost of school uniform guidance in the Libraries of both Houses.

[HCWS405]

## TRANSPORT

### International Travel Update

#### **The Secretary of State for Transport (Grant Shapps):**

##### *Red List Review*

The Government have conducted a further review of the red list under our new and simplified system of international travel.

Following this review, it continues to be the case that no countries and territories are on the red list. We will keep the red list in place as a precautionary measure to protect public health, and we are prepared to add countries and territories if needed as the UK's first line of defence if the situation changes.

#### *Expansion of the inbound vaccination policy*

From 4 am on Monday 22 November, the Government will recognise vaccines on the World Health Organization's emergency use listing (WHO EUL) at the border. As a result, Sinovac, Sinopharm Beijing and Covaxin will be added to our existing list of approved vaccines for inbound travel, benefitting more fully vaccinated passengers. The WHO emergency use listing process includes a review of quality, safety and efficacy data performed by WHO experts, and many countries such as the United States, Spain, Sweden, Switzerland and Iceland are already recognising the WHO emergency use listings vaccines.

Alongside expanding the list of approved vaccines for inbound travel, we will also expand our inbound vaccination policy to include proof of vaccine certification from the following 15 countries and territories:

Belarus  
Bolivia  
Democratic Republic of the Congo  
Dominican Republic  
Ecuador  
Faroe Islands  
Laos  
Libya  
Malawi  
Mozambique  
Samoa  
Senegal  
Vanuatu  
Zambia  
Zimbabwe

Our inbound vaccination policy now covers over 150 countries and territories.

From 4 am on Monday 22 November, the Government will also be simplifying travel rules for all under-18s coming to England from a non-red list country or territory, who will be treated as fully vaccinated at the border, regardless of their individual vaccination status. This means they will be exempt from self-isolation requirements on arrival and will only be required to take a lateral flow test post-arrival, with a free confirmatory PCR test if they test positive.

#### *Inbound vaccination policy: US residency requirements and state certification solutions*

From 4 am on Monday 22 November, the Government will remove the requirement for people to provide proof of US residency when proving their fully vaccinated status with a US Centers for Disease Control (CDC) card. We will accept the US CDC card or one of the below US state-issued certification solutions as proof of full vaccination:

California digital covid-19 vaccine record  
New York State Excelsior Pass Plus  
Washington State WA Verify

We will consider additional US state led certification solutions in the future.

#### *Booster vaccinations in the NHS covid pass*

Finally, travellers who have had a booster or a third dose will be able to demonstrate their vaccine status through the NHS covid pass from today. This addition will enable those who have had their booster



or third dose to travel to countries such as Israel, Croatia and Austria who have already introduced a time limit for the covid-19 vaccine to be valid for quarantine free travel.

While public health is a devolved matter, the Government work closely with the devolved Administrations on any changes to international travel and aims to ensure a whole UK approach.

[HCWS406]

# Ministerial Corrections

Friday 19 November 2021

## TREASURY

### Finance (No. 2) Bill

*The following is an extract from the Second Reading debate on the Finance (No. 2) Bill on 16 November 2021.*

**Rushanara Ali:** The Minister mentioned fairness a few times, and also the challenges facing the country. Why have her Government decided to give banks a reduction in the surcharge taxes they pay, which will cost the taxpayer £1 billion a year, when increasing numbers of our constituents are going hungry because of the failure to support them in the challenges they have faced over the last 18 months?

**Lucy Frazer:** I am grateful for the opportunity to answer that question, because the hon. Lady talked about a reduction in the amount banks are paying but that is not accurate: the banks will actually be paying a higher rate than previously. The hon. Lady might have noted that I referenced in my speech the fact that corporation tax was going up to 25%, and banks will be paying a higher rate than everybody else, who will be paying 25%; the banks will now be paying 28%, not the 27% they are currently paying. We are also ensuring that we have a competitive operating environment for these banks, because the banking sector not only contributes to the economy but employs 1 million people.

*[Official Report, 16 November 2021, Vol. 703, c. 496.]*

*Letter of correction from the Financial Secretary to the Treasury:*

An error has been identified in my response to the hon. Member for Bethnal Green and Bow (Rushanara Ali).

The correct information should have been:

**Lucy Frazer:** We are also ensuring that we have a competitive operating environment for these banks, because the banking sector not only contributes to the economy but employs **almost half a million** people.

## TRANSPORT

### Integrated Rail Plan: North and Midlands

*The following is an extract from the statement on 18 November 2021.*

**Rachael Maskell:** Today's announcement will be a bitter blow to my constituents and the local economy in York, not least because we all know, and the Secretary of State knows, that the trans-Pennine route upgrade will not have the necessary capacity to deliver the rail speeds and connectivity that we need. Will he publish the capacity of that route so that we can understand how my constituents can move west in a timely way?

**Grant Shapps:** Yes, I will. The capacity figures are in the document itself. I do not want the hon. Lady to go away from this Chamber and inadvertently mislead her constituents. Journey times from York to Manchester,

which are 55 minutes today, will be 28 minutes. There will be a dramatic improvement, and it would be extraordinary if she described that as bad news.

*[Official Report, 18 November 2021, Vol. 703, c. 749.]*

*Letter of correction from the Secretary of State for Transport:*

An error has been identified in my response to the hon. Member for York Central (Rachael Maskell).

The correct information should have been:

**Grant Shapps:** Yes, I will. The capacity figures are in the document itself. I do not want the hon. Lady to go away from this Chamber and inadvertently mislead her constituents. Journey times from York to Manchester, which are **83 minutes today**, will be **reduced by 28 minutes to 55 minutes**. There will be a dramatic improvement, and it would be extraordinary if she described that as bad news.

## EDUCATION

### Skills and Post-16 Education Bill [Lords]

*The following are extracts from the Second Reading debate on the Skills and Post-16 Education Bill [Lords] on 15 November 2021.*

**Alex Burghart:** We want the skills system to become more responsive to the needs and knowledge of employers, creating dialogue between skills providers and industry. That is why the Bill establishes the employer representative bodies and local skills improvement plans.

*[Official Report, 15 November 2021, Vol. 703, c. 424.]*

*Letter of correction from the Under-Secretary of State for Education, the hon. Member for Brentwood and Ongar (Alex Burghart):*

An error has been identified in my speech.

The correct information should have been:

**Alex Burghart:** We want the skills system to become more responsive to the needs and knowledge of employers, creating dialogue between skills providers and industry. That is why the Bill establishes **the role of employer representative bodies in developing** local skills improvement plans.

**Alex Burghart:** The hon. Member for Birmingham, Hall Green (Tahir Ali) spoke—I refer to him because my father-in-law was from Birmingham, Hall Green—powerfully and movingly about his experience and his son's. I have no doubt that he and his son would have been able to do a BTEC in engineering, flourished through it and been able to enjoy some of the great advantages I have seen when I have visited colleges in south Essex, Walsall and south London, where students are studying T-levels and thriving.

*[Official Report, 15 November 2021, Vol. 703, c. 425.]*

*Letter of correction from the Under-Secretary of State for Education, the hon. Member for Brentwood and Ongar (Alex Burghart):*

A further error has been identified in my speech.

The correct information should have been:

**Alex Burghart:** I have no doubt that he and his son would have been able to do a **T-level** in engineering, flourished through it and been able to enjoy some of the great advantages I have seen when I have visited colleges in south Essex, Walsall and south London, where students are studying T-levels and thriving.





# WRITTEN STATEMENTS

Friday 19 November 2021

	<i>Col. No.</i>		<i>Col. No.</i>
<b>EDUCATION</b> .....	35WS	<b>TRANSPORT</b> .....	35WS
School Uniform Costs: Statutory Guidance .....	35WS	International Travel Update.....	35WS

# MINISTERIAL CORRECTIONS

Friday 19 November 2021

	<i>Col. No.</i>		<i>Col. No.</i>
<b>EDUCATION</b> .....	6MC	<b>TREASURY</b> .....	5MC
Skills and Post-16 Education Bill [ <i>Lords</i> ] .....	6MC	Finance (No. 2) Bill.....	5MC
<b>TRANSPORT</b> .....	5MC		
Integrated Rail Plan: North and Midlands.....	5MC		

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Friday 26 November 2021**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE  
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

---

## CONTENTS

Friday 19 November 2021

**Marriage and Civil Partnership (Minimum Age) Bill [Col. 805]**

*Motion for Second Reading—(Mrs Latham)—agreed to*

**Planning (Enforcement) Bill [Col. 828]**

*Motion for Second Reading—(Dr Ben Spencer)—withdrawn*

**Glue Traps (Offences Bill) [Col. 855]**

*Motion for Second Reading—(Cherilyn Mackrory)—agreed to*

**Domestic Building Works (Consumer Protection) Bill [Col. 870]**

*Motion for Second Reading—(Mark Gardiner)—withdrawn*

**Pedicabs (London) Bill [Col. 880]**

*Motion for Second Reading—(Nickie Aiken)*

**Cancer Diagnoses: Young People in Hertfordshire [Col. 884]**

*Debate on motion for Adjournment*

**Written Statements [Col. 35WS]**

**Ministerial Corrections [Col. 5MC]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

---