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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 13 December 2021

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Child Poverty

1. **Alex Cunningham** (Stockton North) (Lab): What steps her Department is taking to tackle child poverty. [904699]

The Parliamentary Under-Secretary of State for Work and Pensions (David Rutley): As the economy recovers, and with record job vacancies, our focus is on supporting parents to secure a role and to progress in work. This is based on clear evidence around the importance of parental employment, particularly where it is full time, in substantially reducing the risk of child poverty. Our multi-million pound plan for jobs, which has been expanded by £500 million, will help people to boost their wages and their prospects.

Alex Cunningham: Every time I walk down the high street in Stockton, I see the signs of poverty, with 51% of working-age families with children receiving universal credit, the majority of whom are in work. They are heading towards Christmas wondering how to put food on the table, never mind buy presents for their children. Will the Government accept responsibility for child poverty, recognise that the £20 uplift to universal credit could have made all the difference this Christmas, and tell me what parents should say to their children on Christmas morning, when there will be very little to celebrate?

David Rutley: The hon. Member talks about in-work poverty. Important steps were put forward in the Budget to improve the taper rate and the work allowance, which will really help many of his constituents—in fact, the vast majority of them, about 3,966.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): I very much welcome the change to the taper rate for universal credit. This will be of enormous help in reducing child poverty for parents who are in work. As we run into the new year, could my hon. Friend now persuade the Chancellor to look carefully at further helping out by putting more money into the work allowances for many of those who are trapped and unable to get into work?

David Rutley: Having served as my right hon. Friend's Parliamentary Private Secretary in the past, I know his passion for these issues. In the Budget, we set out that the work allowances were going to increase by £500, and that has made a big contribution. For those who are vulnerable, we have provided an extra £500 million of support, which will be a real help over the winter.

David Linden (Glasgow East) (SNP): Despite the recommendations made by the Work and Pensions Committee, the British Government have no intention of developing a strategy to reduce child poverty. This stands in stark contrast to the SNP Scottish Government, who have declared tackling child poverty a national mission and are doubling their game-changing Scottish child payment to £20 a week, in contrast to this Government's decision to cut universal credit by £20 a week. Why are the UK Government refusing to introduce proper proposals to tackle child poverty as we have done in Scotland?

David Rutley: We do have proper plans in place, and we are working hard to help parents to get into work. As the hon. Gentleman will know, 580,000 fewer children are in workless households than in 2010, so we are taking the action that is required. I know, having recently come to this post, how hard the Secretary of State is working across Government to tackle this vital issue.

Jacob Young (Redcar) (Con): The best route out of poverty is work, so does the Minister agree that it is important to get more people into work through our ambitious plan for jobs and through investment in Teesside such as our freeport programme, which will produce 18,000 jobs over the next five years?

David Rutley: Absolutely. It is pivotal that we get the plan for jobs working, along with local councils, local enterprise partnerships, hard-working Mayors and businesses. That is what we are seeing in Teesside, which is setting a great example for the rest of the country.

End of Universal Credit Uplift

2. **Layla Moran** (Oxford West and Abingdon) (LD): Whether she has made an assessment of the effect of ending the £20 universal credit uplift on trends in the level of homelessness. [904700]

8. **Helen Hayes** (Dulwich and West Norwood) (Lab): What assessment she has made of the impact of removing the £20 uplift to the standard allowance of universal credit on household budgets. [904707]

14. **Tonia Antoniazzi** (Gower) (Lab): What assessment she has made of the impact of removing the £20 uplift to the standard allowance of universal credit on household budgets. [904713]

21. **Mary Glendon** (North Tyneside) (Lab): What assessment she has made of the impact of removing the £20 uplift to the standard allowance of universal credit on household budgets. [904720]

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): The uplift to universal credit was a temporary measure, so we have not completed an impact assessment on its withdrawal.

Layla Moran: Charities warned that the cut to universal credit would risk 100,000 people falling into homelessness, yet the Government ploughed on with it. Added to that is the freeze to housing benefits, with the result that more families cannot afford their rent and risk losing the roof over their head, and the fact that the Government have yet to repeal the Vagrancy Act 1824, meaning that the very same people who are being made homeless could then become criminalised. Can the Secretary of State tell us how many people she expects to fall into homelessness, and what the Government are going to do about it?

Dr Coffey: We have provided £140 million of discretionary housing payments to councils, specifically to target that element. We boosted the local housing allowance in the covid Budget of 2020, and we have kept it at that rate. As the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Macclesfield (David Rutley), has just said, there has been a significant investment of about £2.5 billion in both increasing the work allowance and reducing the taper rate. My work coaches across the country are helping people to get into work day in, day out.

Helen Hayes: Many of my constituents have caring responsibilities and can only work part time, often at low wages. Does the Secretary of State recognise that families in this situation will generally lose more from the £20 a week cut to the standard allowance than they could ever hope to gain from the reduced taper? What does she have to say to those families?

Dr Coffey: I respect that people undertake care, and I am conscious that they often choose to do it in partnership with their local authority. We want to make sure that people take advantage of the increase in the national minimum wage, which will be coming in from April 2022, and of the changes that make it worthwhile for people to work extra hours and progress in work, which will be a big focus of what we do in 2022 and beyond.

Tonia Antoniazzi: Although the recent changes to the taper rate and the work allowance are welcome, they simply do not go far enough. The Resolution Foundation's analysis found that huge increases in the cost of living will wipe out any gains. Even with these changes, three quarters of families on UC will still be worse off than if they had kept the £20 uplift to the standard allowance. Does the Secretary of State now see that the countless organisations, and even former Tory Work and Pensions Ministers, who argued for the uplift to be made permanent were actually right?

Dr Coffey: I am conscious of what the hon. Lady says, and I am sure she welcomes the £25 million of the £0.5 billion spent on the household support fund over this winter. I am also conscious that we want to make sure people will be better off working than not—that was the big change and the big announcement in the Budget. I am conscious that, right now, right across the country there are more people seeking work than ever before. More people are on payrolls than ever before and companies across the country are looking for workers, so we will be doing our best to help people who have not been working to get into work. We will also be responding to in-work progression early in the new year.

Mary Glendon: A survey by Christians Against Poverty found that 67% of its service users will struggle to pay for essentials in the coming months, with 35% already falling behind with bills and 27% now further into debt. What message does the Secretary of State have for these hard-pressed people in the season of good will?

Dr Coffey: I am sure the hon. Lady will welcome the £1.6 million that has been given to her local council specifically for targeted support through the household support fund. I am sure she will be as keen as I am to ensure that people seeking work in her constituency get the benefit of the extra work coach support. We have invested in that right across the country and we will continue to do so.

Help for Jobseekers: Local Employers and Skills Providers

3. **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): What plans she has to work with employers and skills providers at a local level to help more jobseekers into work. [904701]

5. **Ben Bradley** (Mansfield) (Con): What plans she has to work with employers and skills providers at a local level to help more jobseekers into work. [904703]

15. **Andrew Bridgen** (North West Leicestershire) (Con): What plans she has to work with employers and skills providers at a local level to help more jobseekers into work. [904714]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): Through our place-based approach, the DWP is working closely with employers, skills providers and other Departments to support people into work. Our jobcentres connect directly with local employers to discuss their recruitment needs and to offer tailored advice and support to help fill vacancies. This includes offering work experience opportunities and increasing the number of sector-based work academy programme places available.

John Lamont: I am delighted that more than 100 young people in the Scottish Borders have already started work through the kickstart scheme. What can the Government do to encourage employers to keep people on after the scheme ends?

Mims Davies: I am delighted, too. I am pleased to announce that more than 112,000 kickstart jobs have been started by young people across the UK. Many young people have found permanent jobs through kickstart, and we continue to work closely with employers to help young people find those long-term employment opportunities. We have helped employers to move kickstart participants into apprenticeships more easily by working with colleagues in the Department for Education to ensure employers receive the incentive payments for doing so.

Ben Bradley: How has the Department worked with DFE to ensure that people on universal credit who are accessing new training and qualifications through the various Government schemes do not lose their universal credit entitlement as a result?

Mims Davies: I assure my hon. Friend that we work closely with the Department for Education. With the existing flexibilities in the benefits system for people taking up that training, DWP Train and Progress allows universal credit claimants to participate in full-time work-related training for up to 12 weeks and to attend DFE skills boot camps for up to 16 weeks, including the recently announced HGV boot camps, which have more than 10,000 places available.

Andrew Bridgen: In North West Leicestershire, we are fortunate enough to have 1.1 jobs for every individual. However, a large amount of our unemployment is down to gaps in skills and training, so what will the Department do to solve that problem?

Mims Davies: Through my hon. Friend's Jobcentre Plus support and the flexibilities I described in DWP TAP, his constituents can now access level 3 courses for free, skills boot camps and other training opportunities that my Department has ensured all UC claimants can access by extending the length of time they can participate in full-time work-related training. In addition, we are investing £10 million annually over the next three years in the sector-based work academy programmes, delivering those life-changing opportunities in those key sectors.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister talks the talk, but does she walk the walk? In places such as Huddersfield, we are creating a new syllabus for people who are 16, 18 and 21 to get into green jobs and green enterprise, but there is a lack of leadership from the Government and things are fragmented at the local level. Get your act together and do it properly. There is a whole green economy here, where we can save this fragile planet, but we need action now.

Mims Davies: I thank the hon. Gentleman for asking me about walking the walk. I assure him that through our national employer and partnership team, NEPT, and the work we do across government and through the green jobs taskforce, we are absolutely tackling that. We have a direct strand of work, which I was engaged with just at the end of last week, that is making sure that those skills, abilities and opportunities in his constituency, and everyone else's, are there for those who want to go into that bit of the economy.

Conor McGinn (St Helens North) (Lab): The first Ways to Work centre opened in St Helens in June, with one to follow in Earlestown in the new year. It is locally designed and has been recently supported by Labour-led St Helens Council and the Liverpool city region respectively. It brings education, employment and training for local people together under one roof. Will the Minister join me in congratulating the project on making 1,300 unique interventions in just six months? Does she agree that this type of local model works? If so, will she help me to ensure it gets the funding it needs to be sustainable?

Mims Davies: I thank the hon. Gentleman for everything he has mentioned, because we are doing that across the UK in 150 brand-new youth hubs. If he will listen to my answer, I hope he will understand that we are linked locally to the economy; we are keen for those job

outcomes to come to his constituents and more widely, and this is being done through local interventions and local engagement.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Tory trope is that UC helps people into work, but it has been a few years since the National Audit Office said that there is no way of measuring the outcomes and success of UC. So will the Minister tell me what measures are now in place to measure the outcomes of UC in getting people into work, particularly at the local level?

Mims Davies: We absolutely measure the outcomes of all our programmes, particularly the sector-based work academy programmes. Of course, skills are devolved in Scotland. In my recent engagement with the Welsh Government and at the Welsh Affairs Committee, I pointed out that outcomes are not measured in Wales. I think this is a thing we should be doing in all devolved areas.

Mr Speaker: We now welcome the shadow Minister to her new post. I call Alison McGovern.

Alison McGovern (Wirral South) (Lab): Thank you, Mr Speaker. People across the country who have had a really hard time at work in the past year need DWP Ministers focused on their jobs. It will not have escaped your notice that it was reported over the weekend that the DWP has joined the last Christmas naughty list of Whitehall lock-ins during lockdown, but it is not me the Secretary of State should be apologising to—it is the more than 100,000 young people who will not be helped by the time the underperforming kickstart scheme comes to a close before Christmas. So may I ask the Minister: when kickstart comes to a halt and thousands of young people still need help, what then?

Mims Davies: I thank the hon. Lady for her question and welcome her to her post. I know that she has a strong interest in young people in every constituency doing as well as they can. Kickstart has not underperformed. Let us be honest: more than 112,000 young people have joined the programme. Of course, when we created the programme, we expected an unemployment level of perhaps 12%; it is just over 4%. Let us focus on the outcomes for those young people, which we are tracking carefully. We are linking up with the Department for Education to ensure that the traineeships and apprenticeships are there.

I know that visiting her jobcentre is on the hon. Lady's to-do list. When she does so, I am sure she will hear amazing stories about what is happening to young people locally.

Virginia Crosbie (Ynys Môn) (Con): The Minister mentioned young people. The new inland border facility in Holyhead means that more than 200 jobs are coming to the island of Anglesey. How will the Minister ensure that those new jobs go to local young people?

Mims Davies: My hon. Friend is such an assiduous Member of Parliament in standing up for Ynys Môn—I salute her for that. We have been working through the local jobcentre. In fact, she helped reopen the jobcentre and make sure it was safe, alongside the Under-Secretary of State for Work and Pensions, my hon. Friend the

Member for Hexham (Guy Opperman). Working with local employers and the jobcentre, she has made sure that there are buses and that people can access the jobs that are there. We will continue to work with her and the jobcentre on that.

Increased Living Costs: Benefit Claimants

4. **Rachel Hopkins** (Luton South) (Lab): What steps her Department is taking to support benefit claimants in meeting increased living costs. [904702]

6. **Stephen Timms** (East Ham) (Lab): What steps her Department is taking to support benefit claimants in meeting increased living costs. [904705]

7. **Kate Hollern** (Blackburn) (Lab): What steps her Department is taking to support benefit claimants in meeting increased living costs. [904706]

23. **Daniel Zeichner** (Cambridge) (Lab): What steps her Department is taking to support benefit claimants in meeting increased living costs. [904722]

The Parliamentary Under-Secretary of State for Work and Pensions (David Rutley): The Government are taking action to make work pay for low-income households. As was announced at the Budget, we are reducing the universal credit taper rate and increasing the work allowance so that working people can keep more of their earnings. We have introduced a £500-million household support fund so that local authorities can help those on the lowest incomes with their food and utility costs.

Rachel Hopkins: About 12,000 households in Luton South are claiming universal credit, and one in 10 people say that they could not afford a £5 per month increase in their cost of living. Does the Minister accept that his Government's failure to tackle increasing rents and energy costs will impact the poorest in society more and push more of my constituents into poverty?

David Rutley: I think the hon. Member will welcome the fact that the vast majority of the nearly 6,000 claimants in work will gain from the reduction in the taper rate and the increase in work allowances in the Budget, which is terrific. For those who are vulnerable, £1.8 million has been made available to local authorities to help them through the household support fund.

Stephen Timms: A single father who is unable to work on health grounds told the Select Committee in September that removing the £20 a week uplift would force him to skip meals so that his children did not have to. Christians Against Poverty, which supports him, says that he now cannot afford the absolute basics: food, heating and bus fares to take his children to school. He certainly cannot afford to buy his children Christmas presents. With prices rising so fast, is not the social security safety net just too low?

David Rutley: As I just set out to the hon. Member for Luton South (Rachel Hopkins), we have introduced the household support fund. In Newham, £3.3 million is available to help people exactly like the right hon. Gentleman's constituent with the challenges they are facing this winter.

Kate Hollern: In effect, the new household support scheme, about which we have heard quite a bit today, replaces the £20 universal credit uplift with £1.60. Can the Minister tell me how that will help families through this harsh winter, especially as increasing numbers of people will have to self-isolate? It certainly will not do much for the more than 16% of families in Blackburn who live in fuel poverty—households that are now faced with even higher fuel prices in the winter cost crunch. Will he reconsider the rate of the universal credit standard allowance and ensure that it rises in line with the cost of living?

David Rutley: I can reassure the hon. Member that steps are in place to help people through various stages of the employment journey. For those who are in work, there is the universal credit taper and work allowance. For those who are out of work, as the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Mid Sussex (Mims Davies), has said, there is the plan for jobs, which is making a big difference in people's lives. For those who are vulnerable and need extra help, there is the household support fund, and in Blackburn and Darwen that comes to £1.6 million over this winter.

Daniel Zeichner: Everyone in the food sector knows that costs are rising dramatically and that margins are being eroded. We are already seeing price rises in the shops. The Food and Drink Federation thinks that it is £3 a week for households. Out of the £5 that has already been mentioned, does the Minister understand just what pressure that puts on vulnerable households? What will the Government do to protect them when those price rises bite?

David Rutley: It is really important that we get more people into work, and there are 1.3 million vacancies. We need to help those who are unemployed into work, which will be the biggest, most sustainable way that we can get them on to their own two feet. As I have said, we have the household support fund, and in Cambridgeshire that comes to £3.6 million, which will help the people whom the hon. Member is talking about.

Ms Karen Buck (Westminster North) (Lab): With housing costs a major driver of poverty, the Government have decided yet again to freeze the local housing allowance, hitting millions of renters. As the Minister well knows, neither discretionary payments nor the winter hardship fund will do anything like meet the shortfall in that gap. Meanwhile, rents are anything but frozen and more than half of all renters have a shortfall between their rents and the help available. Will the Minister tell us when the Government decided not to link the support for housing costs to actual real world rents, and what assessment have they made of the impact of that on household incomes?

David Rutley: As the hon. Member will remember, we increased the local housing allowance rates to the 30th percentile of local rents in April 2020. That is a boost of £1 billion in support and an average gain of £600 for each person in private rented accommodation who needed housing support. We have also maintained that at cash levels, which will be a real help, and there are also discretionary housing payments for those who need them as well.

Mr Philip Hollobone (Kettering) (Con): To help pensioners with rising household bills, will the Government do more to promote pension credit? In the Kettering constituency, almost 18,000 retired people claim the state pension, but fewer than 2,000 claim pension credit, yet this can help with council tax bills, heating costs and so on. Across the country, 1 million pensioners are not claiming the pension credit to which they are entitled, so can the Government do more to increase the uptake of that benefit?

David Rutley: My hon. Friend is a doughty campaigner on these matters, but we also have a doughty Pensions Minister who is working incredibly hard to increase the take-up. I also highlight to him that, as I am sure he knows, winter fuel payments and cold weather payments are also available to help pensioners on low incomes over the winter period.

Pensioner Poverty: State Pension

10. **Karl Turner** (Kingston upon Hull East) (Lab): What recent assessment she has made of the effectiveness of the state pension in tackling pensioner poverty; and if she will make a statement. [904709]

13. **Dr Rupa Huq** (Ealing Central and Acton) (Lab): What recent assessment she has made of the effectiveness of the state pension in tackling pensioner poverty; and if she will make a statement. [904712]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): Let me take this opportunity to welcome the newcomers to the Opposition Front Bench.

The state pension is the foundation of support for older people and, under this Government, the full yearly amount of the basic state pension will be more than £2,300 higher in April than in 2010. The latest figures show that 200,000 fewer pensioners are in absolute poverty compared with 2009-10.

Karl Turner: Fred from east Hull was left without any income whatsoever for several months earlier this year because the Department for Work and Pensions failed to pay him his state pension, to which he was rightfully entitled. When my office intervened, he eventually got paid, but it took us several weeks to sort it out. When people such as Fred in areas like mine are already facing a cost of living crisis, fuel poverty and the effects of the pandemic, does the Minister feel that he should apologise to Fred and many others?

Guy Opperman: I cannot comment on the individual case, but I can say that the hon. Gentleman is right to say that there was a backlog over the summer period by reason of covid and many other factors, which we took great steps to address. A dedicated team of several hundred individuals ensured that we caught up with the backlog, and we are now operating business as usual.

Dr Huq: With winter biting and energy companies going to the wall, approximately 13.2% of households in Ealing Central and Acton are in fuel poverty—that is 6,864 pensioners struggling to heat their homes. Will the Minister agree with Labour and cut VAT on household heating bills during these winter months? The Conservatives have pilfered enough of our manifesto before; they could do this and make a real difference to pensioners.

Guy Opperman: The hon. Lady will be aware that we spend £2 billion on the winter fuel payments. There is also the cold weather payments fund, the household support fund, and the pension credit energy rebate. There are a whole host of ways in which support can be found for her constituents.

Dr Julian Lewis (New Forest East) (Con): I know my right hon. and hon. Friends in the ministerial team are doing their best, but is there any encouragement they can give, perhaps in conjunction with the Treasury, to the women of the Women Against State Pension Inequality Campaign who lost out on the state pension start age?

Guy Opperman: With respect to my right hon. Friend, that matter has been decided in the courts on two occasions—in the High Court and in the Court of Appeal—and it is not proposed to change the policy.

Matt Rodda (Reading East) (Lab): The Government have consistently failed to stand up for the interests of pensioners on modest incomes. Food prices are up, gas prices are up and electricity prices are up. The cost of living is going up. Yet despite this, the Government are refusing to cut VAT on fuel, even though they have had higher than expected VAT receipts from across the economy, which would allow them to do exactly that and offer much-needed help to pensioners. To make matters worse, the Government are also failing to increase the take-up of pension credit. When will they finally start offering real help to our pensioners?

Guy Opperman: That is a bit rich. When the last Labour Government were in power, the state pension was under £100; it is now going up to £185 going forward. It is almost double what it was before thanks to the triple lock introduced by this Government and the coalition Government. It is also very much the case that pension credit take-up is actually going up, not down. Over the two years of the pandemic, both the basic and new state pension will have increased by more than prices thanks to the cumulative effects of the Social Security (Up-rating of Benefits) Act 2020 and the Social Security (Up-rating of Benefits) Act 2021.

National Disability Strategy

11. **Mark Fletcher** (Bolsover) (Con): What steps she is taking with Cabinet colleagues to ensure cross-Government delivery of the national disability strategy. [904710]

The Minister of State, Department for Work and Pensions (Chloe Smith): The entire Government are committed to transforming the everyday lives of disabled people through the national disability strategy because we want to build back better and fairer. A number of commitments have already been delivered. I chair quarterly meetings with the ministerial disability champions to drive progress.

Mark Fletcher: Increasing employment opportunities is key to supporting independent living for disabled people and people with health conditions. Will the Minister reaffirm our commitment to supporting 1 million disabled people into work by 2027?

Chloe Smith: I certainly will. The Government remain absolutely committed to that. There is more to do but progress has been made since 2017. The number of disabled people in employment has increased by 850,000, and the disability employment gap has closed by about five percentage points since 2013.

Andrew Gwynne (Denton and Reddish) (Lab): I suppose, looking at it favourably, at least the long-promised strategy is now published, but the failure to co-produce the strategy with disabled people or disabled people's organisations is unfortunate. What does the Minister say to people with disabilities and their organisations who have been left disappointed at what they call a "tokenistic" strategy?

Chloe Smith: The exercise leading up to the publication of that strategy was one of the biggest listening exercises ever undertaken with disabled people by Government. I am proud of it and proud of the result that has been published. It is my personal priority to implement it and to continue listening to disabled people and disabled people's organisations. Indeed, there is a commitment, and several others through the strategy, to do more of precisely that.

Justin Tomlinson (North Swindon) (Con): I commend the Minister for driving forward the national disability strategy with a real zest. My inspirational constituent Becky Maddern of the Benjamin's Smile charity champions accessible play parks for families up and down the country, which became a key commitment in the national disability strategy. Will the Minister reconfirm that this will remain a key priority for her in her cross-Government work?

Chloe Smith: I certainly will. I pay tribute to Becky Maddern, who I too find inspirational. Indeed, I was thinking about her only at the weekend as I visited a playground with my own children and looked at the range of swings and equipment that was available. This is incredibly important because disabled children deserve to play as much as their brothers, sisters and friends. That underlines why our strategy is a very wide-ranging one that goes across the full range of public services and into culture, leisure and play as well, because it all matters greatly.

Chris Bryant (Rhondda) (Lab): One hidden disability often is an acquired brain injury, and 10 days ago, the Government committed to creating a national strategy for acquired brain injury. Will this Department ensure that it fully co-operates with the programme board, which will be set up in the new year, so that we can radically transform the opportunities and chances in life for those who have had an acquired brain injury?

Chloe Smith: I am very grateful for that question, and I pay tribute to the history that the hon. Member has and the work that he is doing in this area. Two Ministers in this Department have some personal direct experience of these issues, so yes, the Department for Work and Pensions will be keen to make good progress with that work.

Progression out of Low-paid Jobs

12. **Nick Fletcher** (Don Valley) (Con): What steps her Department is taking to support progression out of low-paid jobs. [904711]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): As announced in the spending review, the DWP will enhance its support for universal credit claimants who are in work. From April next year, they will have access to a dedicated work coach to help individuals remove barriers, enabling them to progress in work. We will be introducing new Jobcentre Plus specialists, known as district progression leads, who will work with local employers and partners to identify progression opportunities, with support from work coaches.

Nick Fletcher: Does my hon. Friend agree that with the introduction of various skills initiatives by this Government and a booming job market, people across the UK, and in particular in Don Valley, will be finding it easier than ever to get on the job ladder and progress in their chosen career?

Mims Davies: I agree with my hon. Friend. The extensive support that the Government have offered through our plan for jobs has protected, supported and created jobs in Don Valley and beyond. In his constituency, for example, we have continued funding our successful sector-based work academy programme in new opportunities such as rail, warehousing, care, security and hospitality, where someone gets a guaranteed interview as part of the programme, which is offered to all his constituents.

Dave Doogan (Angus) (SNP): The Government's increase in the living wage does not make it the real living wage. It does not reflect the increased cost of living and it does not adequately support young people under the age of 23. Why are the UK Government refusing to increase the national living wage to the real living wage?

Mims Davies: I understand that it is around 60% of the median wage. The reality is that through kickstart, there will be young people in the hon. Gentleman's constituency who will have got on the jobs ladder sooner and earlier than ever before in sectors that one could not have believed, from viticulture to digital marketing to working in architecture—all different areas. That is because of the Government intervening in jobs and opportunities that can lead to apprenticeships, traineeships and progressing in work.

Universal Credit Taper Rate Reduction: Household Budgets

16. **Karl McCartney** (Lincoln) (Con): What assessment she has made of the impact of the universal credit taper rate reduction on household budgets. [904715]

The Parliamentary Under-Secretary of State for Work and Pensions (David Rutley): The reduction in the taper rate and increase in the work allowances mean that 1.9 million households will keep on average an extra £1,000 a year, representing an effective tax cut for low-income working households in receipt of universal credit that will be worth £2.2 billion a year in 2022-23.

We are allowing working households to keep more of what they earn and strengthening incentives to move and progress in work.

Karl McCartney: Unlike the legacy system, which has in-built cliff edges, universal credit ensures that it always pays to take on more hours. Will my hon. Friend commit to working with employers, especially those in my constituency of Lincoln, in low-pay sectors to ensure that they can help their employees understand that?

David Rutley: Throughout our job network, our employer partnership teams and employment advisers are working closely with local employers to ensure that they help claimants understand how best to benefit from the recent positive changes to universal credit taper rates and work allowances. I am sure that my hon. Friend, with his fantastic shirt, will assist with his characteristic energy with this important task.

Mr Speaker: I think you need to go to Specsavers, Minister.

Young Jobseekers

17. **Robbie Moore** (Keighley) (Con): What support her Department is providing to young jobseekers. [904716]

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): We are investing in tailored work coach support for young people claiming universal credit and searching for work through our enhanced DWP youth offer. As of 5 December, as announced, 112,000 young people have started a kickstart job. Until March next year, young people can start that key six-month placement, which will support even more young people at risk of long-term unemployment.

Robbie Moore: Whether through the apprenticeship programme run by fantastic businesses such as Byworth Boilers in Keighley or training programmes run by Keighley College, my constituency has no shortage of people who are passionate about getting young people into the workplace. What further work is my hon. Friend's Department doing to ensure that businesses, colleges and others can work together to create the best opportunities for our young people to get into work?

Mims Davies: The opportunity to speak about youth hubs is too tempting. We have 150 new youth hubs across the DWP, crucially bringing together local partners from employment, training and skills to support young people. The Keighley youth hub, based in Keighley College, is a prime example, working in close collaboration with SkillsHouse, One Workforce and the community-led local development programmes. I hope that sells the youth hubs to you, Mr Speaker.

Legacy Benefits: People with Severe Disabilities

18. **Judith Cummins** (Bradford South) (Lab): What recent assessment she has made of the adequacy of legacy benefits for people with severe disabilities. [904717]

The Minister of State, Department for Work and Pensions (Chloe Smith): People on legacy benefits with severe disabilities are most likely to get employment and support allowance. Income-related ESA claimants may be entitled to the enhanced disability premium or the severe disability premium. Claimants may also be eligible for personal independence payments to help with the extra costs of living faced by disabled people.

Judith Cummins: I am sure the whole House agrees that a good society is one that helps those in great need. I have a constituent in great need. She was in receipt of income support and the severe disability premium, but her child is now aged five so she has been told to claim universal credit, which will cause her severe disability payment to end. What assurances can the Minister give my constituent that we are still in a good society and that, by being forced into this change in her benefits, she will be no worse off?

Chloe Smith: It would be difficult for me to comment on the hon. Member's constituent's precise circumstances, although I am happy to look at the case if she wants to write to me with details. As a general point, to support claimants previously entitled to the severe disability premium who moved to universal credit after a change of circumstances, there are transitional payments protections in place.

Vicky Foxcroft (Lewisham, Deptford) (Lab): The DWP commissioned NatCen to undertake research on the uses of health and disability benefits. As my hon. Friend the Member for Bradford South (Judith Cummins) eloquently outlined, that research, which assesses the adequacy of benefits for disabled people, is vital. Several requests have been made for the report to be made public, including by the Chair of the Work and Pensions Committee, but they have all been refused. Will the Minister release the report? If not, can she explain what the Government are hiding?

Chloe Smith: The short answer is no. The longer answer was given by my right hon. Friend the Secretary of State to the Work and Pensions Committee only last week.

Universal Credit Transition: Severe Disability Premium

19. **Sarah Green** (Chesham and Amersham) (LD): What steps her Department is taking to ensure that new universal credit recipients, who were previously entitled to severe disability premium, do not experience a reduction in benefit payments when they transition to universal credit. [904718]

The Minister of State, Department for Work and Pensions (Chloe Smith): There is a little repetition with the answer that I gave to the hon. Member for Bradford South (Judith Cummins). To support claimants previously entitled to the severe disability premium who moved to universal credit following a change of circumstances, we have introduced severe disability premium-related transitional payments. Those eligible, depending on their specific circumstances, will receive a transitional element of up to £405 a month.

Sarah Green: I thank the Minister for that answer. One of my constituents was previously in receipt of employment support allowance and housing benefit with a severe disability premium. Earlier this year, she relocated to my constituency to be closer to her daughter for support. That triggered a transition to universal credit and, even with transitional protection payments, she is more than £70 a month worse off, which, in the face of the current cost of living squeeze, is having a significant impact. Will the Minister meet me about this case? What additional steps will the Government take to support people such as my constituent who are being unfairly financially penalised by the move to universal credit?

Chloe Smith: I am happy to meet the hon. Lady, who, as a relatively new member of the House, I can see is getting stuck into casework. I welcome her hard work in doing so. The design of universal credit has concentrated support on the most severely disabled. That can be taken in alignment with other points that I have made, including on the support available through the national disability strategy and the ideas put forward in our health and disability Green Paper, as well as the many other things that the Department is doing. I hope that they may be of some support and help to her constituent.

Labour Market Shortages: Employment Schemes

20. **Bill Esterson** (Sefton Central) (Lab): What assessment she has made of the potential effect of her Department's employment schemes on labour market shortages.

[904719]

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): Our plan for jobs is working. Since April 2020, over 1.9 million people have moved into work from the universal credit intensive work search group. We have done that by supporting thousands of people through programmes such as kickstart, restart and sector-based work academy programmes—SWAPs—to get back into work, with over 110,000 young people being supported through kickstart alone. There are over 200,000 kickstart jobs still waiting to be filled in the final months of the programme.

Bill Esterson: Earlier, the Under-Secretary of State for Work and Pensions, the hon. Member for Mid Sussex (Mims Davies), referred to the shortage of HGV drivers, and retailers report fivefold delays in the delivery of products, including wine and spirits, so I am wondering whether the Secretary of State's scheme is helping to address the shortage of drivers in the run-up to Christmas. How many lorry drivers have started work as a result of her Department's employment schemes?

Dr Coffey: I think it is worth explaining to the hon. Gentleman that a couple of different schemes are ongoing. Our principal role is to help people who are not working to get into jobs. We partner with people such as the Mayor of West Midlands, but also with specific programmes in the east midlands. More significant work is being done by my right hon. Friend the Secretary of State for Education, where we have bootcamps working and people are actually getting into jobs. A really important part of what we can do through SWAPs is getting people into new careers that they had never thought about.

Topical Questions

T1. [904724] **Selaine Saxby** (North Devon) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): Thanks to our taper rate cut and the increased work allowances announced by my right hon. Friend the Chancellor, almost 2 million households will now benefit from a cash boost worth £1,000 a year on average. Thanks to diligent work by my officials, we have brought this change in a week earlier than planned, so that up to 500,000 more working people can get that extra boost before Christmas. We are also delivering today a less welcome early Christmas present to criminals who target our benefits system and steal from taxpayers, with a £500 million cash injection to root out fraudulent benefit claims and stop scammers. Finally and importantly, very much at the top of my mind today is the booster programme and the acceleration scheme. I am very pleased that our jobs army is going to become part of the jobs army, as DWP civil servants right across the country join the Government's effort to get as many people boosted as possible.

Selaine Saxby: My right hon. Friend has already touched on the impact that the recent changes in the taper rate and work allowances will have on claimants' net income, but will she expand on this? Also, will she consider a major advertising campaign to highlight that now is an excellent time to be in work?

Dr Coffey: My hon. Friend, who is of course on the Select Committee, is very wise in her suggestions. That is exactly the sort of communications that we will be doing in the coming months. This is particularly of interest for people on working tax credits, where we know that the cliff edges, which my hon. Friend the Member for Lincoln (Karl McCartney) mentioned, can be a real barrier to people working extra hours. Those sorts of communications programmes will be released as we continue to try to help more people into work and to progress in work as well.

Mr Speaker: I welcome the shadow Secretary of State to his new position.

Jonathan Ashworth (Leicester South) (Lab/Co-op): Thank you very much, Mr Speaker. May I ask the Secretary of State about Christmas? My question is not what her latest recommendation is should I find myself under the mistletoe, or indeed whether she hosted karaoke Christmas parties in lockdown in her office, but a very simple one: how many children will go hungry this Christmas?

Dr Coffey: I want to put on the record that no karaoke parties were hosted by me during lockdown; the last time I did karaoke with the right hon. Gentleman was a couple of years ago. I am conscious that he has raised a very serious point about children this Christmas, and that is why we have been working relentlessly on making sure that people can get into work and progress in work, but have also set aside half a billion pounds for the household support fund, half of which is entirely ringfenced for families with children.

Jonathan Ashworth: I fear the Secretary of State's answer betrays poverty of ambition. The last Labour Government lifted 1 million children out of poverty, and we did not need footballers to run campaigns on child hunger. With universal credit still being cut for many families, prices going up in the shops, heating bills going up and taxes going up because this lot voted for them, can she guarantee that in 2022 child poverty and the shame of destitution will not also be going up?

Dr Coffey: I forgot to welcome the former shadow Secretary of State for Health to his new position. The right hon. Gentleman should reflect on the fact that his party opposed extra funding for the NHS through the health and social care levy, which we voted for. The different elements of trying to get people into work are key to lifting many more children out of child poverty. We should also flag up the £1 billion of child maintenance we have collected in the last year; we will keep doubling down on that to ensure deadbeat dads pay for their kids and help to lift their children out of poverty.

T2. [904725] **Kevin Hollinrake** (Thirsk and Malton) (Con): I was surprised to learn that child benefit ceases at the age of 16 for somebody starting an apprenticeship. That is clearly a disincentive for some parents to recommend that their children follow that route. Will my right hon. Friend look at this policy and consider making changes?

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): I believe it may be more appropriate for Her Majesty's Revenue and Customs and the Department for Education to respond to this question, but I will happily flag up to the DfE anything that deters young people from entering apprenticeships and the labour market, and being able to move into long-term work.

David Linden (Glasgow East) (SNP): We do not talk often enough in society about old-age poverty. Besides the inadequate state pension and the latest triple-lock betrayal, another factor is the low uptake of pension credit: about 1 million pensioners in the UK miss out on £1,600 a year on average, with single women being most affected. We have heard the Pensions Minister say countless times that the Government want to increase the take-up of pension credit, so why is the Department refusing to introduce a proper take-up strategy for pension credits and other benefits, as we have done in Scotland?

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): We are doing a huge amount to increase the take-up of pension credit. I have met repeatedly with the BBC, and we have set up a pension credit taskforce which involves energy companies, the Local Government Association, various banks, BT and others. The reality is that pension credit take-up is increasing. It is also the case that we have never spent as much money on pensioners as we do now—up to £129 billion, of which the state pension is £105 billion—and pension credit is the highest it has ever been.

Mr Speaker: I call Jane Hunt. Not here.

T3. [904726] **Rebecca Long Bailey** (Salford and Eccles) (Lab): With the omicron variant spreading rapidly it is more important than ever that we do whatever it takes

to minimise transmission but, at £96 a week, our statutory sick pay is among the lowest in Europe and the TUC found last week that 647,000 workers in hospitality, retail, arts and entertainment do not even qualify. The result is either destitution or desperate workers taking risks. Will the Secretary of State commit to extending statutory sick pay to all workers and increasing it to the real living wage?

The Minister of State, Department for Work and Pensions (Chloe Smith): Statutory sick pay is just one part of our welfare safety net and the wider Government support offered to people in times of need. We have been able to look closely at statutory sick pay during the pandemic, but more consideration is needed and it certainly should not be looked at in isolation.

T5. [904728] **Duncan Baker** (North Norfolk) (Con): I have a constituent on the legacy benefit system for whom it might be beneficial to move to universal credit. What help and advice is there in making that switch, and what further considerations should he take into account going forward?

Dr Coffey: My hon. Friend is right to point out the opportunities for people on legacy benefits. They may be better off on UC, but if not, they should wait for the managed migration programme, where they will have transitional protection. It is also important to note that benefits calculators are readily available online, and the Department funds Citizens Advice and Citizens Advice Scotland for the help to claim programme. I am sure such organisations can give individual support. We will be resuming our plan to move to UC in 2022.

T7. [904730] **Kim Leadbeater** (Batley and Spen) (Lab): I am sad to say that I agree with my hon. Friends that the most vulnerable in our society are being forced to make unthinkable choices. Dozens of my constituents have written to me recently, concerned about the impact this winter will have on elderly residents who face not only loneliness and isolation, but a heartbreaking choice between heating and eating, while disabled people struggle with cuts to their support and those on low incomes face a £20 per week cut to their universal credit. Is it not true that under this Government the most vulnerable in our society are being left without the dignity they deserve and the basic means to get by?

Dr Coffey: Far from it. I recognise the hon. Lady is trying to stand up for her constituents, but she should also recognise the significant increases in benefits that have been provided, whether that is for people of pensionable age—about £129 billion—or the increase in financial support to people with disabilities. She should recognise that we will continue to strive at local level through our jobcentres and Jobcentre Plus, and through our automation of things such as the warm home discount, so that people do not even have to go looking for that sort of energy support, and the household support fund, from which many of her constituents will benefit.

T6. [904729] **Sir David Evennett** (Bexleyheath and Crayford) (Con): I welcome the efforts being made by the ministerial team to get people into work, but will my right hon. Friend the Secretary of State advise me of the steps she

is taking to ensure that jobseekers can take advantage of the many opportunities in sectors with growing demand for workers?

Mims Davies: The DWP and the Department for Education are working with other Government Departments on priority sector action plans in construction, digital, manufacturing, care and logistics. One example is the DWP national employer and partnership team, NEPT, which also has a dedicated green team rightly focusing on filling vacancies in green jobs here and now.

T8. [904731] **Dame Diana Johnson** (Kingston upon Hull North) (Lab): May I take the Minister of State back to the answer she gave my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey) on statutory sick pay? People in Hull North face a very tough winter. Even with the new circumstances that have been announced for work, many of them will have to go to work because they work in factories or in manufacturing. Is it not now time that the Government take some action on statutory sick pay and reversing the £20 cut to universal credit?

Dr Coffey: The right hon. Lady is right to consider the vulnerable people in her constituency. We looked at some of the policy choices we were making, published in our response to “Health is Everyone’s Business”, in which aspects of sick pay were considered, but there was a change in ministerial appointments near that time. We continue our discussions, and I am confident that we will continue to try to make progress on this element, but it is important to say that those who are required by law to stay at home are still eligible for a Test and Trace payment, administered through the Department of Health and Social Care.

Simon Hoare (North Dorset) (Con): The announcement made last week by my right hon. Friend regarding historical institutional abuse will have been greeted very warmly by those people who were abused in Northern Ireland but now live in Great Britain. On behalf of the Select Committee, which did a lot of work in this area, may I thank her for listening to our representations, making this important policy change and ensuring that there is equity and fairness in this important area of financial support and redress?

Dr Coffey: I thank my hon. Friend. He will be aware that in the original primary legislation, which allowed for disregard, only Northern Ireland specifically was considered, so I am very pleased to have brought that disregard forward. At the same time, we wanted to take a consistent approach, so I am pleased that we will be applying the same disregards to the forthcoming payments being made by the Scottish Government and through, I think, Islington and Lambeth Councils. I commend him and his Committee Members for their pursuit of the matter.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): A free university-level education is a monumental benefit of living in Scotland. What discussions has the Secretary of State had with her colleagues in the Department for Education about the benefits of making higher levels of education accessible and the impact that would have on the employability of young people?

Dr Coffey: I am conscious that the hon. Lady thinks that just because there is a free course, those people who are most disadvantaged in her country will take advantage of it. In fact, that has not been the case; we see far more people in England from less privileged backgrounds getting into university and benefiting from that. It is important that we have a balanced approach, recognising the importance of level 3, 4 and 5 apprenticeships in particular and the fact that, once they have graduated, those people will be better off financially, except compared with those in Russell Group universities, within 10 years.¹

Peter Dowd (Bootle) (Lab): This time last year, the Canadian Government asked the UK Government to enter into talks to bring about pension parity for pensioners like Royal Navy veteran Alan Wren, who was forced to work until he was 78 years of age because his pension had been frozen in Canada. The Government refused to enter into those discussions. What does the Secretary of State say to veterans such as Alan and the 492,000 other pensioners who are trapped on meagre state pensions, all because they live in the wrong country? In Alan’s case, the country is a commonwealth and NATO partner and ally.

Guy Opperman: As the hon. Gentleman and I have met and spoken about this matter in the past, he will be aware that the UK state pension is payable worldwide and that all veterans are treated the same as non-veterans when it comes to the payment of the UK state pension overseas.

Ms Anum Qaisar (Airdrie and Shotts) (SNP): In an earlier answer, the Secretary of State mentioned that she has not sung karaoke for a number of years, but I seem to recall she was singing, “I’m having the time of my life” just a few months ago, the night before the universal credit uplift was removed. On that point, I recently visited a Trussell Trust foodbank in my constituency, where staff and volunteers raised serious concerns that the reduction in universal credit will push more and more families into poverty. Will the Department concede that the cut to the uplift will mean that more households will become reliant on foodbanks?

Dr Coffey: The hon. Lady should be aware that there was a temporary uplift, reflecting what was happening with the covid pandemic, which was extended. I am sure she will appreciate the change in the taper rate and the work allowance. Jobcentres will be helping her constituents to get into work. If I may, I will just put on record my thanks to people involved in a variety of ways, whether in foodbanks, food recycling or similar, because it is important that we all continue to work in our local communities to support our constituents.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Mr Speaker, is it in order for me to mention the B word in this Chamber? If it is okay, I want to say Blair—Tony Blair. Has the Secretary of State seen his remark that if we want to give real skills to people, it is FE colleges that are the key to skills? Tony Blair’s idea is that we upgrade the profile of all FE colleges to polytechnics and that we put the resources in to accompany that? What does she think of Blair’s ideas?

1. [Official Report, 5 January 2022, Vol. 706, c. 2MC.]

Dr Coffey: What I noticed was that when the hon. Gentleman referred to Tony Blair there was silence on the Labour Benches. What I will say is that we are absolutely committed to the lifetime skills guarantee.

We are levelling up across the country and making sure that relevant courses get people into work. I am really pleased that we are united in recognising that that is the most important thing our Department can achieve.

Metropolitan Police: Stephen Port Murders Inquest

3.32 pm

Dame Margaret Hodge (Barking) (Lab) (*Urgent Question:*) To ask the Secretary of State for the Home Department, if she will make a statement on the Metropolitan Police and the inquest into the deaths of Anthony Walgate, Gabriel Kovari, Daniel Whitworth, and Jack Taylor.

The Minister for Crime and Policing (Kit Malthouse): I am sure the thoughts of the whole House are with the families and friends of Anthony Walgate, Gabriel Kovari, Daniel Whitworth, and Jack Taylor. The stories we have all read, of their lives and terrible deaths, have moved and horrified the country.

The Government and the people we serve expect the highest standards from the police as they carry out their vital work protecting the public and investigating serious crimes. The conclusions of the inquest have shown that those standards were not met, and that investigative failures probably contributed to the deaths of three of the young men. The Metropolitan police has accepted as much. There are now serious questions for it to answer. It is profoundly important that the force takes responsibility for past failings and makes sure they are not repeated.

The primarily accountability body for the Met is the Mayor of London and the London Assembly, but the Metropolitan Police Service has assured us it is putting in place significant improvements, including: more and better trained investigators; new structures so that intelligence teams, specialists and officers on the ground can work more closely to identify and link crimes much earlier; and work to develop a greater understanding of the drug GHB and its use as a weapon in sexual assaults. It is also essential that the police build trust with all London's communities and that includes LGBT+ community. I know that the Commissioner and her team are committed to doing so, at a time when the trust the public have in them has been seriously shaken by recent events.

It is, of course, right that the police handling of cases such as these is subject to independent scrutiny. Her Majesty's inspectorate of constabulary and fire and rescue services has been asked by the deputy Mayor of London and the commissioner to conduct an inspection into the standard of the Metropolitan Police Service's investigations, and the Independent Office for Police Conduct is now assessing whether to reopen, either in full or in part, the investigation into the way that the Metropolitan Police Service handled the inquiries into the deaths of these young men.

The police perform an enormously important function in our society. It is a job that, on the whole, they do with skill, courage and professionalism. Only last Thursday, I attended the police bravery awards and heard stories of selfless heroism, but when things go wrong, it is profoundly important that lessons are learned and applied. We will continue to hold the Metropolitan police service and the Mayor's Office for Policing and Crime to account in making sure that the failures highlighted by these truly awful cases are addressed.

Dame Margaret Hodge: I am grateful to you, Mr Speaker. I have to say to the Minister that this happened in London, but it might and could have happened anywhere in the country, and therefore, it is a matter for him. The premature deaths of four young, gay men, who were robbed of their lives, is an unspeakable tragedy, especially because six years after it happened, it has now finally been publicly conceded that the deaths of three of them—Gabriel Kovari, Daniel Whitworth and Jack Taylor—could have been avoided if the police had properly investigated the killing of the first victim, Anthony Walgate.

The litany of police errors is simply horrific, including the refusal to check the murderer's laptop because it was too expensive; the failure to engage appropriately with the partners and families; the failure to check the authenticity of a fake suicide note; the failure to check CCTV; and the incomprehensible failure to link the deaths when three of the bodies were found in or close to St Margaret's churchyard in my constituency.

Does the Minister agree with the friends, partners and families that the Metropolitan police service is prejudiced and institutionally homophobic? Does he at the very least agree that, given the facts of the cases, homophobia must have been a factor that influenced the actions and inactions of the police? In these circumstances, will he please order a full public inquiry to examine whether there is institutional homophobia in the police service? Does he agree that such an inquiry is vital if the police are to gain the trust of the LGBTQ+ community? Does he further agree that the inquiry is also vital to ensure that such a tragedy never happens again?

Seventeen police officers were investigated by the IOPC in 2015. None was sacked and five have since been promoted. Is the Independent Office for Police Conduct fit for purpose? What action has the Minister taken to ensure that all police officers treat gay partners in the same way as they would any other partner, with appropriate respect and a proper duty of care? Action by the Home Office, the Metropolitan police and the Mayor is essential if the homophobia in our police service is to be properly and thoroughly investigated and addressed.

Kit Malthouse: I agree with the right hon. Lady that this was an unspeakable tragedy, which has moved all of us in its dreadfulness. I cannot imagine what those families have gone through, not least in living through the deaths of their loved ones, but also with the investigation and this dreadful but necessary process of an inquest and investigation thereafter.

Although there have obviously been shortcomings in this investigation, which the Met has admitted and on which it has expressed a profound desire to improve, it is not my experience that the Metropolitan police is institutionally homophobic. Obviously, however, the commissioner and the Mayor have commissioned Baroness Casey to look at the culture of the Metropolitan police in all its aspects following the awful killing of Sarah Everard. I understand that her work will include examining whether prejudice such as the right hon. Lady outlined exists in the force. It is definitely the case, as I think is recognised by City Hall and Metropolitan police leadership, that there is a job of work to be done to rebuild trust between that organisation and the people it serves in all their great tapestry in the capital that I had the honour to serve for eight years.

On the Independent Office for Police Conduct, as I said, it is considering whether to reopen, in full or in part, the investigations that it undertook in the light of any new evidence that may be presented as part of the inquest. As the right hon. Lady will know, there were recently reforms to the IOPC when it replaced the Independent Police Complaints Commission and there was a change in regulations last year to try to improve its performance. I have confidence in it as an organisation to try to get to the bottom of these often difficult and complicated issues. As I say, however, until we see whether it is going to reopen the investigations, I cannot comment on that further.

My reading of the apologies from senior Met officers is that they are very heartfelt—from Helen Ball, whom I know well and who is an officer of great commitment, and from Stuart Cundy, who leads on homicide for the National Police Chiefs' Council across the country—and they recognise that there were serious failures in this case. I know that they are all committed to facing those failures and improving in future.

Mark Fletcher (Bolsover) (Con): All right-thinking Members of the House support our police and understand that they do a tremendous job, often in difficult circumstances, but cases such as this leave us in an awful position because as the right hon. Member for Barking (Dame Margaret Hodge) outlined, there are some incredibly difficult questions to be answered. Does the Minister agree that police up and down the country need to be held to the highest standards, whether on homophobia or any other issue? We need to tackle and root out any prejudice and ensure that this sort of case can never be allowed to happen again.

Kit Malthouse: I completely agree with my hon. Friend. Although it is possible for us to hold inquiries, make structural changes and urge the organisations to examine their internal cultures, in the end, it is a matter of leadership and the signal that is sent by senior police officers about how junior officers should comport themselves and the confidence that officers should have internally to call out bad behaviour, whether that is homophobia, racism, sexism, misogyny or whatever it might be.

The inquiries that are under way, the work that the National Police Chiefs' Council is doing, and the inquiries within the Metropolitan police, will put us in a better place to face those unpleasant phenomena within the organisations. My hon. Friend is right to point out that every day, up and down the land, thousands of police officers do remarkable things and we should never forget that.

Mr Speaker: I welcome shadow Home Secretary Yvette Cooper back to the Front Bench.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): It is good to be back, if sadly on such a difficult issue. All our hearts will be with the family and friends of Anthony Walgate, Gabriel Kovari, Daniel Whitworth and Jack Taylor, because these were vile murders by a man who targeted young gay men. They were all found close to each other and close to his house. It is incomprehensible that the dots were not joined.

The jurors' verdict that fundamental failings in the police investigation probably contributed to three deaths is extremely serious. Three young men might otherwise have been alive today. The jurors heard damning evidence about lack of basic checks, lack of professional curiosity, serious workforce pressures, long delays on digital forensics and serious failures in leadership. Crucially, the victims' families have raised serious concerns about homophobia blighting the investigation and the way that they as partners and relatives were treated, though the jurors were directed not to consider that.

Rightly, the Met has recognised failings and is making changes. We await the coroner's prevention of future deaths report. Given the seriousness of the issue, however, does the Minister not agree that a further independent inquiry will be required to get to the truth of how and why it was possible for things to go so badly wrong? Does he accept that the families need answers, which they do not have right now, on how far homophobia, prejudice or unconscious bias affected the investigation?

The Home Office response is too weak, given the seriousness of the case. The Minister and the Home Secretary have a responsibility to be relentless in pursuit of the truth to ensure that the families get the answers that they need and deserve. The IOPC will look at individuals, Her Majesty's inspectorate of constabulary and fire and rescue services at homicide procedures and Louise Casey at the Met culture, but none of them is addressing the full scale of what went wrong in this case—whether homophobia was involved, and what changes are needed not just in the Met but in police forces across the country to make sure that this can never happen again. May I please urge the Minister to take another look at this case?

Kit Malthouse: Obviously I recognise the deep concern about these investigations, not least in regard to—the right hon. Lady, whom I welcome to her new position, drew attention to this—the seemingly incomprehensible nature of the dots not being drawn together. I have to say that that has often been a problem not just for the Metropolitan police but for other police forces, when seemingly obvious patterns of behaviour have failed to be linked together in other types of crime. We saw it previously in the Met in the case of John Worboys, a serial rapist whose pattern of offending was never pieced together. However, I am reassured that they have made significant changes structurally, aligning their homicide teams with their basic borough command units so that there can be better co-ordination, and making sure that there is better analysis of patterns of offending to establish at an early stage whether there are a linked series of crimes.

As for the right hon. Lady's primary question about the independent inquiry, as I have said, the Deputy Mayor has commissioned Her Majesty's inspectorate to look at the investigative practices, while the Met have themselves commissioned Dame Louise Casey to look at their culture internally and the IOPC is considering whether to reopen any investigations. In the light of those three steps, we will obviously have to keep the situation under review, but for the moment we want to see how they conclude.

Peter Gibson (Darlington) (Con): I thank my right hon. Friend for his statement. Everyone is rightly horrified at the deaths of these young men. Reports of alleged

[Peter Gibson]

institutional homophobia in the Metropolitan police must be taken seriously, so can my right hon. Friend reassure the gay community of London that he will support every effort to root it out?

Kit Malthouse: I certainly can give that reassurance, and we will stand four-square with the commissioner herself as she seeks to do exactly that. The Met have not stood still in seeking to address this issue. I understand that they have a new LGBTQ organisational improvement group, and that there is a network of 125 volunteer advisers across the whole of the Met. Officers who are posted to particular boroughs or areas are now being trained and briefed much more coherently about the nature of the community with whom they are dealing, including LGBTQ members of that community. They are making big strides. Nevertheless, there will be lessons to be learned, particularly from Louise Casey's review, and we look forward to seeing its conclusions.

Karl Turner (Kingston upon Hull East) (Lab): My constituent Sarah Sak, Anthony's mother, was on holiday in Turkey when the Metropolitan police contacted her to say that her son had been found dead. From that very second, when speaking to me, Sarah has accused the Met of prejudice and throughout all these proceedings she has constantly made the point that there was discrimination. Sadly, the coroner chose not to look at that. I make no criticism of the coroner, but when I spoke to Sarah last night, she asked me, "What can the Home Secretary do to persuade me that this can never, ever happen again?"

Kit Malthouse: Of course I offer my profound condolences to Sarah. As a father myself, I cannot imagine ever having to go through that kind of experience: it must have been terrible. I am aware, in particular, that there were failings in the posture of the family liaison officers who dealt with some of the bereaved, and that is also being addressed by the Metropolitan police.

Those who know Baroness Casey will know that she will be unrelenting and forensic in her examination of the culture of the Metropolitan police. I have confidence in her to do a good job in examining the overall culture in the Met, and an examination of this issue will be part of that. Once she has concluded her examination, we shall be able to draw some lessons about the future.

Dr Julian Lewis (New Forest East) (Con): There is always a danger that an entire institution will be damaged by the failures of a few. However, what action will be taken against officers who are found guilty of such an abysmal failure of investigation and drive? If action is not taken, does that not create a narrative that there is something wrong with the institution as a whole?

Kit Malthouse: My right hon. Friend is absolutely right that people need to have confidence not just in the force as a whole but in individual officers. He may know that 17 officers were originally investigated by the IOPC. That investigation concluded some time ago, but I understand the IOPC is considering whether to reopen it, in full or in part, in the light of the evidence from the inquest.

Florence Eshalomi (Vauxhall) (Lab/Co-op): My Vauxhall constituency is home to one of the largest LGBT communities in the country, and I share my constituents' feelings about the Met's response to these horrific murders. How can my LGBT constituents trust the Met when they failed to link the three deaths that were so close together? How can my LGBT constituents trust the Met when they refused to rule out some of the horrific homophobic presumptions about these young gay men? How can my LGBT constituents trust the Met when, 12 months after the first murders, they ignored the pleas from family members, friends and partners?

The Minister says he is reassured by the Met but, respectfully, I do not think my constituents are reassured this afternoon. As with some of my black and minority ethnic constituents and some of my female constituents, my constituents and communities seem to have experienced a catalogue of failures from the Met police. Will he please show the leadership that he says is needed and call for a full public investigation to get to the bottom of this?

Kit Malthouse: I understand the hon. Lady's anger and frustration, which many of us feel. However, as I said, I am reassured that the Met are taking the three steps required to learn the lessons of this issue. First, they acknowledge that something went wrong and have apologised. Secondly, they are being transparent about that and about what needs to change. And thirdly, they are seeking independent advice on their internal processes and internal culture to make sure change happens and sticks. Although I can understand the doubts that many in the LGBTQ+ community may have about the Metropolitan police today, I hope this means that, over the months and years to come, the Met can rebuild the trust that is needed.

Mr Ben Bradshaw (Exeter) (Lab): The long-term partner of one of the murder victims was not allowed by the police to read the forged suicide note, which was of course written by the murderer, because he was not considered to be next of kin. We left that most appalling attitude behind in the 1980s. Given this is, as my hon. Friend the Member for Vauxhall (Florence Eshalomi) says, the latest in a catalogue of abysmal failures by the Metropolitan police that indicates a rotten culture at the Met's heart, why did the Home Secretary recently extend the commissioner's tenure by two years?

Kit Malthouse: Obviously the Home Secretary, along with the Mayor of London, felt the current commissioner is the right person to do the job for the next two years. Of course these awful events happened when she was not in the employ of the Metropolitan police. However, the right hon. Gentleman makes a strong point about the culture of the Metropolitan police, and importantly that is something the leadership has acknowledged, hence the appointment of Dame Louise Casey.

Wera Hobhouse (Bath) (LD): An Ipsos MORI poll suggests that trust in the police has fallen from 76% to 63%, especially among marginalised groups and the LGBTQ+ community. Will the Minister agree to the Liberal Democrat call for mandatory, UK-wide awareness training for the police on prejudice and unconscious bias?

Kit Malthouse: The police have extensive training on many of these issues. Although I acknowledge that trust and confidence in the police have taken a battering over the past few months, it is worth remembering that the people who are most profoundly upset by this are the thousands of police officers, of all types, across the country who want their profession and vocation to be held in high esteem by the people they serve, not least because that was the primary motivation for their joining.

The police service in this country is changing very significantly, not least because, as the hon. Lady will know, we are recruiting a new generation of police officers who will massively expand capacity and bring a new mindset into the organisation. This presents an enormous opportunity to diversify the police and to see the kind of cultural shift that, to be fair, has been ongoing for the past 20 years.

Jeremy Corbyn (Islington North) (Ind): Something as appalling as this deserves more than to be tacked on to an existing inquiry. It surely requires a public inquiry, as other colleagues have called for, to look at the totality and horror of this event.

The Minister mentioned the idea of specialist officers within the force. I understand the need for them and can see some value in the idea, but is there not a greater problem in the general attitudes throughout the force? The danger of having specialist officers is that things get shoved on to them and ignored by everybody else. What we need is a change of culture as a whole right across the Metropolitan police force.

Kit Malthouse: Obviously there is a strong role for specialist officers in particular aspects of investigation or in investigations that have particular characteristics. The key thing is that those officers work hand in glove with other officers, particularly those based in a borough, who very often are able to piece together the investigation in a way that a specialist officer is not. One of the improvements the Metropolitan police are putting in place is better training for frontline response officers to make sure that they are able to follow an investigation from start to finish, basically, much more and that only the most serious of crimes are handed off to the specialists, in a way that is co-ordinated. Therefore, the chain in intelligence and the appreciation of the full picture, if you like, of what has happened in a related set of offences will not be lost to the organisation.

Nia Griffith (Llanelli) (Lab): It has been a terribly sad few days. As my right hon. Friend the Member for Exeter (Mr Bradshaw) said, we did not expect in this day and age for a partner of a gay man to be treated in this way. Although progress has been made, it can still be extremely difficult for members of the LGBT+ community to speak confidently about partners or relationships. What protocols has the Minister put in place since these tragic events, not just in the Met but across all police forces, to ensure that friends, partners and families of those in the LGBT community are treated effectively and sensitively in any form of investigation? What will he do to ensure that those protocols are implemented effectively, and are not just a piece of paper?

Kit Malthouse: As I hope the hon. Lady knows, the Police, Crime, Sentencing and Courts Bill, which is currently in the other place and is due to return to us in

the new year, will place in law the provision of a police covenant, one of the key themes of which is family support and welfare. As part of our engagement to build that picture, I was very pleased to participate with a number of groups on different aspects of policing. As I say, there is a great tapestry these days; there is not just a monoculture in British policing. I spoke to those who are in an LGBT+ relationship, a key group, to understand the particular relationship they have with policing and the particular support they may need for the future. I hope that, as the covenant lands, we will be able to flesh out more widely what that support looks like, and that she will be able to support us in doing so.

Clive Efford (Eltham) (Lab): The response from the Government smacks of the same old, same old response of shutting down shop when the police are criticised in this way. The IOPC investigated 17 officers involved in the investigation and only two were disciplined, despite the scale of the failures in the investigation. Now we hear that the IOPC has been invited back to have another go. That really is not good enough. What is needed is a fully independent inquiry. It is time the Government recognised that that is the only response that is acceptable.

Kit Malthouse: I understand the hon. Gentleman's frustration, but I am sure he will understand that it is extremely important that the IOPC relies on the "I" and that it is the Independent Office for Police Conduct. It therefore cannot be ordered by Ministers or anyone else to investigate or not investigate. I am given to understand that in this case, in the light of the evidence that has come through, it is considering whether to reopen the investigation. It would not be proper for me to influence its decision either way, in the same way that it is not for me to order the police to investigate any individual or otherwise. We should wait and see what the IOPC has to say and wait for the other inquiries commissioned by City Hall and by the Met, and see what the picture looks like after that.

Mr Speaker: I call Chris Bryant.

Kit Malthouse: Just to finish, Mr Speaker, the Government take this incident extremely seriously and we want to do everything we can to make sure that it does not happen again.

Mr Speaker: That seems to have been aimed at me, but I just say that I granted an urgent question because there was no statement.

Chris Bryant (Rhondda) (Lab): And well done you, Mr Speaker.

The Minister has said repeatedly that he has reassured himself, but he has not reassured me—if anything, quite the opposite. He keeps referring to this as a "tragedy", but it is not a tragedy; it is a double-layered gay hate crime. I wish he would actually use those words. It has been a double-layered gay hate crime. First there were the original murders, and then there was the refusal to investigate them, which in itself is a gay hate crime. It is about time we took this seriously, not least because homophobic hate crimes in the past three years have risen to 1,833 a month. That is why a lot of gay men in this country are beginning to feel frightened. The Government have got to do something. Get on with it!

Kit Malthouse: First of all, my apologies, Mr Speaker. I was not aiming any particular comment at you. It is just that the microphone went off as I was finishing.

I acknowledge the terrible nature of this crime, and I acknowledge the prejudiced, homophobic nature of it—*[Interruption.]* Yes, I do; of course I do. As the hon. Gentleman will know, we are doing enormous amounts of work on violence and murder in all their forms across the whole country. We have set murder specifically—irrespective of the nature of the murder—as one of our national priorities to push it down. Obviously this murder is particularly heinous and unpleasant, not least because of the botched investigation that took place around it. What I am saying to Opposition Members is that we are determined to help the police to learn the lessons from this. We will do what we can to help them to do so, and we will push them to do so. At the moment, we do not believe that a full public inquiry is the way to do that, not least because of the time required, but there are some extremely useful and assertive investigations ongoing, independently, around this case that give us cause to believe that there will be change in the future. If there is not, we can come back to it, but I honestly hope that nobody is implying that either I or the Government do not take these kinds of crimes extremely seriously. We absolutely do. Every single murder that happens in this country, no matter the complexion or the demographic of the victim, is of extreme importance to us and to me personally.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Homophobia is a lived reality for thousands of gay people up and down the country every single day. These avoidable murders of gay young men will be broadcast around the country, and LGBT people will be looking at the Minister's response and saying, "They do not value my life because I am gay." A full public independent inquiry will give LGBT people the reassurance that something will be done to stop this ever happening again. Will the Minister reconsider his refusal to have that independent inquiry?

Kit Malthouse: I have to confess that I object to this characterisation that I do not care or that we do not care about these individuals. It is completely unfair and completely untrue, not least to those members of the Government who happen to be of that description themselves—*[Interruption.]* No, many of us have worked on these issues addressing all sorts of communities, whether it is domestic murders or murders in minority communities. The murders of all sorts of people are profoundly important to us. That is why we have set murder as a national priority. If it is of interest to the House, last week I got the police chiefs of the seven biggest contributors to the murder total in this country around a table to talk about how we can further drive murders of all types down. This is a particularly unpleasant murder—*[Interruption.]* I understand the alarm and distress it will have caused across the country. We need to learn the lessons from it and we are determined to do so.

Andy Slaughter (Hammersmith) (Lab): The Minister's response to the urgent question from my right hon. Friend the Member for Barking (Dame Margaret Hodge), which should have been a statement from the Home Secretary, is extremely disappointing. I have dealt with the Met for more than 30 years, as a lawyer and as a

politician, and I can remember few cases as serious as this, both because of the callous incompetence of the investigation and because of the consequences in the loss of lives of those young men.

All I have heard from the Minister today, and from the senior members of the Met—London MPs are just about to go to talk to them—are platitudes. I have heard platitudes specifically because they will not address the homophobic nature of these murders. That is not being addressed because it will not be included in the inquiry, and the Minister will not establish a full inquiry. He needs to order that now. A BBC series on this issue is starting on 3 January; it is not going to go away. He is entitled to his view that the Met is not institutionally homophobic—I would take a different view—but he is not entitled not to investigate that and to sweep this issue under the carpet.

Kit Malthouse: First, it is not the case that this matter is not being investigated further. As I have outlined several times, a number of lines of inquiry are being pursued, both about the Met's investigation generally and its culture more specifically, and the IOPC may or may not reopen the investigation into the officers. So it is not the case that this has reached some kind of dead end, as some Opposition Members seem to be implying. It is simply not true to say that we are not bending every sinew to try to identify those who are likely to murder, in all different circumstances, whether domestic or through drugs—whatever the circumstances are. As I say, just last week I sat the seven biggest forces down and we had a three-hour session to look at what more work we could do to identify those who are likely to go on to commit such crimes: what their precursor behaviour is; what indications there are in their background; what data pools we could put together, whether that is their background offending or intelligence about them, that would give us clues towards what they were likely to do and allow us to intervene before. That enormous project of work has been under way for two years, and I hope and believe it will drive down murder numbers in the next few years to come. It is very unfair to accuse us of not taking these murders extremely seriously—that is exactly what we are doing and we are determined to make sure that they do not happen again.

Dr Rupa Huq (Ealing Central and Acton) (Lab): We have seen the Daniel Morgan, Bibaa Henry and Nicole Smallman cases, the Sarah Everard case and then the resulting vigil, the fiasco at Wembley and now this shocking set of gay murders—the Minister has not said that word.

Kit Malthouse I have.

Dr Huq: I do not think the Minister has said it. In any case, the list of bunglings under this Metropolitan Police Commissioner this year alone seems endless, and they date back to 2005, with the shoot-to-kill Jean Charles de Menezes operation. May I ask that as well as the inspection that the Minister mentions, he undertakes a full statutory inquiry, with teeth, into the entire Met police and, although it may sound unsisterly to say so, its leadership? That should be a priority for whoever steps into the shoes of my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) as Chair of the Committee on Wednesday.

Kit Malthouse: For the avoidance of doubt, let me say that these were very obviously horrific gay murders, targeted against men because they were gay and driven by who knows what—homophobia or some kind of depraved sexual practice; I do not know. Some monster perpetrated these awful acts against these poor gay men. I am happy to say, without reservation, that obviously they need to be investigated and we need to get to the bottom of this. As I have explained, there are inquiries ongoing into the culture of the Metropolitan police, and I would like to see how they land before we seek to duplicate them by some other means.

Andrew Gwynne (Denton and Reddish) (Lab): We should not, ever, underestimate the very real concerns of the LGBTQ+ communities across this country about these dreadful failings by the Met police. Is the Minister satisfied that police forces across the country, not just the Met, have sufficient time, resources and leadership to ensure that the complete breakdown of oversight described by the jury in this hearing cannot ever happen again?

Kit Malthouse: As I said, much of my work over the past two years has been devoted to bringing the focus of the whole of UK policing and, in particular, its leadership on to murder as a specific issue. That means improving processes, improving forensics, improving their investigation techniques and improving their prior identification. Crucially, it means improving the leadership, and that is what I was doing last Thursday with the police chiefs from across the country.

Jim Shannon (Strangford) (DUP): I thank the Minister for his response to the questions. Having read some of the details of this case in the news recently, I was, like others in this Chamber, very shocked. I am anxious to understand why normal procedures do not seem to have been followed. Can the Minister affirm that, in every case, regardless of the crime and the motivation, the inquiry and the evidence procedure is the same, and that there are no levels of importance in the allocation of cases in any of our police forces in the United Kingdom?

Kit Malthouse: That is definitely the consistency that we seek, but there is a category of deaths that have thus far needed some focus, which is unexplained deaths. For example, the circumstances of this case are that these deaths were originally classified as unexplained or non-suspicious. Since then, I understand that the Metropolitan police have put in a step-by-step guide for officers to make sure that, in contemplating these deaths, no stone goes unturned in trying to connect them, and that they are forensic and curious about whether they could be linked. In the very obvious way that many of us have read about in the papers, these murders were in fact linked, whether by geography or by causation. I hope that that will improve the investigation of the cases and that we will see that consistency that the hon. Gentleman seeks across the whole country.

Covid-19 Update

Mr Speaker: Before I call the Secretary of State for Health and Social Care, I want to put on record my disappointment that the Prime Minister is not here to make this statement. Last night, in fairness to the Secretary of State, he phoned me to say that the Prime Minister felt the need to make the announcement to the country yesterday. I am surprised, though, that he did not therefore think it appropriate to come to this House to answer questions on the important announcement today. I have respect for the Secretary of State for Health and Social Care, but I am really, really disappointed that, once again, this House has come second to TV news. It is not acceptable. If this is the game that we are going to play, we are going to have to play hardball.

4.12 pm

The Secretary of State for Health and Social Care (Sajid Javid): With permission, Mr Speaker, I would like to update the House on covid-19.

Since the UK became the first country to approve a vaccine against covid-19, almost exactly a year ago, we have been locked in a race between the virus and the vaccine. The success of our national vaccination programme has moved us ahead in that race, but now, with the new omicron variant, we have to work even harder to stay ahead.

Since last week, we have learned two things about this variant. The first is that no variant of covid-19 has spread this fast. There are now 4,713 confirmed cases of omicron in the UK. The UK Health Security Agency estimates that the current number of daily infections are around 200,000. While omicron represents more than 20% of cases in England, we have already seen it rise to over 44% in London, and we expect it to become the dominant covid-19 variant in the capital in the next 48 hours.

There are currently 10 confirmed people in England who have been hospitalised with omicron. It is vital that we remember that hospitalisations and deaths lag infections by around two weeks, so we can expect those numbers to increase dramatically in the days and weeks ahead. In preparation, the UK's four chief medical officers raised the covid alert level to 4—its second highest level—over the weekend. NHS England has just announced that it will return to its highest level of emergency preparedness—level 4 national incident. This means that the NHS response to omicron will be co-ordinated as a national effort rather than led by individual trusts.

The second thing we have learned in the past week is that two jabs are not enough to prevent symptomatic infection from omicron, but a third dose—a booster dose—provides strong protection, with analysis by the UK Health Security Agency showing a third dose is 70% effective at preventing symptomatic infection. We expect the booster to take effect more quickly than the second dose. We are already running the most successful booster campaign in Europe. More than four in 10 UK adults have now received a third dose or booster and Saturday was a record, with more than half a million boosters given across the UK.

However, with the race between the virus and the vaccine so close, we must move faster. Two weeks ago, we announced that we would offer every eligible adult a

[Sajid Javid]

booster by the end of January. In response to the omicron emergency—and as the Prime Minister announced yesterday evening—we are bringing that target forward by a month and launching the omicron emergency boost. We have opened the booster programme to every adult who has had a second dose of the vaccine at least three months ago to offer them the chance of getting their booster before the new year. From this morning, anyone over 18 can walk into a vaccination centre and, from Wednesday, they can book online via the NHS website. The UK Government will also provide whatever support is needed to accelerate vaccinations in Scotland, Wales and Northern Ireland. We have the jabs. The challenge now is to get them into arms.

To meet our ambitious target, the NHS will need to deliver a record number of jabs. Until now, the highest number of jabs we have delivered in a single day in the UK was more than 840,000. We will not only need to match that, but beat it every day. We can, and we have a plan to try and do it. We are opening more vaccination sites—including pop-up and mobile sites—and they will be working seven days a week. We are training thousands more volunteer vaccinators. We are asking GPs and pharmacies to do more, and we are drafting in 42 military planning teams across every region of our country.

This collective national mission will only succeed if we all play our part. Those who have not had their booster should find their local walk-in vaccination centre or book an appointment on the NHS website from Wednesday. Those who have had their booster jab should encourage their friends and family to do the same. Those who have or have recently had covid should wait 28 days from their positive result to get their booster.

To those who have not yet had their vaccine at all, I would like to say this: whatever has held you back in the past, please think again, and book your jab as quickly as possible. By acting together to get boosted now we can protect ourselves against omicron this winter.

I acknowledge that our national mission comes with some difficult trade-offs. We are redeploying NHS staff away from non-urgent services. That means that, for the next two weeks, all primary care services will focus on urgent clinical need and vaccines, and some non-urgent appointments and elective surgeries may be postponed until the new year while we prioritise getting people the booster. These are steps that no Health Secretary would wish to take unless they were absolutely necessary, but I am convinced that if we do not prioritise the booster now, the health consequences will be far more grave in the months that lie ahead.

Our omicron emergency boost is a major step, but I am not going to pretend that this alone will be enough to see us through the difficult weeks ahead. Because of the threat of omicron, we are moving to plan B in England, subject to the will of this House. That means that: we must use face coverings in indoor public places; people should work from home if they can; and, from Wednesday—again subject to this House's approval—people will need to show a negative lateral flow test to get into nightclubs and large events, with an exemption for the double-vaccinated. Once all adults have had a reasonable chance to get their booster jab, we intend to change that exemption to require a booster dose.

Even with plan B, we still have far fewer restrictions in place than Europe. I can also confirm that from tomorrow, fully vaccinated contacts of a covid-19 case will now be able to take daily lateral flow tests instead of self-isolating. This is a vital way to minimise the disruption to people's daily lives and to avoid a so-called pingdemic. I can assure this House that the UK has sufficient lateral flow tests to see us through the coming weeks. If anyone finds that they are unable to get a kit online, they should check the website the following day or they can pop down to their local pharmacy and pick up a kit. From today, I can confirm that the NHS covid pass is being rolled out to 12 to 15-year-olds for international travel, allowing even more people to be able to prove their vaccine status for travel where it is needed. [HON. MEMBERS: "When?"] From today. Taken together, these are proportionate and balanced steps keeping the country moving while slowing the spread of omicron and buying us more time to get more boosters into arms.

We are also taking steps to keep people safe in adult social care. We know that, sadly, people in care homes and those who receive domiciliary care are more likely to suffer serious health consequences if they get covid-19, so we are expanding our specialist vaccination teams to get more boosters to the vulnerable and those providing care. But even as we do so, we must go further to protect colleagues and residents from omicron. So we are increasing the frequency of staff testing and, with a heavy heart, we must restrict every resident to just three nominated visitors, not including their essential care giver. This is a difficult step, and I understand that it comes with an impact on physical and mental wellbeing, but we know from previous waves that it is one of the most effective things that we can do to protect vulnerable residents. We are also increasing our workforce recruitment and retention fund with £300 million of new money. This is in addition to the £162.5 million we announced in October. The funds will help to pay bonuses, bring forward pay rises for care staff, fund overtime, and increase workforce numbers over the winter.

I know that hon. Members had hoped that the days of this kind of covid-19 update were behind us. After our successful reopening in the summer, it is not an update that I wanted to deliver. But the renewed threat of omicron means that we have more work to do to stay ahead of this virus. We can, if we all play our part, and boosters are the key. We have achieved so many phenomenal things over the last two years. I know we are weary, but it is on all of us to pick up, to step up and do some phenomenal work once again to play our part and to get boosted now. I commend this statement to the House.

Mr Speaker: Can I suggest to the Secretary of State that we could be a pop-up site for all the staff that work here to get them boosted?

4.22 pm

Wes Streeting (Ilford North) (Lab): I thank the Secretary of State for advance sight of his statement.

Today we learned of the first death in the UK as a result of the omicron virus, so on behalf of the whole House I send our condolences to the friends and family of that person who has lost their life. Their death puts this statement and the task at hand in context. It is a stark reminder that the pandemic is not over, that

the new variant is a clear and serious risk to our public health, and of the urgency of getting Britain boosted and protecting us against this threat.

The Labour party will always act in the best interests of our NHS, our public health, and our nation. Having repeatedly called for the booster programme to be ramped up, we will give our full support to this effort. Labour Members will make every effort to get the message out that vaccines are the best tool we have at our disposal to protect ourselves, those closest to us, and our NHS. The target of getting 1 million people a day their booster vaccine is unprecedented and may even prove impossible, but we applaud the ambition. If anyone can do it, the NHS can, and the whole country will be willing them on and will not knock them for trying.

What people will not accept is the Government moving the goalposts. The Prime Minister is now famous for over-promising and under-delivering. In his televised address last night, he said that people

“will have the chance to get their booster before the new year.”

But, as we heard from the Secretary of State, the aim is instead to “offer” the booster to every adult by the end of the month, meaning that the delivery will wait until January or even February. Are the Government rowing back on the target set yesterday? If so, why has it changed overnight? What hope do we have of achieving the necessary level of booster jabs if the public and those delivering the vaccines are told one thing one day and another the next day? The Prime Minister has got to learn to be straight with people, because he is undermining public trust and confidence in the Government and in public health measures at a critical time. What discussions has the Secretary of State had with local authorities, GPs, pharmacies and other delivery partners who will be crucial to that effort?

Then there is the shambles of testing. I thought the Secretary of State might be living on a different planet when he described the availability of testing, because the Government’s website states today that home testing kits are unavailable, pharmacies across the country are out of stock and, even here in Parliament, no home testing kits are available from Portcullis House. No doubt, that is due to a surge in demand ahead of the new testing requirements this week, but surely that should have been foreseen. This is a serious problem. Those coming into contact with positive omicron cases will not be able to follow the rules and get themselves tested daily, those who require tests to undertake home visits risk being left short, and many others need them for work. How does the Secretary of State plan to ensure that enough tests are in stock and available for everyone who needs them, when they need them? When will the problem be resolved? It does not appear that he was even aware of it.

Absent from the Prime Minister’s address last night was any plan to speed up the vaccine roll-out for 12 to 15-year-olds. On current trends, some teenagers will not receive their vaccine until February, five months after the Government’s initial target of October half-term. Children have already faced significant disruption to their education, so will the Secretary of State update the House on the vaccine roll-out for 12 to 15-year-olds? Will they receive their vaccines by the end of the Christmas holidays, as Labour has called for?

Of course, patients will be concerned by the news that appointments will be delayed to accommodate the booster roll-out. There is no doubt that the booster programme is the right priority. If we do not get ahead of omicron, the pressure on the NHS will be unbearable and the disruption to people’s appointments in the new year will be severe. But, let us be honest: the challenge is made so much greater as a direct result of the Government’s mismanagement of the NHS for 11 years. We went into the pandemic with record waiting lists and with six-figure staff shortages in the health service and the care sector. Where is the NHS workforce plan? Where is the plan for the recovery of elective care? Why can the Government not understand that their continued failure to fix social care is piling even more pressure on the NHS at the worst possible time? On social care visits, I ask the Secretary of State to think again about limits on care home visits. That feels like the wrong decision at the wrong time.

Mr Speaker, I will conclude, if I may, with some words directed to the public. We on the Labour Benches realise that the Prime Minister has tested patience by asking people to follow the rules when No. 10 did not. The Prime Minister’s actions in recent weeks have undermined trust at a critical moment. I say to people feeling let down or lied to that I trust the chief medical officer, I trust the chief scientific adviser and I trust the NHS. The Prime Minister might not lead by example, but the rest of us can, and we—the Labour party—trust you, the British people, to do the right thing to protect yourselves, to protect the ones you love and to protect the NHS.

Sajid Javid: First, may I say that I heard your request, Mr Speaker? I am happy to take that up with you directly, if that is okay. I thank the hon. Gentleman for his support of the need to accelerate the booster programme. I join him, as I am sure the whole House does, in expressing condolences for the individual who was the first in this country to die with the new variant.

I turn to the hon. Gentleman’s questions. First, he asked about testing capacity. I would like to share more information with the House. There is no shortage of tests held by UKHSA—tens of millions of tests are in stock and millions are arriving each week. The limiting factor, because of the hugely increased demand—I am sure hon. Members understand why demand has suddenly surged—is the ability to deliver tests. The current arrangements with Royal Mail alone are not enough, but new arrangements have been reached with Amazon and other delivery methods. There will still be many hundreds of thousands—record numbers—delivered each day, but also the number of access points is being increased, including many more through pharmacies, and we are rapidly looking at other access points. The hon. Gentleman is right to raise this, but I hope he and others understand that there has been a huge surge and increase, and this is not just about the number of tests available but getting them through and delivered; both are equally important.

The hon. Gentleman raised the issue of the booster programme timing. He is right that just a couple of weeks ago the plan was to give everyone a booster before the end of January. That was after the change in advice from the Joint Committee on Vaccination and Immunisation that the dosing gap should be reduced to three months and that it should now include everyone over 18. For the reasons I have explained and that the Prime Minister shared in his national broadcast yesterday,

[Sajid Javid]

we want to bring that forward. That involves working hard with the NHS, which has done phenomenal work already to reach four in 10 adults with boosters and in the vaccination programme in general.

This is asking a huge amount of our colleagues in the NHS, and it is our joint view that we can try to offer adults a chance to get boosted by the end of this month. That does not mean every single person can necessarily get that booster; it requires them to come forward and take up the offer as well as everything going right in this huge expansion plan. But again, I hope the hon. Gentleman can respect that the NHS is doing everything it can, with the full support of every Department of Government, and is throwing everything at this to offer as many opportunities as it can and the maximum possible capacity for delivering on that commitment.

The hon. Gentleman also talked about the challenges facing the NHS. I remind him and the House that this year the Government have put an extra £34 billion into the NHS and social care, £5.4 billion of that in the second half of this year, and over the next three years there is a commitment to at least £8 billion extra going into the largest catch-up fund the NHS has ever seen. In the last year almost 10,000 nurses and almost 3,000 doctors have joined the NHS; the NHS is increasing workforce and capacity, is looking at new ways to do electives, and is putting a huge amount of effort into its electives programme and its non-covid work as well.

Finally, I do understand what the hon. Gentleman said on adult social care and the limit on visitors, and it is important to get the balance right. We all know the problems and the sad deaths not long ago in care homes with this pandemic, and it is right to take balanced measures to protect people in care homes. We are working with, and listening to, those who run care homes and trying to take a balanced approach that allows visits to take place but also protects vulnerable people.

Jeremy Hunt (South West Surrey) (Con): One year and five days ago the UK administered the first properly approved covid vaccine in the world, and the Government are absolutely right to focus on immunisation, but Israel approved booster jabs for all adults in September, France approved jabs for teenagers in June, both long before us, and the United States has already approved jabs for five-year-olds, again long before us. Is the Secretary of State worried that our regulators, having been the nimblest in the world, are now taking too long? They are brilliant scientists and they are rightly totally independent, but what can he do to speed up this crucial decision making in a pandemic?

Sajid Javid: My right hon. Friend makes an important point, from experience. We can be proud of so much of what our regulators have achieved and done. As he said, we were the first in the world to approve a covid-19 vaccine, but he is right to challenge on this and ask what more can be done, especially in light of the circumstances we face. The JCVI is not a regulator but it is an important part of the approvals process, and I hope he will also commend its swift response since the emergence of omicron in changing the rules around boosters.

Alan Brown (Kilmarnock and Loudoun) (SNP): It is worth putting on record that Scotland is the most vaccinated nation in the UK, and I certainly encourage

everybody to continue to take up the booster. Does the Secretary of State share my outrage that last week his Back Benchers were literally cheering the proposition that he needs to wait until more people are hospitalised before they will countenance the wearing of masks in public places? That is absolutely reckless, and it sends the wrong message to the public when we are trying to tell them to take the risk of omicron seriously.

Tragically, we know that people are now being hospitalised and, sadly, we have already recorded one death from omicron. Based on evidence elsewhere, what kind of upward trajectory does the Secretary of State think there will be in hospitalisations? Why in the plan B measures being brought forward—all already in place in Scotland—is there a pub exemption? That makes no sense.

Given that LFTs are only 50% accurate, what risk implications has the Secretary of State assessed in using the LFTs to keep people from self-isolating? Surely he needs to consider the minimum being a PCR test, following the more cautious approach adopted by the Scottish Government. Why, with LFTs as their key guidance, have the Government put themselves in this ridiculous position of the website saying it has run out of LFT kits?

If we are talking about supporting people to self-isolate, we need to revisit and extend the levels of statutory sick pay. What discussions has the Secretary of State had with the Chancellor and the Secretary of State for Work and Pensions about that? Critically, does he support calls from the devolved nations that they need Treasury support to put in place what restrictions they believe are required to control the spread and impact of omicron and support livelihoods at the same time?

The Scottish Government have already put in place more generous rates relief for hospitality venues than the UK Government did but, with trade dropping, suppliers and the trade itself need further support, especially if further restrictions are required. Will the Secretary of State take that up with the Chancellor? Is the Cabinet considering support for the travel industry? Does he agree that targeted sector restrictions, with full financial support, is a better long-term strategy than the “all or nothing” approach we seem to be taking, and praying that the booster programme alone will be sufficient? It will need a lot more work than just that alone.

Sajid Javid: The hon. Gentleman is right to point to the lag between the point of infection and hospitalisation. That emphasises the need to act early and strongly. That is why the booster programme and that response is so important in Scotland, in England and throughout the UK, and it is good that all four nations are working closely together on it.

On lateral flow tests as an alternative to self-isolation, I think they are the right approach. They can be taken daily, so the individual is tested each day for seven days, whereas a PCR would be a single test at a single moment. This is much more flexible and it is based on advice Ministers have received. On the hon. Gentleman's questions on economic support, that is something we keep under review.

Dame Andrea Leadsom (South Northamptonshire) (Con): I congratulate the Government on the roll-out of the vaccination programme—it is impressive—but what

does my right hon. Friend say to my constituent who says she is now less afraid of covid than she is of intrusive and incoherent Government regulations?

Sajid Javid: I would say to my right hon. Friend that I hope her constituent would appreciate that the Government have to act on the information they see before them on the rate of spread of this new variant and what we now know about its degree of vaccine escape—not just to protect my right hon. Friend’s constituent, but to protect that constituent’s loved ones and her community.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I say to the Secretary of State that I was deeply shocked, when he was in this House recently and I said that all sensible Members of Parliament will be supporting any measure to save lives, to hear boos and catcalls from the Government Benches? I will repeat my view: does he realise what great potential we have as Members of Parliament in our communities, working for this, rolling our sleeves up, working cross-party with local councillors and volunteers? This House of Commons is a real resource. Please, please will he use us effectively?

Sajid Javid: I thank the hon. Gentleman for his call for all hon. Members to do their bit to help the nation in this time of crisis. It is not just about what we can all do in this House; I am sure he agrees that it is about what we can do in our local communities.

Robert Halfon (Harlow) (Con): My right hon. Friend rightly talked about protecting the NHS. Can I ask him to ensure that we protect our children as well and that the Government set out a plan to keep schools open in January? Given that *The Sunday Times* suggested that primary school children will be vaccinated, will he or the Secretary of State for Education make a statement about the vaccination programme for younger children and ensure that there is 100% parental consent?

Sajid Javid: I agree with my right hon. Friend on the importance of protecting our children. We in this House all know how children have suffered throughout the pandemic and the impact on their education, mental health and socialisation with other children. He is right to talk about that importance. One reason to take the measures that we have set out, especially around expanding the booster programme, is the ensure that we prioritise children. On the issue of vaccinations for younger children aged five to 11, the JCVI is considering that. When the Government hear back from the JCVI on that, we will bring it to the House.

Sir George Howarth (Knowsley) (Lab): I welcome the Secretary of State’s statement. Having listened to it and having studied the matter in some detail over the weekend, I will be supporting the Government and the measures that they are introducing tomorrow night. What would he say to those in the community who are saying, “If the rule makers can’t be trusted to obey their own rules, why should we?”

Sajid Javid: I thank the right hon. Gentleman for his support. It is important to emphasise that the rules that we are discussing—all rules of any type, really, but he is talking about those around the pandemic—are there for all of us and apply equally to all of us.

Huw Merriman (Bexhill and Battle) (Con): GPs, particularly in rural areas, are finding it difficult and challenging to deliver the booster programme, but will have to deliver the booster in great numbers. Can the Secretary of State look at measures that will speed up the flow for those GP surgeries? Will he send a message to all patients that they will need to be understanding in the next couple of weeks to ensure that the morale of our GPs, who work so hard, is not undermined?

Sajid Javid: My hon. Friend is right to talk about how hard GPs have worked throughout the pandemic, and about the need to provide greater support. We expect and need them to help with this big new vaccination effort. There are already signs of many people showing that they understand the need for GPs to reprioritise over the next couple of weeks, which is important too.

John Spellar (Warley) (Lab): It is clear from the Secretary of State’s statement that he is a considerable improvement on his predecessor, so I am sure that he accepts that covid is now endemic and variants will probably emerge for years, if not decades. In that case, surely by now, instead of the erratic response that we have seen, we should have a well-prepared plan of action and chain of command ready to be activated as soon as a new variant is detected, as well as enough supplies and trained personnel to operate it. Why does his Department seem to be continually surprised by the arrival of variants so that, instead of a smooth-running plan, we have chaos and panic?

Sajid Javid: Well, there will be variants of covid-19 for many years, as the right hon. Gentleman says—indeed, there have been many hundreds of variants. No country in the world is better at the surveillance of those variants; I remind him that the UK alerted the world to the threat of omicron. No country is better prepared, if we look at how swiftly the UK reacted—for example, with international restrictions and the information that we shared with the world about vaccines. I think he understands those points, and I regret the way that he has framed the question.

Steve Brine (Winchester) (Con): I thank my right hon. Friend for his statement. Many of my constituents will be very surprised indeed to hear that, from this morning, anyone over 18 can walk into a vaccination centre. Will he give me an update on the Hampshire situation?

May I ask my right hon. Friend about the NHS covid pass being rolled out to 12 to 15-year-olds? That is such a welcome announcement; it is something the Secretary of State promised this House he would bring back, and I thank him for that. How exactly will it work? Many of my constituents will be travelling within the next few days, and certainly within the next week and over Christmas. How exactly will they be able to access this pass, given that they cannot access the NHS app in the same way that adults can?

Sajid Javid: I thank my hon. Friend for his remarks. He is right that the covid pass is a very important measure. We will shortly publish on the website exactly how it will work, but it is being rolled out as a digital pass in the same way as it is working for adults, starting today.

Mr Toby Perkins (Chesterfield) (Lab): The Prime Minister addressed the nation yesterday, but what he has not done is address the NHS in the same way. When I spoke at 4 o'clock to those in Derbyshire, they were unaware. They had had no system letter from the Department of Health about prioritisation of vaccines. They were unaware of whether the quality outcomes framework payments were suspended. And they were unaware that their winter access fund obligations had now been suspended. Will the Secretary of State make sure that all our health care providers are informed about these crucial matters, which actually give reality to the delivery of his really important messages on funding and priorities for the national health service?

Sajid Javid: Yes. The hon. Gentleman will appreciate that this is a very fast-moving situation. The NHS made the final decision to go on the expansion—this expansion of the booster programme that I referred to earlier—yesterday, and the system letter has gone out today.

Sir Iain Duncan Smith (Chingford and Woodford Green) (Con): First, I say to my right hon. Friend that it is welcome he has come here today, but I am a bit concerned about the mixed and heavy messaging coming from the Government, the unintended consequences of which can be dire. I notice, as has my right hon. Friend the Member for Harlow (Robert Halfon), the Chairman of the Education Committee, that the Centre for Social Justice has produced a report about the huge damage done to young children, particularly in the poorest communities, when schools start locking down and shutting them out. Will the Secretary of State please ensure that the message is clear to schools that they are not to lock down?

Secondly, when I spoke this morning to GPs in my constituency, I asked them, "What is the one thing that you would like the Secretary of State to do now if you've got to get all these people through?" They said, "Do we really need to have the 15-minute wait? Can we end that? We would triple our way through this, and you would get it going straight away?" Will the Secretary of State please act on that now?

Sajid Javid: First, I very much agree with my right hon. Friend on the importance of never losing sight of potential unintended consequences. He points to an excellent report by the Centre for Social Justice, which looked at this in the light of past actions. That is certainly not lost on me or my colleagues in Government, but he is right to highlight that to the House once again. I hope he agrees, however, with the messages we have set out so far. They are measured and they are proportionate. The focus should be on the booster campaign because that is our way out of this. On the 15-minute wait, it is being very actively looked at, and I am sure that I will have something more to say on that very shortly.

Barbara Keeley (Worsley and Eccles South) (Lab): The Secretary of State says that there are millions of tests available, but only nine local authorities out of the 153 across England have access to a float stock of 500 PCR test kits to use at their discretion, using local knowledge, to tackle covid clusters before they become significant outbreaks. This is very important to disrupt outbreaks and slow transmission, but it is not available outside those nine pilot local authorities. Given the importance of slowing transmission of the omicron variant,

will the Secretary of State agree to authorise the same float stock of 500 PCR test kits to every director of public health and every area, to give them the tools they need to fight this variant?

Sajid Javid: I was referring to lateral flow tests earlier, but I think the hon. Lady asked me about PCR tests. I will look into what she said.

Esther McVey (Tatton) (Con): Last week's Ofsted report was damning about the impact lockdown has had on our nation's children and the immense harm students have suffered, with the Children's Commissioner saying that schools should not close again. However, it seems that the Government have left the door open to school closures after the Christmas recess. What specific conditions would need to be met for schools not to open in the new year?

Sajid Javid: I welcome that question from my right hon. Friend. What I would say to her is that with the risk we see from omicron at this point in time—the rise in infections, the increased risk of hospitalisation and the information we have on vaccines—we think we have taken the appropriate response. It is a balanced and measured response. It is designed to protect so much of what we love in our country, especially the interests of our children. The most important thing to focus on now is the booster programme.

Paula Barker (Liverpool, Wavertree) (Lab): First of all, I encourage everybody to be vaccinated and to have the booster jab. I am delighted that the Secretary of State has moved away from passports to people having an LFT if they cannot show their covid pass. I thank Labour Front Benchers for the work they have done, too. The Secretary of State talks about the incredible work the NHS is doing and what it will do over the next few weeks, but will he pause his plans for mandatory vaccination of all NHS workers, have conversations with the trade unions and come up with a plan for it to be by consent, rather than mandatory?

Sajid Javid: First, I agree with the objection I think the hon. Lady had to vaccine passports as a requirement for people to be vaccinated to enter a high-risk venue. It is important that we focus on a test requirement with an exemption if one happens to have the right level of vaccination. On her question about mandatory NHS vaccination, however, I am afraid I have to tell her we will not pause what we have already announced, not least because—this is the view of the NHS leadership as well—omicron has made it even more urgent that we continue with it.

Sir Edward Leigh (Gainsborough) (Con): Four weeks ago, I raised the matter of a family member who is aged 90, completely bed-bound, vulnerable and at home, and had still had no booster jab. I was promised action, but nothing has happened and he is still waiting. I understand that there are potentially hundreds of thousands of very old, very vulnerable people trapped in their own home still waiting for a booster jab, with carers coming in and out all day, yet we are now offering booster jabs to 18-year-olds who have virtually no chance of falling seriously ill. This is an absurd situation caused by massive delays, bureaucracy and the ridiculous rule that a doctor has to come and a nurse has to wait 20 minutes with the old person, despite a minuscule risk of harm.

We need action this day. These people are in danger of dying. Will the Secretary of State now act on behalf of very old people trapped in their own home?

Sajid Javid: My right hon. Friend is absolutely right to raise this matter. Those who are in care homes or homebound have been prioritised. For example, I can tell him that I believe that, as of the end of November, 97% of care homes had been visited by GPs or other primary care teams to deliver vaccinations. In cases where they could visit, that was because the care home itself had a lockdown. They will all be revisited again and again. My right hon. Friend asks specifically about people who are homebound. The same approach is being taken. We will absolutely ensure that every single one of those people—as he rightly says, they are more vulnerable than others—get a visit and get their booster jab.

Ms Anum Qaisar (Airdrie and Shotts) (SNP): I had a busy weekend: on Saturday I got my booster jab from Margaret, a hard-working staff member from NHS Lanarkshire—I highly encourage everyone to get jabbed and boosted—and yesterday I met my hon. Friend the Member for East Dunbartonshire (Amy Callaghan), a hard-working and dedicated Member of this House. It is an utter shambles that she is unable to speak and vote, but she is doing a power of work in her constituency. She is an inspiration to us all.

Given the danger of this new variant, does the Secretary of State agree that the House should follow the lead of the Scottish Parliament and move to virtual proceedings, or at least hybrid proceedings, to protect vulnerable Members and their families and to set a positive example of working from home?

Sajid Javid: That is not a matter for my Department.

Mr Mark Harper (Forest of Dean) (Con): Mr Deputy Speaker, you will be aware that a couple of days ago the Department of Health and Social Care published something on social media that jumped the gun on the decision the House is being asked to take tomorrow. It is welcome that the Secretary of State intervened, saying:

“No law is decided until Parliament votes on it. I’ve asked for this graphic to be deleted”.

Of course that is not entirely true, because most covid laws, including the mask mandate, have come into force before Parliament voted on them.

This morning the Prime Minister refused three times to rule out further restrictions being imposed before Christmas. I will not ask the Secretary of State to contradict the Prime Minister, but if the Government do decide to announce further restrictions before Christmas, or indeed after Christmas, will he assure me from the Dispatch Box that this House will be recalled to debate and vote on the measures? It is not acceptable to keep governing this country by decree; the Government have to involve Members. I agree with what the Secretary of State said about using Members of Parliament; that means involving us in decisions and getting this House to make the laws. He will then find there is much more of a team approach, rather than decrees and late-night television addresses without taking the House seriously.

Sajid Javid: I am not aware of any plans for any further restrictions. As I told the House from this Dispatch Box last week, we are focused on the regulations that are coming before the House and will be subject to the will of the House. We will see if they are approved.

My right hon. Friend asked for an assurance, and I will take that back to my right hon. Friend the Prime Minister.

Daisy Cooper (St Albans) (LD): Eighteen weeks ago, on 9 August, I asked the Government what assessment they had made of using community pharmacies. The response, in full, said:

“No assessment has been made.”

Nine weeks ago, on 22 October, I asked the Government whether covid-secure transport would be available, so that the clinically extremely vulnerable could go for their booster jab appointments. The Government said they had made no assessment.

Six weeks ago, I asked the Government for guidance to the clinically extremely vulnerable. I asked them to sort out the confusion between third primary doses and booster jabs, and two weeks ago, on the same day that the *British Medical Journal* published data showing that omicron is more transmissible, I asked the Government whether they will renew contact-tracing funding for local authorities. A week later, they said they were still assessing it.

Will the Secretary of State apologise for the shocking levels of complacency in rolling out the booster programme over the past four months? And will he now apologise to all the patients who will have their treatment cancelled as a result of these new announcements?

Sajid Javid: No, I will not apologise for speeding up the booster programme to protect the health of the British public, and I will not apologise for asking the NHS to make it a priority. If the hon. Lady believes we should not be vaccinating people in this country, why does she not just say so?

Dr Julian Lewis (New Forest East) (Con): It has been suggested more than once that, when deaths with covid are announced each day, it should simultaneously be stated how many of them were of unvaccinated people or of people with underlying health conditions or other specific vulnerabilities. Will the Secretary of State now undertake to do that? Did he notice, as I and no doubt others did, that the Prime Minister said this morning that one person in the UK had died with omicron, but the shadow Secretary of State said the death was a result of the virus. Does the Secretary of State know which version is correct?

Sajid Javid: My right hon. Friend is right to point to the distinction between, sadly, people who die with covid and those who die of covid. There is a difference. I have come to the Dispatch Box before to say, certainly with the delta variant—we do not have enough data on omicron yet for reasons that he will understand—that, as I am told by the NHS, approximately 20% of the people in hospital who have covid are there because they happen to have covid, rather than them being there because of covid.

Chris Bryant (Rhondda) (Lab): Why are PCR tests so expensive in the UK? Why is the UK the second most expensive place in the world to have a PCR test? Why does the Government website still advertise PCR tests for £15 or £20 when they are not available anywhere in the UK for £15 or £20? Why are such PCR tests still being advertised given that, when someone goes through to the company concerned, the test ends up being £50,

[Chris Bryant]

£60, £70, £80, £120 or £150? Is there not something that we can do to get the price of these tests down? A family going on holiday at Christmas or new year could end up spending £1,000 to £1,500 just on the tests.

Sajid Javid: The UKHSA has removed many so-called providers of PCR tests from the listing on the Government website. It has set a minimum price that must be met to try to avoid misleading prices. Unlike some other countries, we have not chosen to subsidise the cost of private PCR tests, because we have rightly concentrated our resources on the PCR tests that are available for people domestically if they have symptoms.

Anne Marie Morris (Newton Abbot) (Con): The extended vaccine roll-out is welcome to prevent infection, but given that this puts even more pressure on resources, what steps have the Government taken in tandem to increase capacity in the NHS to address the increasing demand from both covid and non-covid patients? I know that the Army is being brought in, but what about Nightingale hospitals? Might they be reinstated? Will we look again at the pension challenge, which stops senior people staying in the profession? Will we look at accelerating the training programmes for our health professionals, as other countries have? Will we create new health professionals with shorter training programmes? Action is needed now to deal with the capacity issue.

Sajid Javid: My hon. Friend is right to talk about the importance of increasing capacity. The pandemic has brought that acutely to the front of our minds. There has been significant investment since the pandemic started, particularly in certain types of capacity, such as intensive care units, PPE and oxygen, as well as personnel, with some 10,000 nurses and 3,000 doctors added over the last year. As a result of the omicron emergency, we are revisiting the issue of how we can further increase the temporary capacity.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): NHS data in November showed that 98% of the pregnant women in hospital with covid were unvaccinated. Pregnant women want to do the right thing to protect themselves and their babies, but there has been a lack of clarity and a lack of prioritisation for vaccines for this group of people. Will the Secretary of State set out what the Government will do to send the message loud and clear that vaccination uptake for pregnant women and their babies is a priority for the Government?

Sajid Javid: It absolutely is. Work on this is being led by Lucy Chappell, in particular, in my Department and the UKHSA. One of the central focuses of her work has been to encourage more pregnant women to come forward and take up the offer of the vaccine. As the hon. Lady says, sadly, when we look at the data on pregnant women who are going into hospital because of covid infections, we see that almost all of them are unvaccinated.

Alun Cairns (Vale of Glamorgan) (Con): I pay tribute to my right hon. Friend for the speed and efficiency with which he, the Government and the NHS are rolling out the booster programme. Does he share my concern that the roll-out of the programme is somewhat slower in Wales? There is no access to walk-in centres, no

online booking system and the local health boards are depending on Royal Mail when the postal system is under the greatest pressure because of Christmas and because of staff off with covid. Will he agree to share the expertise and capacity that the UK Government have built up in the most positive way with the devolved Administrations—specifically with the Welsh Government—so that my constituents can receive the same access as his?

Sajid Javid: I very much agree: the omicron emergency is UK-wide and all parts of the UK should respond by increasing whatever they are doing on the booster programme further. I think that that view is shared throughout the UK. We will provide more support to Wales, Northern Ireland and Scotland to make sure that they can increase their booster programmes.

Lilian Greenwood (Nottingham South) (Lab): Testing and self-isolating are vital in preventing transmission, but for people in precarious jobs who are struggling to make ends meet, it can be incredibly worrying and difficult. Why have the Government still not fixed sick pay so that everyone is properly supported to do the right thing, including those who might be worried about getting their vaccination or booster due to possible side effects and the need to take time off work?

Sajid Javid: We of course keep under review the support that is available throughout the pandemic. It is important that the House decided to extend the availability of sick pay from day one. There is also a hardship fund that is administered by local authorities.

Dr Luke Evans (Bosworth) (Con): I commend the Health Secretary for bringing forward the boosters and aiming so high to get them out. One of the key things is to make sure that we have enough vaccinators and staff to do it, as well as volunteers. In that vein, will he ask the integrated care systems—all 42 of them—to review the bureaucracy they have around signing people up to give vaccinations, and potentially even to allow people from GP practices to work in hospitals and vice versa, because one of the practical issues over the past year has been that people have been turned away or have lost interest because of the paperwork around vaccinating. Given the challenge ahead, I would be grateful if he considered asking for that approach.

Sajid Javid: My hon. Friend speaks with great experience, and he is right to ask how the training programme for vaccinators, especially volunteer vaccinators, can be streamlined. That work is going on at urgent speed both within the NHS—within the ICSs—and in support of the fantastic work that St John Ambulance has been doing in this space.

Vicky Foxcroft (Lewisham, Deptford) (Lab): I have asked the Secretary of State on numerous occasions about antibody testing for immunocompromised people. His answer has been about antivirals for when people get covid. Has he looked into giving immunocompromised people antibody tests so that we have a clear picture of who will need the antivirals quickly if they get covid?

Sajid Javid: My understanding is that antibody tests are available for the immunocompromised and the clinically extremely vulnerable if that is what their consultant believes is necessary.

Dr Andrew Murrison (South West Wiltshire) (Con): I declare my interest as a vaccinator. I support the level of ambition that the Secretary of State has articulated, but does he distinguish between being offered a jab and actually getting a jab? Someone can be offered a hip replacement, but it does not mean they will get it any time soon.

Sajid Javid: First, I thank my right hon. Friend for being a vaccinator and for all the work he has done personally to help this country get through the pandemic. Of course there is a distinction—he is absolutely right. The NHS can offer an individual a jab—they might receive an email or a text saying, “Please come forward. Either book or walk in. You are eligible.”—but the individual has to come forward and take up that offer. That is why a huge amount of effort—even more effort than before—will go into persuading people to come forward.

Derek Twigg (Halton) (Lab): May I ask the Secretary of State why the Government have no coherent plan for dealing with delays to elective surgery and treatment? I say that because I asked some parliamentary questions about what impact the recently announced Government funding will have on waiting times over the next three years, but the answer said that no estimate has been made at this time. I then asked what assessment has been made about private sector capacity. Again, I was told that no estimate has been made. I ask the Secretary of State: where is the plan to deal with the huge backlog of elective treatment? Macmillan estimates that there are 50,000 missing cancer diagnoses in the UK and that 32,000 people are waiting for their first cancer treatment in England.

Sajid Javid: I remind the hon. Gentleman that the Government have already announced the biggest catch-up fund for electives that the country has ever seen in order to deal with that challenge. There is an extra £2 billion for the second half of this year and a minimum of £8 billion over the next three years, and the NHS is working on a detailed plan which will be published as soon as it is ready.

Ms Nusrat Ghani (Wealden) (Con): The Health Secretary should be very proud of our world-leading vaccination programme, and I join the Secretary of State in sending those who are anxious the message that they should come forward and get their vaccinations.

This morning, breakfast telly was being broadcast from the Buxted Medical Centre, a GP surgery in my constituency, where huge anxiety was being expressed about how NHS staff would cope with delivering the vaccinations. I am extremely anxious about the statutory instrument that is mandating vaccinations for NHS staff, because I believe it means that 126,000 of them will leave the sector. Is this the right decision, when NHS staff are already saying that they are working all the hours God gives?

Sajid Javid: We will debate the SI in the House, and I shall be happy to talk more about it then, but I think that the number to which my hon. Friend referred is the number of people whom the NHS estimated to remain unvaccinated at the time when the Government said they were going ahead with the SI. I am pleased to

inform her that since then the number has fallen. Tomorrow I will come to the House with the latest figure that we have, but it is improving all the time. When we introduced a similar measure in the residential care home sector, we saw the number of unvaccinated people fall day by day as more and more of them had positive engagement and took up the offer of a vaccine.

Rachael Maskell (York Central) (Lab/Co-op): When the transmission rate of omicron is twice that of delta and we are asking people to work from home, why are we also telling them that they can go out and socialise in venues unmasked, although the contact tracing data from last December shows that it is in those social spaces that there are high levels of transmission?

Sajid Javid: This is about having a balanced and proportionate response, and that is the approach that the Government have taken. It is about recognising that while these restrictions help to slow the rate of spread, they also have a real impact on people's lives.

Theo Clarke (Stafford) (Con): I welcomed the Prime Minister's announcement that booster vaccines were to be offered to all adults, and I was grateful for the opportunity to receive mine last week at Stafford's St George's Hospital, but to defeat the new covid-19 variant we need to vaccinate as many people as possible, so may I urge the Secretary of State to open a walk-in vaccination centre in Stafford?

Sajid Javid: I congratulate my hon. Friend on getting boosted. She may have heard me say earlier that we will be opening many more walk-in and pop-in centres. I have heard her representation and so has the vaccines Minister, my hon. Friend the Member for Erewash (Maggie Throup), and we will certainly try to make that happen.

My hon. Friend the Member for Winchester (Steve Brine) asked me earlier about proof of vaccination for children. Let me make it clear that although the proof will take the form of a letter, it can be ordered online. The digital pass access will come later.

Kim Johnson (Liverpool, Riverside) (Lab): The contain outbreak management fund is a vital resource used by local authorities and directors of public health, but it is due to end in March 2022. Can the Secretary of State tell us whether it will in fact continue beyond that date, and also whether it will be increased to support local authorities?

Sajid Javid: It is an important fund, and I will look into that.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for everything that he and his whole team are doing in what are incredibly challenging circumstances. Can I bring him back to the specific issue of access to booster appointments? He said in his statement that the booster roll-out was now a national programme rather than being locally led. Our local GP teams are doing a fantastic job, but will this difference in approach mean that more pharmacies, such as those in Basingstoke, will be able to be part of the booster roll-out in a way that they have not been to date?

Sajid Javid: The booster and vaccination programme is a national programme, but it is locally delivered. My right hon. Friend is right to point to improving local delivery in her area by having more pharmacists involved, and I can give her the assurance that part of our plan is to involve hundreds more pharmacists. The good news is that they are incredibly keen, so that is exactly what I expect to happen.

Mr Ben Bradshaw (Exeter) (Lab): I thank the Secretary of State and his Vaccines Minister for finally sorting out the problem of the under-18s not being able to access their proof of vaccination. Will he assure me that this will be operational in time for the end of the school term this week? On travel more generally, he agreed with me last week that once omicron became widespread here, the draconian, costly and complex travel rules that he introduced two weeks ago to prevent omicron from coming here would be “pointless”, to quote my word, so why are they still in place?

Sajid Javid: On the right hon. Gentleman’s question about the under-18s, the proof of vaccination for travel is available from today. The individual or the parent can go online and request it, and it comes in the form of a letter, which is perfectly acceptable to all the countries that we are aware of that require it. On his question on the current travel restrictions, he makes a very good point. Given that the omicron variant is fast becoming the dominant variant in our capital city and spreading rapidly throughout the country, the justification for having those rules is minimised. This is something that I have already raised with my colleagues in the Department for Transport, and I hope that we can act quickly.

Peter Gibson (Darlington) (Con): I thank my right hon. Friend for the measures to enable travel for the 12 to 15 age group, which will be particularly welcomed by the Wray family in my constituency who are travelling tomorrow on what is possibly their last family holiday together. Will he clarify whether a person who is isolating today can switch to daily testing from tomorrow? Also, what plans does he have to extend the opening hours of the walk-in vaccination centres, such as the one at St Thomas’ Hospital just across the river, which will close at 8 pm tonight?

Sajid Javid: First, I hope that the Wray family will have many more holidays. No one wants this to be their last holiday as a family, but I am pleased that they can go ahead with their plans and that they will be able to access that proof for their children today. On the question of daily contact testing, I can confirm that people who are vaccinated—they have to be vaccinated—and isolating today will be able to move from isolation into daily contact testing from tomorrow, subject to the will of the House. On the opening hours, they will be increased, certainly for all the large vaccination centres. The minimum will be 12 hours, but many of them will be going way beyond that.

Liz Twist (Blaydon) (Lab): The aim is to get high numbers given their booster through the booster programme by the end of the year. How will the Secretary of State ensure that inequalities are not generated by the push for numbers rather than need? I am thinking of those who may not be able to access the various systems digitally and those in areas of health inequalities.

Sajid Javid: The hon. Lady raises an important point. Need is more important than the actual overall numbers. Of course we want to see the numbers increase, but the focus should always be on the most vulnerable first. The NHS will ensure that that happens through the work that is being done especially by GPs to ensure an increase in the number of homebound visits and visits to care homes and the more vulnerable people in society.

Andrew Selous (South West Bedfordshire) (Con): Is not the lesson from this pandemic that early and proportionate action saves lives and ends up preserving more, not fewer, of our freedoms and that it is strongly supported by the silent majority of the British people?

Sajid Javid: My hon. Friend is absolutely right. That is exactly the purpose of the plans we have set out and the measures we will be debating in the House tomorrow, and also of the action we are taking on the booster programme to get more people protected so that they can enjoy their freedoms.

Matthew Pennycook (Greenwich and Woolwich) (Lab): To my frustration, it was only immediately prior to this statement that I was able to obtain a copy of the regulations we are voting on tomorrow, so could the Secretary of State provide me with clarity with regard to mandatory passes, in two respects? First, will an individual no longer be able to demonstrate their covid status on the basis of natural immunity via a positive PCR test as regards accessing these high-risk venues? Secondly, can he reassure me that those who do not have access to computers or smartphones will still be able to apply for and obtain an NHS covid pass letter to gain access to the venues he has in mind?

Sajid Javid: There will be two ways to access high-risk events, be it a nightclub or larger events. The main way will be to take a lateral flow test and get a negative result, which would need to be registered through the NHS website and the proof could be through the pass or a text message result, for example. There will be an exemption from that for someone who is double-vaccinated. The proof of vaccination can also be given through the letter process.

Paul Maynard (Blackpool North and Cleveleys) (Con): A constituent of mine has both anaphylaxis and urticaria. She has been told that she cannot be medically vaccinated. Amid all the talk about second doses and third doses, she cannot access even her first dose. What assurances can the Secretary of State give her regarding access to non-invasive forms of vaccination?

Sajid Javid: My hon. Friend asks a very important question. The rules around the need to be vaccinated, whether for passes or otherwise, do not apply to anyone who is medically exempt. Many people have received exemption certificates directly from their GP. That is the best route. Some individuals have called 111 and received advice. If I can be of direct assistance to my hon. Friend, then of course I will help.

Bill Esterson (Sefton Central) (Lab): I thank the NHS staff and volunteers at the vaccination centres in my constituency, including at the one at Aintree racecourse and at the one at Holy Rosary, where my wife and I had our booster jabs in the past few days. There is low vaccine take-up in some communities in the Liverpool

city region, as in communities across the country. The Secretary of State has told us many times from the Dispatch Box, as did his predecessor, that nobody is protected until everybody is protected. Will he make sure that the resources go to those areas of the country where vaccine take-up is low and additional resources are needed so that our public health directors and teams, and the NHS, have everything they need to protect everybody through the vaccination programme?

Sajid Javid: Yes, I agree wholeheartedly. Over the past hour or so we have, understandably, talked a lot about the importance of the booster programme, but it is still hugely important that we continue to focus on those that currently remain unvaccinated.

Richard Graham (Gloucester) (Con): I welcome the news that a daily lateral flow test will replace self-isolation for those in contact with a covid case. I welcome the extension of the travel pass to 12 to 15-year-olds. I especially welcome the Secretary of State's confirmation that a lateral flow test is the clear alternative to being jabbed for access to any venue and any event, so there is no reason for anyone to contact us asking us to vote against a "vaccine passport". What would he say to those who have recently had covid, been told by the NHS that they should not have a PCR test for three months and then need to travel abroad for work purposes? What should they say when asked for proof of a negative PCR test?

Sajid Javid: I very much agree with my hon. Friend's first remarks. This House is not being presented with a vaccine passport. That is not on the table. It is not in any regulation. The Government have been absolutely clear that when we talk about access to nightclubs or large and very large gatherings—very targeted events—the requirement is to take a free lateral flow test and make sure it is negative. If people do not want to do that, they can prove their vaccine status. It is up to that individual. That is what it is. It is not a vaccine passport, and the sooner we get rid of that misleading description of what the Government are proposing, the better. On the question that my hon. Friend has asked, I want to ensure I get the answer right, so if he will allow me, I will look into that and get back directly to him.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituent Lexi is seven years old and has heart and lung conditions that mean she is clinically extremely vulnerable and has been home-schooled since the start of the pandemic. Her parents are understandably desperate for her to get vaccinated and to get back into school. I understand that it is the JCVI's decision as to when that will take place, but can the Secretary of State give us some idea of what information the JCVI is waiting for, when it is likely to make a decision and whether he is doing everything in his power to hurry it up to make the decision that Lexi's parents so desperately need?

Sajid Javid: I understand the situation that the hon. Gentleman describes, and there will be others across the country in a similar situation, so we understand the importance of this issue. The JCVI, as he says, is looking at this, which I confirmed earlier, but I say to the hon. Gentleman that before we can deploy any vaccine in any particular age group, it needs to be approved by our independent regulator, the Medicines and Healthcare products Regulatory Agency, as safe and effective. At this point in time, we do not have that approval. The MHRA is actively looking at this, but those two things are crucial before Ministers can make a decision.

Wera Hobhouse (Bath) (LD): I, too, had my booster vaccine last week. It was easy, and I had five different options near me, but that was here in London and after weeks of unsuccessfully trying in Bath to find anything near me or anything that was convenient with the times I had available. That is the experience of all my constituents in Bath. When will we have services that match those available here in London in constituencies such as Bath?

Sajid Javid: It is an important to make sure that capacity is increased throughout the country. I am pleased that the hon. Member has got boosted, by the way, but she is right to say that she, like her constituents, should be able to get it closer to home. With the plans that we have announced recently, and especially with the plans from this morning, I am confident that there will be many more opportunities to get boosted in Bath.

Mr Deputy Speaker (Mr Nigel Evans): I thank the Secretary of State for his statement today and for taking questions for more than an hour.

Point of Order

5.27 pm

Marsha De Cordova (Battersea) (Lab): On a point of order, Mr Deputy Speaker, may I seek your advice? I have been trying to chase my papers for tomorrow's debate on the statutory instruments, which have not been produced in large print for me. My office and the Vote Office have been chasing the Department of Health and Social Care, and we are not getting a response. I was wondering whether you could advise me on how I can get my papers, so that I can read them in readiness for tomorrow.

The Secretary of State for Health and Social Care (Sajid Javid): Further to that point of order, Mr Deputy Speaker, I would like to reply to the hon. Lady. I have heard very clearly what she has had to say, and I will get back to the Department right now and chase that up immediately.

Mr Deputy Speaker (Mr Nigel Evans): Look at that— instant solutions. I thank the Secretary of State for answering questions for over an hour on what is clearly a very important subject.

BILL PRESENTED

HARES (CLOSED SEASON) BILL

Presentation and First Reading (Standing Order No. 57)

Richard Fuller, supported by Mr Robert Goodwill, Simon Hoare and Alicia Kearns, presented a Bill to establish a closed season during which the killing or taking of hares is prohibited; to repeal the seasonal prohibition of the sale of hares in the Hares Preservation Act 1892; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 21 January 2022, and to be printed (Bill 217).

Armed Forces Bill

[Relevant Documents: Special Report of the Select Committee on the Armed Forces Bill, Session 2019-21, "The Armed Forces Bill", HC 1281, and the Government Response, Statement of 22 June, Official Report, HCWS109; Second Report of the Defence Committee, "Protecting those who protect us: Women in the Armed Forces from Recruitment to Civilian Life", HC 154, and the Government Response, HC 904.]

Consideration of Lords message

Clause 7

CONCURRENT JURISDICTION

5.29 pm

The Minister for Defence People and Veterans (Leo Docherty): I beg to move, That this House disagrees with Lords amendment 1B.

Mr Deputy Speaker (Mr Nigel Evans): With this it will be convenient to discuss Lords amendment 2B, and the Government motion to disagree.

Leo Docherty: The House knows that this Bill is vital: it renews the Armed Forces Act 2006, so that the armed forces can continue to operate and enforce a system of discipline, and it also fulfils our commitment to further enshrine the armed forces covenant into law.

On Lords amendment 1B, we have been listening to hon. Members here and in the other place. The Government recognise the fact that all Members of this House want to do the best for our armed forces and to ensure that criminal wrongdoing is robustly addressed for the sake of our forces and for the victims of crime. We are particularly mindful about the prominence that statistics have recently played in this debate. The Government have always welcomed scrutiny of our own performance and the role that parliamentarians have in performing that scrutiny. We should ensure that the statistics that we use are clear, transparent and cover the most serious offending that Parliament is concerned about. I am happy to confirm that we will therefore commit to an expansion and an improvement of our existing annual statistical update on sexual offending in the armed forces to include other serious offences.

Our bulletin in spring 2022, in addition to reporting on rape statistics, will now include granular data on cases of murder and manslaughter, and, for sexual offending, those cases involving personnel serving in the armed forces who are under 18 at the time of the offence. Furthermore, from January 2022, we will start to record separately information about domestic violence and child sexual abuse in the service justice system, so that those, too, can be reported on in our spring 2023 bulletin.

These bulletins will include information relating to police investigations, as well as court martial proceedings, meaning that all data related to the categories of serious offences referred to in the amendment of Lord Thomas of Gresford will be included. This will include: the number of reported incidents; how many cases are referred from the service police to the service prosecution authority; how many cases the service prosecution authority are able to prosecute; how many cases go to court martial; and how many cases result in a guilty verdict. We believe that this will increase the transparency of, and the confidence in, the service justice system, and we welcome this scrutiny.

Greater reporting will demonstrate the good work that we are doing through this Bill, not least the establishment of the defence serious crime unit, and it is right that data is available to hold Government to account.

Simon Hoare (North Dorset) (Con): I have been listening very carefully to what my hon. Friend has to say. He has talked about the need for transparency, and, clearly, that is demonstrable and welcome. On the reports to which he now refers, he obviously hopes that they will make his case for him as they are published. If they do not, what happens then, other than just becoming tomes to gather dust in his or his successor's office or in the Secretary of State's office? In practical terms, what will be done to change the policies?

Leo Docherty: I reassure my hon. Friend that we will keep this under review. We are prepared to be judged by our performance.

Simon Hoare: I tell my children that I keep a lot of things under review, knowing full well that I will never acquiesce in what they are asking for—I hope they are not listening this evening. I know that my hon. Friend understands that this is a serious point for many of us. Keeping something under review, to ask us now to support the Government's line, is laudable, but we need a bit more flesh on the bones as to what happens if the data in this report does not land where he and I—let us be frank—would hope that it would. One can keep something under review, but if there is no promise to come back with changes to the legislation, that is a pie-crust promise.

Leo Docherty: I expect the data to justify our confidence in the service justice system. My hon. Friend knows that the Government believe very strongly that the SJS needs to retain the full complement of capability because our armed forces are expeditionary by design and our justice system also needs to be expeditionary. He may not mean it sincerely when he deals with the children, but he will see that in my remarks this evening we certainly are sincere in our position.

Sir Robert Neill (Bromley and Chislehurst) (Con): My hon. Friend makes the point that we are expeditionary by design. I understand that, but I do not see how that links to the issue addressed by Lords amendment 1B, which is essentially that, where the offence is committed in the United Kingdom, unless there is a compelling reason to the contrary, which might involve an expeditionary issue, there should logically be a presumption that the starting point is dealing with it in the civilian system. What contradiction is there between the expeditionary nature of our armed forces—under certain circumstances, but not all—and a rebuttable presumption that the civilian system should hear offences committed in the United Kingdom?

Leo Docherty: My hon. Friend makes the case for flexibility, and I am pleased to confirm that we retain that flexibility through the protocol we have legislated for. The bottom line is that the civilian prosecutor will always have the final say, and it is principally for that reason that I urge hon. Members to reject Lords amendment 1B.

Sir Robert Neill: I understand what the Minister says about the civilian prosecutor's ultimately having the final say, but an issue was raised last time about the role

of the Attorney General, and whether there was a dangerous jurisdictional aspect in the Attorney's consent being involved. The amendment removes that stumbling block. With that removed, and given what the Minister has said about flexibility, what now is the objection to the amendment in lieu, as opposed to the original Lords amendment?

Leo Docherty: The objection principally is about our need for an expeditionary system that should not be salami sliced. If we start to take components out of our service justice system, it would undermine the confidence that those serving should have. That is an additional reason for us to reject the amendment this evening.

Richard Graham (Gloucester) (Con): The Minister is discussing an incredibly important issue, but in terms of “doing the right thing for the armed forces”, does he share my belief that it is also important that the Ministry of Defence resolve with the Home Office the outstanding question of the free visa applications for servicemen and women who are of non-UK nationality? Does he share my belief that the current proposal of 12 years' service before such a free visa is available is too long a period for those involved, for us and for the wider public?

Leo Docherty: I am very pleased that my hon. Friend has raised such an important question. We are hugely grateful for the amazing contribution that our foreign and Commonwealth servicepeople make. I cannot pre-empt the Government announcement on the results of the consultation, but return of service is an important principle and I think it will be at the heart of the Government's policy when it is announced in due course.

Dr Julian Lewis (New Forest East) (Con): Will my hon. Friend allow me?

Leo Docherty: I would be delighted.

Dr Lewis: I am glad to be such a cause of pleasure to my hon. and gallant Friend. I am not a lawyer, so this might be entirely irrelevant, but I do not think so: before he leaves this first amendment, could he say whether those serious cases of murder abroad, such as has been reported in relation to an incident in Kenya some years ago—I appreciate that that case may still be live—are affected by this tussle between the upper House and this House on the question of whether such matters should be considered by court martial or civilian court? In other words, where there is a failure of the local police in another country, is it the Government's case that the court martial system or the civilian legal system is better able to deal with it?

Leo Docherty: I am grateful for my right hon. Friend's contribution; that is a very good case in point, and points to circumstances—although the numbers may be very small—in which the British military has to deploy to ungoverned spaces, let us say. Of course, that is not the case with regard to Kenya, but there are definitely advantages to the expeditionary capability of our service justice system.

I move now to Lords amendment 2B, which would require a report to be laid within six months of this Bill's receiving Royal Assent, setting out the implications of not applying the new covenant duty to central Government. The Government have already committed to reviewing the operation of the covenant duty to

[*Leo Docherty*]

inform us on whether other policy areas or functions could be usefully included. Having listened carefully to the issues that have been so vigorously raised, and recognising the strength of feeling across both Houses, I can now commit to going further.

Indeed, we are going further than Lords amendment 2B in the scope of the review we have in mind. We will review the operation of the new duty across the UK and will consider whether it would be beneficial to add to its scope. That will include specific consideration of whether central Government and any of their functions could usefully be added. The Government will report on the review as part of the covenant annual report in 2023, 18 months after the new duty is expected to come into effect. That timescale is more realistic than the six-month timeline from Royal Assent suggested by their lordships, which in our judgment is too short a period for any meaningful review to take place.

Given that we expect to see the new duty standing up in law by the middle of 2022 at the earliest, we also need to allow for an implementation period to give local authorities time to adjust to their new responsibilities. We therefore believe that to conduct and publish a review at the 18-month point of the new duty having been in operation is most appropriate. However, given the level of interest in the new duty, we will provide an interim update in the covenant annual report in December 2022, some six months after the duty is expected to come into effect. At that point, we will be able to say more about the scope and methodology for conducting the review, and MPs will have the opportunity to assess and comment in the 2022 covenant report debate.

The Government are committed to ensuring that parliamentarians from both Houses can contribute and give their views as part of the review process. I put on record my thanks and appreciation for the contributions of Lord Mackay of Clashfern and Lord Craig of Radley. They, like us, want to see good law put in place to support our armed forces. In the light of the commitment that I have given, I urge the House to support the Government in resisting Lords amendment 2B.

Stephen Kinnock (Aberavon) (Lab): In February, my right hon. Friend the Member for Wentworth and Dearne (John Healey), the shadow Defence Secretary, set out the Labour party's core principles for our defence and national security, which are based not on party politics but on Britain's strategic national interest. They are: an unshakeable commitment to NATO; non-negotiable support for our nuclear deterrent; a resolute commitment to international law, universal human rights and the multilateral treaties and organisations that uphold them; and a determination to see British investment directed first to British industry not just because of how we think about defence and national security but because we seek to build a more resilient economy and a country that can stand more firmly on its own two feet. At the heart of those four principles lies a commitment to our armed forces personnel: the men and women who are the lifeblood of our defence and national security; those who serve to protect us.

The Conservative Government have been complacent when it comes to our armed forces and our national security more widely. Just as threats against the UK are

increasing, the Prime Minister decided to break an election promise and cut the size of the Army by 10,000. Under the Government and this Prime Minister, our country is becoming less safe and our brave service personnel increasingly undervalued and under-rewarded.

I was only recently appointed to the shadow Defence team, but standing at the Dispatch Box to highlight the weaknesses that sit at the heart of the Bill is already starting to feel like groundhog day. The Bill is a missed opportunity. It was a one-in-a-Parliament opportunity to ensure that our world-class armed forces are supported by world-class legislation, but glaring gaps at its heart mean that it will fall short and fail to live up to its full potential. If the Government had chosen to support the Lords amendments, we would have been guaranteed a more robust approach to dealing with serious crimes committed by service personnel, and we would have had clear accountability and transparency about the role of central Government in delivering the armed forces covenant.

Labour supports the Bill, but we have consistently pressed the Government to ensure that its content matches the ambition. As I set out last week in this Chamber, the Bill is a missed opportunity to deliver on the laudable promises made in the armed forces covenant for all personnel and veterans, and their families. To that end, we have worked closely with hon. Members in this place, noble Lords in the other place and service charities to amend the Bill in the interests of our service personnel.

John Redwood (Wokingham) (Con): Can the hon. Member help the House by explaining what he thinks the Government might be able to do but could not if the Bill had the protections that he wanted over central Government action?

5.45 pm

Stephen Kinnock: As I will address a little later in my remarks, the huge disconnect here is between the level of accountability that local government will be held to compared with that for central Government. So we end up in an absurd situation where a school governor has a greater level of accountability for the covenant than the Defence Secretary. I am not sure what the right hon. Member for Wokingham (John Redwood) thinks about that, but it appears to be a bizarre state of affairs.

I pay particular tribute to Lords Mackay, Thomas and Craig for their efforts in working with us in our attempts to improve this legislation. Mr Deputy Speaker, you will know that the Labour party has been pushing the argument strongly that the most serious crimes, including murder, manslaughter, domestic violence, child abuse, rape and sexual assault with penetration, should be tried in the civilian courts when committed in the UK. The case for that is overwhelming, because the investigation and prosecution of those crimes within the service justice system simply does not work.

The latest Ministry of Defence figures show that between 2015 and 2020 the conviction rate for rape cases tried under court martial was just 9%, whereas the latest data suggest that the conviction rate was 59% for cases that reached civilian courts, with considerably more cases being tried each year. Moreover, more than three in four of the victims were women, and seven in 10 held the rank of private. By rejecting Lords amendment 1B

in lieu, the Government are not only letting down women in the lower ranks, but undermining their own policy of seeking to recruit more women to the armed forces. The Army has committed itself to a 30% target by 2030 for female recruits, but has not yet produced a clear plan of how that will be achieved. The Government therefore need to think carefully about the message they are sending by resisting this amendment, because until there is fairness, transparency and justice in these cases, the actions of a minority will continue to tarnish the reputation of our world-class armed forces and will continue to have a chilling effect on female recruitment.

We do, however, welcome the fact that the Minister has today acknowledged the need to publish data on all the offences listed in this amendment—murder, manslaughter, domestic abuse, child abuse, rape and sexual assault with penetration; for that data to include under-18s for the first time; and for that data to cover both investigations and prosecutions at all stages of the service justice system, including reports of incidents, how many are referred from service police to service prosecution authority, how many the service prosecution are able to prosecute, how many go to court martial and how many convictions there are. But I must tell the Minister that Labour remains committed to moving these serious offences into civilian courts, and we will continue to push the Government on this issue.

This matter is not closed; our concerns have not been allayed. There remain many unanswered questions, so I ask the Minister: what will the Government do if conviction rates for one or more of those serious crimes is concerningly low? Will the Government reconsider this approach? Why will they not commit to a performance review, based on this data? We view this issue as unfinished business, and we know where the weight of opinion lies in this House. As the Conservative hon. Member for Plymouth, Moor View (Johnny Mercer) clearly stated last week in this Chamber:

“Conviction rates for rape are lower in military courts than they are in civilian courts. That is a fact...The MOD accepts that the contested conviction rate at court martial is significantly lower than it is in the Crown court.”—[*Official Report*, 6 December 2021; Vol. 705, c. 104.]

We therefore hope that Ministers will reflect again on the recommendations from the Government-commissioned Lyons review, as well as the proposals made by the hon. Member for Wrexham (Sarah Atherton) in her Select Committee on Defence Sub-Committee report, “Protecting Those Who Protect Us”. We must improve conviction rates, and moving these offences into civilian courts offers us the best chance of doing so.

Perhaps the most unfathomable aspect of this Bill is the Government’s decision to offload responsibility for the armed forces away from central Government and on to overstretched local authorities—it is utterly illogical and indefensible. The Bill piles new and often vague statutory responsibilities to deliver the covenant on a wide range of public bodies, so it is impossible to understand why on earth those responsibilities should not apply to central Government. We are faced with a farcical situation whereby the chair of school governors has a statutory responsibility to have “due regard” to the armed forces covenant, but Government Departments, including the Ministry of Defence, do not.

As the Royal British Legion has pointed out, many of the policy areas in which members of the armed forces community experience difficulty are the responsibility of national Government based on national guidance. Organisations such as Help for Heroes, Cobseo and other service charities, alongside Members from both sides of this House and in the other place, have lined up to criticise Ministers for shirking their responsibilities.

The Bill was an opportunity for the Government to lead by example and to demonstrate that credible leadership depends on accountability and on practising what they preach, but they appear to be intent on palming off all the responsibility to local government. Social care, pensions, employment and immigration are on the long list of areas not covered by the legislation, and the exclusion of the Ministry of Defence from the responsible public bodies means that the Bill offers little to actively serving personnel. The Government are already hitting many servicemen and women with a real-terms pay cut this year.

As I said at the Dispatch Box last week, we are left with a Bill that will not deliver practical action for the squaddie in dilapidated living accommodation who is without basics such as heating and hot water; the veteran struggling with their mental health and waiting times for treatment that are more than twice as long as Government targets suggest they should be; or the dispersed service family who struggle with the cost of childcare and getting into work. Central Government must be held to the same measurable, enforceable national standards that local authorities and agencies are held to. Only then can we truly end the postcode lottery on the armed forces covenant.

The Government’s concession of a review of the operation of the duty and whether central Government should be added is welcome, but ultimately, it is a recognition that the Bill is drafted too narrowly. How will parliamentarians be involved in the review? I recognise that the Minister mentioned that, but we need a clear assurance about it. Knowing the strength of feeling on the issue, I encourage him to ensure that parliamentarians from both Houses and the Chairs of relevant Select Committees are involved in and can give evidence to the review. We will keep a close eye on the review process, but we still believe that the due regard principle should be broadened to cover all areas of potential disadvantage for servicepeople.

The Opposition have been clear throughout the process that the Bill must become statute, not least because we must provide our armed forces with the solid and stable legal basis that they require to be able to operate. Although we welcome the concessions that the Minister has promised today, we remain profoundly disappointed that the Government have continued to resist the Lords amendments, thereby running the clock down. Let me be clear that it is unfinished business.

The Minister knows full well that there is deep unhappiness about the way that the Government have handled the process and profound concern about the way in which the weaknesses in the Bill will ultimately lead to it failing to serve the best interests of our services personnel. I therefore assure the House that Labour, as the party of the armed forces, will robustly hold the Government to account. I put the Minister on notice that he has not heard the last from us on these matters.

Mr Tobias Ellwood (Bournemouth East) (Con): I am pleased to speak in this important debate. The Armed Forces Act 2006, which the Minister mentioned, needs to be upgraded, so the Bill needs to pass in this House. It was introduced in January and here we are, almost at Christmas. I will stand corrected—perhaps he can clarify—but if we do not pass it, the armed forces are not beholden to Parliament. Given the experience of Parliament and Government in recent weeks, it would be unwise to have an untethered armed forces at this juncture.

Bills often ping-pong backwards and forwards between here and the other place, but we should bear in mind who it was in the other place that actually scrutinised this Bill. They are senior figures in the justice system, but they are also ex-senior military, who understand the very issue in detail. This has not been thrown back to us just to test the will of this House; it has been thrown back, now for a second time, because there is something serious going on here. I think the Government now find themselves in isolation, and on their own compared with all the charity groups, the Opposition and indeed—dare I say it—the Defence Committee. I pay tribute to my hon. Friend the Member for Wrexham (Sarah Atherton), who has taken through, over the last 18 months, the women in the armed forces inquiry, which reported only last week. The Minister has very kindly responded to that—not least here in this House, but also in a Westminster Hall debate—but we know all the arguments and what is on either side of this.

The Minister mentioned salami slicing, saying that if we were to go down the road of allowing the civilian courts to deal with murder, manslaughter, domestic violence, child abuse, rape and sexual assault, it would somehow dilute our ability to hold the armed forces to account. By their very nature, our armed forces are expeditionary in what they do, but he knows perfectly well that the yellow card, and indeed the rules of engagement, work extremely well overseas. This is to do with what happens here in the UK, and there is a disjunction between those who actually go through the civilian courts and those who go through the military courts. I am afraid that there is an absence of military experience in dealing with such difficult cases, which is why we are seeing such a disconnect between the conviction rates for civilians and those for the military.

I look to the Minister and say thank you for moving this far, but time is running out and we need to get this Bill through. I do hope that he will hear the concerns not just of this House and of the Committee, but of Justice Lyons. He did a service justice review for the armed forces when I was in the Veterans Minister's shoes. When I was sitting on the Front Bench as Minister for the Armed Forces, I asked Justice Lyons to consider where this should go and what was his conclusion. His recommendation was exactly what we are calling for today. So I ask the Minister to recognise the wealth of encouragement, and also to recognise that this is nothing to do with salami slicing. This is to do with services for our armed forces personnel, and that is what we are calling for today.

Carol Monaghan (Glasgow North West) (SNP): There is a debt of gratitude that we owe to members of the armed forces, and we have seen that acutely over the last few days as they mobilised to help with the vaccine booster campaign. I received my booster on Friday, and there was certainly a large armed forces presence there.

As well as thanking members of the NHS, I would like to extend my gratitude to members of the armed forces who are contributing to that campaign over the next few weeks.

As we renew the Armed Forces Act, it would have been great if we had done so with some provisions that delivered a real impact for members of the armed forces. I suppose the litmus test for this is: will members of the armed forces notice any real difference as a result of this legislation? I think that for the majority the answer, sadly, is no, and that is disappointing.

The Lords amendments today are a final attempt by those in the other place to flesh out the provisions of this Bill, and to attempt to improve what had been billed as a great opportunity to improve our offerings to those who serve. It is disappointing that the expertise of Members of the other place, which was mentioned by the Chair of the Defence Committee, the right hon. Member for Bournemouth East (Mr Ellwood), has essentially been disregarded. That is not how this should work. I am not a great fan of the other place myself, but I must admit that there is real legal and military expertise there that was not listened to or paid attention to, which is disappointing.

What would we have liked to see? We would have liked to see improvements in service accommodation. As the Bill progressed, the SNP put forward very modest amendments on this, such as asking that the basic standards of accommodation for social housing should also apply to members of the armed forces. That was a reasonable amendment, but it was thrown out. We saw no movement on visa fees for Commonwealth service personnel. There was the idea that they should serve for 12 years before we even consider this, but that is utterly unrealistic; it is not a reasonable position for us to take.

6 pm

Most disappointingly, there is very little improvement to service justice, particularly for rape or sexual assault. I pay tribute to the hon. Member for Wrexham (Sarah Atherton), as I did last week, for the superb work she did in the Defence Sub-Committee report on the experiences of women in the armed forces, and I echo some of the comments already made. If we really want to increase the number of women who serve—as we should, because diversity is positive—we must look at their experiences as they go about their duties.

To give the Minister his due, he has acknowledged that there have been failings in service justice in the past. It is important that that has been recognised. Conviction rates remain disappointingly low—a point I shall return to—but it is not just about conviction rates: it is also about those who made complaints and reports who were subsequently asked to withdraw those complaints. How are we going to deal with that? The data the Minister talks about will certainly shine a light on the issue, which is important, but we need to see what happens, because there are too many reports of people being asked to withdraw complaints.

As I mentioned in last week's Westminster Hall debate, some of these amendments, particularly on service justice, are so reasonable that many Members on both sides of the House question why they have been rejected. I am concerned that the Government are worried about the visibility of these issues, whereas I feel that the public

spotlight must be shone on them, because that would be beneficial. We need to accept and admit what is going on before proper change can take place.

Last week, the Minister said he would be

“making non-legislative changes and enhancements in procedure so that the experience of the victim in the civil or military system has parity.”—[*Official Report*, 6 December 2021; Vol. 705, c. 97.]

That is positive. I also welcome his remarks today about the statistical data on serious crime in terms of reports, prosecutions and convictions, but I echo the concerns already raised this evening about what we will do if this data shows no improvement. I ask the Minister to accept that it is not enough just to publish the data, and to commit to making a regular statement to the House, preferably annually, based on the data, so that Members are able to scrutinise it and discuss how it is going to be used. Data on its own is of no use if we have no plan in place to actually use it.

The Scottish National party will of course support the Bill, but as the Minister knows, this is a missed opportunity. Ultimately, it fails to deliver the changes required for those who serve.

Mr Deputy Speaker (Mr Nigel Evans): Could those who wish to make separate contributions stand so we know how many there are?

Several hon. Members *rose*—

Mr Deputy Speaker: The debate finishes at 6.29 pm and we would like to hear from the Minister at the end, so I ask everybody to be conscious of the need to get everybody in.

Sir Robert Neill: I shall be brief, Mr Deputy Speaker.

I welcome my hon. and gallant Friend the Minister's tone. He has sought to be constructive. I appreciate that he has made a number of concessions, and I am glad the Government have done that. In particular, I welcome his tribute to the noble Lord Mackay and others. Anyone who knows anything about the law and Government does not lightly mix with James Mackay, and I am glad that has been recognised. I also welcome and endorse the comments made about the work done by my hon. Friend the Member for Wrexham (Sarah Atherton) in this regard.

On defence justice issues, I rather agree with my right hon. Friend the Member for Bournemouth East (Mr Ellwood), the Chair of the Defence Committee. There has been movement and I am glad about that, but I am still not convinced by the salami-slicing point. I cannot for the life of me see how Lords amendment 1B creates any difficulty.

My real concern—the additional point I was going to make beyond the interventions I have already made—is about the way the defence serious crimes unit will be structured. Hopefully, there will not be a large number of cases to prosecute, but those involving rape and serious sexual offences in particular will almost invariably require great sensitivity in handling the investigation and the presentation in court, both in prosecution and in defending. Inevitably, such cases—where a member of the forces is either a complainant or a victim, or perhaps both—will by their nature, very properly, engage the highest level of public interest in the broadest sense. The concern is whether a small prosecuting body will

ever be able to gather the critical mass of expertise to adequately do justice in those cases, whatever the good intentions.

Carol Monaghan: Will the hon. Gentleman give way?

Sir Robert Neill: Just the once, because we need to get on.

Carol Monaghan: Does the hon. Gentleman share the other concern raised regarding the gender composition of courts martial? Unless we have gender parity, it is very difficult for all-male or majority male courts to understand properly the experience women may have had in that situation.

Sir Robert Neill: I understand the point, and I am sure that as more women advance into the senior ranks of the armed forces that will be dealt with. In fairness, however, I should say that if those cases were to be dealt with by a jury in the civilian justice system, there is not a quota on gender parity in juries either. So while I take the thrust of the hon. Lady's point, I do not think there is an exact comparison to be made.

My bigger concern is that I hope the Minister will accept that the sensible thing to do would be for the service system, at the very least, to bring in expertise from the independent Bar, from the independent legal sector, to deal with these cases, rather than try to do something and not admit that we may not have the capacity to do it effectively ourselves. There are plenty of experienced people who could do that, and that would be an important step forward.

There are also other bits of unfinished business. It would be helpful if the Minister committed to bringing forward the remaining items of the Henriques review that are not covered in the Bill. That would give us a comprehensive approach. Nobody wants to delay the Bill, but I hope the Minister will reflect on my regret that we have not taken up one of the key points of the review by His Honour Judge Shaun Lyons. Just as one does not trifle lightly with Lord Mackay of Clashfern, it is difficult to think of anyone who has had more experience, both as a naval officer—as a lieutenant commander and so on for a number of years—and then as a senior circuit judge licensed to try all cases relating to murder, rape and serious sexual offences. I do not know of anyone else in my legal career who combines the two in a greater degree than Shaun Lyons. I am therefore disappointed that, having accepted so much else, we have not followed through on the final and critical element of his report. I hope the Minister will accept that the Ministry should not be too grand as to close the door to that, because I have not yet heard a convincing argument as to why that element of Judge Lyons's recommendation was not taken forward.

Sarah Atherton (Wrexham) (Con): The Bill is excellent and much needed. It will improve the lives of service personnel while modernising our military for the future. I support the Bill and commend the Minister for getting it through so far.

I want to focus on Lords amendment 1B, which would see murder, manslaughter and rape with penetration tried in a civilian court. The House is aware that the Defence Committee's inquiry into the experiences of women in the armed forces opened up a catalogue of harrowing evidence around sexual assault, rape, gang rape, poor standards of investigation, and the manipulation

[Sarah Atherton]

of power to deliberately disadvantage servicewomen in complaining or seeking justice. Indeed, the Committee concurred with the recommendations of the Government-commissioned, judge-led Lyons review, which stated that rape should be heard in civilian courts. Given the evidence, I do not believe the proposed concurrent jurisdiction protocol will be good enough to cut through the laddish culture that is entrenched in the military system as it stands. I welcome the Minister's comments on transparency, but I fail to see how collecting even more data on serious offences, as proposed by the MOD, will translate into improved outcomes for victims of rape. As my hon. Friend the Member for North Dorset (Simon Hoare) explored, I would like to see how we will improve the lot of women in our military based on collecting data, but I am pleased with the establishment of the defence serious crimes unit, which is a mammoth step forward for the MOD.

Last week the House rejected an amendment that would have mandated all rape cases to be heard under civilian jurisdiction except in extraordinary circumstances, as determined by the Attorney General. The MOD rejected the amendment on the basis that it would have politicised the process. Lords amendment 1B accepts and rectifies this by leaving responsibility for the decision to the Director of Public Prosecutions, after consultation only with the Attorney General. This removes the MOD's objection, and I am not convinced by the argument of expeditionary salami-slicing. The amendment means that cases of rape perpetrated in the UK would primarily be heard in civilian courts unless there are exceptional circumstances. I know that the 4,200 women who contributed to the Defence Committee's inquiry and people across the country—both military and civilian, and both men and women—who believe in British values of fairness and justice will want the MOD to consider this point.

John Redwood: I will be supporting the Government, as they have made welcome progress on creating better conditions and support for our armed forces, but I would like to press the Minister on housing. When we wish to recruit and retain the best people in the future as we have in the past, it is important that we provide something better on housing than we traditionally have. It is a disgrace if armed services personnel, after providing substantial service to our country, cannot afford to buy a house of their own, and instead have to scramble to get rented accommodation, which they often find difficult.

I hope the MOD can do more through its potential and current schemes to promote home ownership, and to promote buying property nearer home base, for example, so that people leaving the armed forces have a property of their own. If service personnel are not able to do that, a surrogate scheme is needed so that when they leave the armed forces after holding important jobs and earning reasonable money, they are not debarred from the private housing market and they do not come to see their service career as a gap in making those contributions and building up savings in a house of their own. They should have as much opportunity to own their own property as the rest of the community.

Yes of course we need an expeditionary service and service personnel may need to serve in a variety of places abroad, but that should not get in the way of either

having a home of their own with their family or having the wherewithal to have a home of their own when they leave the armed services. I hope my hon. and gallant Friend the Minister will sympathise and do more to make sure it can be true. I do not think we need a legal requirement, but we need a firm pledge of intent from the Government.

Rob Roberts (Delyn) (Ind): This is the first time I have contributed to this Bill. There are a number of experts in the Chamber on both the legal processes and the military who have far more to say than I do, but as an assiduous parliamentarian I have kept up with proceedings as best I can. As I watched last week's debate on almost exactly the same amendment, a couple of questions struck me as a layperson that I hope the Minister may be able to answer.

First, it would be remiss of me not to pay tribute to my constituency neighbour, my hon. Friend the Member for Wrexham (Sarah Atherton), who last week was unfortunately put in the impossible position of either having to defend and vote with the recommendations of her own inquiry or lose her Government job as a Parliamentary Private Secretary. I commend her for her integrity and fortitude in doing what she thought was the correct thing.

6.15 pm

As I said, I speak as a lay person. I do not have any of the legal background of my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) or the military background of my right hon. Friend the Member for Bournemouth East (Mr Ellwood), who speaks very eloquently on these matters. When I was watching last week, I could not help but think what would happen if Cressida Dick were to write to the Home Secretary and say, "We're going to set up a new court and a new system whereby if police officers are accused of rape with penetration and manslaughter or murder, we're not going to put them in civilian court any more—we're going to have our own internal process." There is a zero per cent. chance that the Home Secretary would agree to that process, a zero per cent. chance that this House would agree to it, and a significantly less than zero per cent. chance that the general public would be anything other than disgusted at the thought of somebody like Wayne Couzens, who murdered Sarah Everard, being tried somewhere other than the criminal court where he was tried and convicted. That is my only question regarding the Government's objection to Lords amendment 1B. There is no way in the world that we would set up that process with, for example, the police, so how on earth can it be justifiable that we would continue with it in other circumstances?

Leo Docherty: I am grateful for the constructive contributions from the hon. Member for Aberavon (Stephen Kinnoch), my right hon. Friend the Member for Bournemouth East (Mr Ellwood), the hon. Member for Glasgow North West (Carol Monaghan), my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), my hon. Friend the Member for Wrexham (Sarah Atherton) and the hon. Member for Delyn (Rob Roberts). I welcome the fact that the hon. Member for Aberavon will hold the Government to account and help to mark our homework alongside us. That scrutiny is welcome.

My right hon. Friend the Member for Bournemouth East rejected the notion that there was a risk of salami-slicing the service justice system. He rightly paid tribute to my hon. Friend the Member for Wrexham, and I join him in that. The hon. Member for Glasgow North West suggested that there should be more women on the boards of courts martial. That is good, because that is exactly what the Defence Secretary has committed to. That is a very important commitment and he will be held to account on it.

My hon. Friend the Member for Bromley and Chislehurst made some interesting remarks about the defence serious crime unit and made an appeal for independent expertise to be drawn into it. That is exactly what will happen. He paid a fitting tribute to Justice Shaun Lyons, who is, I entirely accept, an extremely credible voice with regard to matters of jurisprudence. However, we also have huge regard for Justice Henriques, and his support for the maintenance of concurrent jurisdiction guided our thinking in this regard.

My hon. Friend the Member for Wrexham reflected on her own inquiry. Again, I put on record our gratitude for that hugely important piece of work, which we will use as a lever to accelerate institutional change to ensure that women can thrive in military careers, given that since 2018 every single role has been open to women to serve in. She questioned the validity of increasing and expanding our reporting on data, but that will be a mechanism for holding the Government to account, and we welcome that.

My right hon. Friend the Member for Wokingham (John Redwood) asked a good question about housing. I can give him absolute confirmation that that is at the heart of the covenant provision. That is why, along with education and healthcare, it is one of the pillars of the statutory obligation in the statutory guidance. We are putting a huge injection of cash into accommodation provision not just for service families but for single servicemen and women. The highly successful Forces Help to Buy scheme has helped thousands of service personnel to buy their own homes. The Government have put more than £400 million into that. I do not need to tell the House that the military has been an engine of home ownership and social mobility for some 400 years. We look forward to maintaining that magnificent and deeply honourable tradition.

The hon. Member for Delyn (Rob Roberts) attempted to draw an analogy with the Metropolitan police. He ignored the fact, however, that our armed forces are

designed to go around the world and defeat the nation's enemies, which the Metropolitan police is not required to do.

We have listened and we will be judged by our performance, which is why we have set up an admirably transparent system for reporting on our data, and we welcome that scrutiny. We should say very clearly that we have confidence in the provisions in the Bill and in what it delivers. Ultimately, it will deliver a tangible, practical benefit for those serving and for our magnificent veteran community. It is a Bill for the armed forces; we owe them an enormous debt of gratitude and we should be very proud.

Question put and agreed to.

Lords amendment 1B accordingly disagreed to.

Lords amendment 2B disagreed to.

Ordered, That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 1B and 2B;

That Leo Docherty, Alan Mak, James Sunderland, Suzanne Webb, Stephen Kinnock, Liz Twist and Carol Monaghan be members of the Committee;

That Leo Docherty be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—
(*Andrea Jenkyns.*)

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

Mr Deputy Speaker (Mr Nigel Evans): We will now pause momentarily in order that people may leave the Chamber in a covid-safe manner.

SUBSIDY CONTROL BILL (PROGRAMME) (NO. 2)

Ordered,

That the Order of 22 September 2021 (Subsidy Control Bill (Programme)) be varied as follows:

Paragraphs (4) and (5) of the Order shall be omitted.

Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings on the Motion for this Order.

Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion four hours after the commencement of proceedings on the Motion for this Order.—
(*Paul Scully.*)

Subsidy Control Bill

[Relevant Documents: Oral evidence taken before the Business, Energy and Industrial Strategy Committee on 30 November on Post-pandemic economic growth: State Aid and Post-Brexit Competition Policy, HC 742.]

Consideration of Bill, as amended in the Public Bill Committee

New Clause 1

EXEMPTION: AGRICULTURE

‘(1) The subsidy control requirements in Part 2 of this Act do not apply to—

- (a) the giving of an agricultural subsidy, or
- (b) the making of a subsidy scheme, so far as it relates to the giving of agricultural subsidies.

(2) For the purpose of subsection (1), a subsidy is “agricultural” if it is subject to the provisions of Part IV or Annex 2 of the Agreement on Agriculture.

(3) In this section “the Agreement on Agriculture” means the Agreement on Agriculture, contained in Annex 1A to the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh on 15 April 1994 (read with any adjustments necessary for context).’ — (*Kirsty Blackman.*)

This new clause exempts agricultural subsidies from the subsidy control requirements.

Brought up, and read the First time.

6.23 pm

Kirsty Blackman (Aberdeen North) (SNP): I beg to move, That the clause be read a Second time.

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

New clause 2—*Annual report on climate change impacts*—

‘(1) The Secretary of State must once every 12 months lay a report before Parliament setting out the impact of subsidies granted in the preceding 12 months on the environment and climate change.

(2) Any report under subsection (1) must include an assessment of the impact of subsidies granted in the preceding 12 months on the UK’s ability to achieve net-zero emissions by 2050.

(3) The first report must be laid before Parliament within 12 months of this Act being passed.’

This new clause would require the Secretary of State to lay an annual report before parliament detailing the climate change impacts of subsidies granted that year.

New clause 3—*Post-award investigations*—

‘(1) The CMA may conduct an investigation in relation to a subsidy that has been granted or a subsidy scheme that has been made.

(2) A decision under subsection (1) may be made in relation to any subsidy or subsidy scheme in respect of which the CMA considers—

- (a) that there has or may have been a failure to comply with the requirements of Chapters 1 and 2 of Part 2, or
- (b) that there has or may have been a failure to comply with the transparency obligations set out in Chapter 3 of Part 2.

(3) Where the CMA makes a decision to investigate a subsidy or scheme under subsection (1), it must direct the public authority to provide it with—

- (a) any assessment carried out by the public authority as to whether the financial assistance fell within the meaning of “subsidy” or “subsidy scheme” for the purposes of this Act, and the reasons for that conclusion,

- (b) any assessment carried out by the public authority as to whether the financial assistance if assessed to constitute a subsidy or subsidy scheme would comply with the requirements of Chapter 1 and 2 of Part 2 and the reasons for that conclusion,

- (c) any evidence relevant to those assessments,

- (d) in a case where such assessments were not provided, the reasons for the assessments not being provided,

- (e) any information that the public authority failed to enter in the subsidy database in accordance with Chapter 3 of Part 2, and

- (f) such other information as is specified in regulations under section 60(8)(a).

(4) Where the CMA decides to conduct an investigation under subsection (1), the direction given under subsection (3) must be made before the end of 20 working days beginning with the day on which the subsidy is given or the scheme is made.

(5) The CMA must send a copy of the direction given under subsection (3) to the public authority and the Secretary of State.

(6) The public authority must provide to the CMA the information required under subsection (3) before the end of the information period as defined in section 60(7).’

This new clause provides the CMA with the power to conduct a post-award investigation where the public authority has or may have failed to comply with its requirements.

Amendment 10, in clause 10, page 6, line 31, leave out paragraph (a) and insert—

‘(a) is made by—

- (i) a Minister of the Crown,
- (ii) the Welsh Ministers,
- (iii) the Scottish Ministers, or
- (iv) a Northern Ireland department; and’.

This amendment allows devolved administrations to make streamlined subsidy schemes.

Amendment 18, page 6, line 33, at end insert—

‘(4A) A streamlined subsidy scheme may be made, in particular, to support areas of relative economic deprivation.’

This amendment would allow for streamlined subsidy schemes to be made for the purposes of supporting areas of deprivation.

Amendment 19, in clause 11, page 7, line 9, at end insert—

‘(4) Before making regulations under this section, the Secretary of State must seek the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland.

(5) If consent to the making of the regulations is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority, the Secretary of State may make the regulations without consent.

(6) If regulations are made in reliance on subsection (5), the Secretary of State must make a statement to the House of Commons explaining why the Secretary of State decided to make the regulations without the consent of the authority or authorities concerned.’

This amendment would require the Secretary of State to seek the consent of the Devolved Administrations before making regulations under this section. Where such consent is not given within one month, the Secretary of State may make the regulations without that consent, but must make a statement to the House of Commons explaining their decision.

Amendment 20, in clause 32, page 17, line 10, at end insert—

‘(c) the subsidy database is subject to routine audit to verify the accuracy and completeness of entries.’

This amendment requires the Secretary of State to ensure that the database is subject to routine audit.

Amendment 1, in clause 33, page 17, line 21, leave out “£500,000” and insert “£500”.

This amendment would reduce the threshold for entering subsidies into the subsidy database from £500,000 to £500.

Amendment 2, page 17, line 24, leave out “one year” and insert “one month”.

This amendment would require subsidies or schemes to be entered in the database within one month of being made, rather than one year, if given in the form of a tax measure.

Amendment 13, page 17, line 24, leave out paragraph (a) and insert—

- ‘(a) if given in the form of a tax measure, an entry with a provisional tax deduction value must be entered within one month, and a final value entered within one month of the date of the tax declaration, or’.

This ensures that tax measure subsidies are entered in the subsidy database within one month.

Amendment 3, page 17, line 26, leave out “six months” and insert “one month”.

This amendment would require subsidies or schemes to be entered in the database within one month of being made, rather than six months, if given in any form other than a tax measure.

Amendment 4, page 17, line 33, leave out “one year” and insert “one month”.

See explanatory statement for Amendment 2.

Amendment 5, page 17, line 35, leave out “six months” and insert “one month”.

See explanatory statement for Amendment 3.

Amendment 6, in clause 34, page 18, line 27, at end insert—

- “(j) the date the subsidy or scheme was entered onto the database.”

This amendment would require the date a subsidy or scheme was entered onto the database to be included in the information public authorities are required to enter into the database.

Amendment 14, in clause 36, page 19, line 17, after “requirements” insert

“with the exception of duties under section 33.”.

This amendment requires that subsidies under the minimal financial assistance threshold are entered in the subsidy control database.

Amendment 7, page 20, line 4, at end insert—

‘(7) In this section, the reference to the subsidy control requirements does not include the requirements as to transparency in Chapter 3 of Part 2.’

This amendment requires that “minimal financial assistance” subsidies are not exempt from the database transparency requirements, while remaining exempt from other subsidy control requirements.

Amendment 21, in clause 41, page 23, line 15, leave out “£14,500,000” and insert “£500”.

This amendment would make section 33 applicable to SPEI subsidies worth more than £500.

Amendment 22, page 23, line 16, leave out subsection (b).

This amendment would make section 33 applicable to SPEI subsidies worth more than £500.

Amendment 23, in clause 55, page 30, line 40, after “State” insert

‘, the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland’.

This amendment extends the call-in powers under this section to the Devolved Administrations.

Amendment 24, page 31, line 2, after “State” insert

‘, the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland’.

This amendment relates to Amendment 23.

Amendment 25, page 31, line 7, after “State” insert ‘, the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland’.

This amendment relates to Amendment 23.

Amendment 9, in clause 66, page 37, line 39, leave out paragraphs (a), (b) and (c) and insert—

- ‘(a) all subsidies and subsidy schemes granted in the past 12 months, and
(b) an assessment of the extent to which they satisfy the subsidy control principles and the energy and environment principles.

(2) Any report made under this section must be formally laid before parliament by the Secretary of State.

(3) The Secretary of State must make an oral statement to the House of Commons when any report under this section is laid.’

This amendment ensures that the annual report prepared by the CMA includes all subsidies along with its assessment of the extent to which they fulfil the 7 principles set out in the Bill. The report also places a requirement for the Secretary of State to report to Parliament when a report is laid.

Amendment 26, in clause 68, page 39, line 1, at end insert—

‘(3A) The Chair of the CMA Board may appoint up to three non-executive members to the Subsidy Advice Unit established under subsection (1) in order to ensure that the Unit includes at least one person with relevant experience in relation to each of Wales, Scotland and Northern Ireland.’

This amendment would allow the CMA Chair to appoint up to three non-executive members to ensure that the Unit includes at least one person with experience in relation to each of Wales, Scotland and Northern Ireland.

Amendment 8, in clause 70, page 39, line 35, leave out subsection (2).

This amendment intends to allow individual subsidies given under a subsidy scheme to be reviewed, without the requirement for the broader subsidy scheme to be reviewed too.

Amendment 12, page 40, line 16, at end insert—

- ‘(c) the Welsh Ministers,
(d) the Scottish Ministers, or
(e) a Northern Ireland department;’.

This amendment includes the devolved administrations in the list of those who can apply to the Competition Appeal Tribunal for a review of a subsidy decision.

Amendment 27, in clause 79, page 46, line 3, at end insert—

‘(5A) Before issuing guidance under this section, the Secretary of State must seek the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland.

(5B) If consent to the making of the regulations is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority, the Secretary of State may make the regulations without that consent.

(5C) If regulations are made in reliance on subsection (5B), the Secretary of State must publish a statement explaining why the Secretary of State decided to make the regulations without the consent of the authority or authorities concerned.’

This amendment would require the Secretary of State to gain the consent of the Devolved Administrations before issuing guidance under Clause 79.

Amendment 15, in schedule 1, page 51, line 8, after “concerns” insert

‘and areas of relative economic deprivation’.

This amendment includes areas of relative economic deprivation as an example of the equity rationales that subsidies should address.

Amendment 16, page 52, line 6, at end insert—

‘(c) consistency with the United Kingdom achieving its net-zero commitments established under the Climate Change Act 2008.’

This amendment adds consistency with the UK’s net-zero commitments as a particular consideration for public authorities before deciding whether to give a subsidy.

Amendment 11, page 52, line 6, at end insert—

‘Net Zero

H Subsidies should not normally encourage behaviour which will have a negative effect on the achievement of the UK’s net-zero commitments.’

This amendment adds a subsidy control principle relating to the UK’s net zero commitments.

Amendment 17, in schedule 2, page 52, line 15, at end insert—

‘(c) delivering the UK’s net-zero commitments established under the Climate Change Act 2008.’

This amendment would ensure that subsidies related to energy and the environment incentivise the beneficiary to help deliver the UK’s net-zero commitments.

Kirsty Blackman: Thank you for calling me to speak in this important debate, Madam Deputy Speaker. It is a delight to be present in this incubation Chamber, where viruses from all around these islands—every corner of them—can come to mix freely, so that we can return this toxic cocktail to our constituents, constituencies and families. I am delighted to be able to be physically present at this time.

I will speak briefly to new clause 1, which is in my name and those of my colleagues, as well as the other amendments that stand in my name. My hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) will fill in the rest of the details and explain more about our rationale for the new clause.

The logic behind new clause 1 is that agricultural subsidies do not fit neatly into subsidy control regimes. That has been recognised by the World Trade Organisation, which is the reason for its agreement on agriculture; it has been recognised by the European Union, which is the reason for the common agricultural policy; indeed, it has been recognised across the world. We, and the Scottish Government, still have no idea why the UK Government decided to go against the flow and include agricultural subsidies in the Bill, rather than providing a separate arrangement for them.

The new clause simply removes agriculture from the consideration. It does not mean that we should not have a control regime of some sort for agriculture, and it does not mean that we should not have rules relating to agriculture. It means that agriculture does not fit neatly here, and should not form part of the main subsidy control regime in the Bill.

Amendment 10 relates to streamlined subsidy schemes. The change for which we are asking would allow devolved Administrations to make such schemes. Given that those Administrations have devolved competences by law, it makes no sense that the schemes can only be made by the Secretary of State in the UK Government. Obviously we would like Scottish independence, but in the absence of a vote on that, we are not asking for devolved Administrations to be able to overstep their devolved competences. We are merely asking for parity—for the ability of devolved Administrations to create streamlined subsidy schemes. They would still only be able to do

that within their areas of devolved competence, and they would still only be able to do it within their limited financial envelopes. We are not asking for anything strange or unusual; we are not seeking some sort of power grab; it is simply to do with parity.

Jim Shannon (Strangford) (DUP): I understood from discussions I have had with the Minister in the past that the intention was to give the regional Administrations a say in this process so that their views could be taken on board if necessary, but the hon. Lady seems to be saying that that will not happen. Have I got it wrong, or have I got it right?

Kirsty Blackman: Some parts of the Bill give the devolved Administrations a say, but many others do not. The key part concerns the issue of interested parties, which I will explain in some detail later.

Streamlined subsidy schemes can go through a “streamlined” process rather than being made by, for instance, a local authority in order to benefit organisations. We are not asking for all granting authorities to have access to that process; we are simply asking for parity of esteem for the devolved Administrations, specifically on streamlined subsidy schemes.

Jim Shannon: The point that I was trying to make relates to farmers’ subsidies and environmental schemes, which are critically important to Northern Ireland, as they are to Scotland.

Kirsty Blackman: The hon. Gentleman is absolutely correct. We are asking for the agricultural references to be removed from the Bill because we do not think that this gives us, or any of the devolved Administrations, the flexibility we need. The Welsh Government have raised concerns similar to those raised by the Scottish Government, particularly in relation to legislative consent. As I said earlier, my hon. Friend the Member for Edinburgh North and Leith will speak in more detail about agriculture in particular, so it may be worth questioning her at that stage.

Let me now turn to the issue of tax declarations and the transparency database. There is already a subsidy control database, which is rubbish. There is very little on it because a huge amount of information is missing. The Minister has made it clear that this is a preliminary database, an interim measure, and not the final database. We have had a degree of reassurance from him that the new database will be better, but the way in which the legislation is drafted—the number of exemptions, and the length of time that authorities have to upload information—causes us great concern. and was raised a number of times in Committee.

Amendment 13 would amend clause 33 in respect of a local authority or granting authority giving a subsidy in the form of a tax measure—a tax rebate or tax reduction. To give a theoretical example, if an authority says in April 2022, “We’re going to subsidise this company by not having them pay a certain kind of tax,” it does not have to put that on the database until the year after it appears on a tax declaration. It can be made in April 2022, it can appear on the tax declaration first in April 2023, and there would be no requirement to upload it to the database until April 2024, which is almost two years after the subsidy was made. By that time, an organisation that had been egregiously damaged by the subsidy would have sunk—it would have gone under.

6.30 pm

There is no rationale for the two-year period. The Minister made it clear that he was concerned that public authorities or granting authorities would not be able to give an absolutely accurate number for the tax rebate's financial value. However, I am clear—as are a number of Members across the Chamber—that an indicative value would be better than no value at all. Having an indicative value in the subsidy control database as early as possible would provide the best opportunity for organisations to challenge the subsidy as it was being given and before they went under as a result of it.

Having been a local authority councillor for eight years, I am well aware that, when a granting authority makes a subsidy or any decision to do with funding, it knows how much it is funding. It knows how much it is budgeting for it. It may not know the exact number of pounds and pence, but it knows what size envelope it is budgeting for that spend or, in this case, subsidy. Therefore, the authority could very easily put on the database, “We expect that it will not be more than £750,000,” or whatever the number is. Given the way in which the Minister hopes the legislation will work, I suggest that that would be a much more sensible way to proceed than the two-year period in the Bill, which is frankly ridiculous.

Amendment 3, which was tabled by the hon. Member for Weston-super-Mare (John Penrose), would introduce a one-month declaration deadline for non-tax-related subsidies. Under the Bill, there is a six-month period to upload a subsidy that is not in the form of a tax measure and then only one month to challenge it. That is backwards—it does not make sense.

If the Minister is saying that seven months is the right period for the total length of time for it to be uploaded and for the challenge to take place—he has raised a number of concerns about not wanting the uncertainty to be prolonged—I suggest that the balance is incorrect. I think the hon. Member for Weston-super-Mare is also suggesting that, but he can speak for himself. I think that, actually, the upload should happen much more quickly so that the transparency data is available on the database, and that there should be a longer period for challenge. To my mind, it is not about increasing the seven-month period; it is about rebalancing the seven-month period so that there is a longer time for challenge and a shorter time for upload.

As I have said, granting authorities know how much they are spending. They have to write a letter that says how much they are spending. It would be the work of a few moments to put the details from that letter on to the database at the same time. In the interests of transparency, in the interests of having the best possible legislation and in the interests of ensuring that subsidies—this is surely the point of the Bill—can be made and can be challenged when they need to be, the Minister needs to consider these amendments seriously.

Next, I will talk about the amendments to the minimal financial assistance provisions, about which I raised a number of concerns in Committee as well. The Bill talks about minimal financial assistance, which is when a subsidy is under a certain level. Over a three-year period, an organisation cannot have a subsidy of more than £315,000. If a granting authority is giving a subsidy to company A, and it gives a subsidy of £100,000, it knows that is below minimal financial assistance, so it knows it does not need to worry about uploading it to the database

—but what if somebody else has already given that organisation a £200,000 subsidy and somebody else has given it another £200,000 subsidy? The authority has no way of telling, because those all come under the £315,000 limit, so not one of them requires to be uploaded to the database.

That is a concern, because we could find granting authorities, through no fault of their own, giving a subsidy to somebody who is not eligible to receive a subsidy, a subsidy they should be uploading on the subsidy database, because it comes over the minimal financial assistance amount. The logic behind amendments 14 and 7 is ensuring that all subsidies, whether or not they are under the minimal financial assistance level, require to be uploaded to the database.

That is not about granting authorities' necessarily having to jump through a huge amount of extra hoops; it is about transparency and the ability to monitor whether this legislation is working as intended. It is also about the ability to ensure that they are kept on the right side here and are not worried about giving a subsidy to somebody and then finding themselves on the wrong end of the law because they have accidentally pushed somebody over the £315,000 without having any idea that they had done so.

In the event that the grant is under £315,000, granting authorities must send the company a letter to say, “This is a subsidy that we are giving you. We are giving you a £100,000 subsidy.” It then rests with the company to say to a granting authority, “Oh yes—we've had three of these letters.” It rests with them; there is no ability for that to be stored anywhere other than the company and the granting authority itself.

I represent Aberdeen North in Aberdeen city, which is bounded with Aberdeenshire. There are a lot of people and organisations and a lot of stuff happening between the two authorities. Aberdeen city is surrounded by Aberdeenshire. It is not out of the question that an organisation could be eligible for a subsidy from both local authorities because of the work it does across the boundary. That issue might arise because both local authorities could be giving a subsidy—particularly because it might not be uploaded in the subsidy control database until six months later. That compounds the problem, even if the Minister agrees to make the change to the MFA rules.

Kevin Hollinrake (Thirsk and Malton) (Con): The hon. Lady makes some very fair points, but to be fair to the Government there are requirements under clause 37(6) for the business to keep records of the subsidies received and report them. That is probably in many ways more practical. That subsidy might be given to all kinds of different subsidiaries of that particular enterprise and therefore, even if she wanted local authorities to determine what they had received in the past, it would potentially be difficult to do so by checking against the database. It makes sense to give the business some responsibility for recording that.

Kirsty Blackman: Actually, what the legislation does is to give the business a responsibility to keep the letter. It does not give the business much more responsibility, in my mind, although I will go back and have a look at the clause the hon. Gentleman points me to. I think having the subsidy on the subsidy control database would make all the difference, but if he wishes to come back in, he can.

Kevin Hollinrake: Clause 37(6) states:

“The enterprise must keep a written record detailing—

(a) that it has received a subsidy,

and

(b) the date on which it was given, and

(c) the gross value amount of the assistance.”

That to me indicates that it must keep a full record of what it has received.

Kirsty Blackman: Once again, yes, it has to keep a full record, but it does not have to show Aberdeen City Council that record. There is no requirement on the company to be transparent about that record; there is a requirement to keep it, but not to share it. Having it on the database or adding the requirement to share that record, should a granting authority ask in advance of granting a subsequent subsidy, would make the difference we are asking for.

However, that does not fix the issue in relation to transparency of data and ensuring that the database and the scheme are working properly. This was mentioned in the witness sessions. We need to know whether this is working, and we will only know if it is working if we have an idea of the subsidies being granted, even if they are below the MFA threshold.

I said I would come on to the definition of interested parties. Amendment 12 adds devolved Administrations to the list of interested parties. Again, we discussed this at some length in Committee and the Minister gave some assurances. I shall quote a couple of questions that I asked and the response that the Minister gave. I said:

“Does a devolved Administration’s interests include indirect interests?”

I also asked:

“What if a number of organisations in their jurisdiction are potentially affected by a subsidy given?”

The Minister answered:

“Yes. I would say that is a direct interest rather than an indirect interest. Public authorities, including devolved Administrations, may be interested parties.”—[*Official Report, Subsidy Control Public Bill Committee*, 16 November 2021; c.308-309.]

I am glad that he gave some clarity. It is sort of because of the way the questions were asked that the Minister’s response was slightly woolly. I would very much appreciate it if, when he responds to the debate, he could make it absolutely clear from the Dispatch Box that, in cases of indirect interests, devolved Administrations are considered as interested parties.

Let us say that a subsidy was given somewhere else in the UK, or even in Scotland, and that subsidy negatively affected the chances of seven businesses in Scotland. I think that the Scottish Government should be able to bring a request to the tribunal to say that that needs to be looked at and that they believe that that is an issue. Under the definition of interested parties, it is only those people whose interests have been affected. The Scottish Government’s interests would not have been directly affected by that, but they would have been indirectly affected. I was trying to tease out from the Minister that he believed that, definitely, the Scottish Government or any of the other devolved Administrations could bring a challenge on behalf of organisations within their area. I am quite happy for that to be limited to devolved competences even. However, if they are not in the Bill as interested parties, we very much need that commitment

from the Minister. If they are not in the Bill as interested parties, why is the Secretary of State included in the Bill as an interested party? If the definition is wide enough to cover all those areas—

Kevin Hollinrake: The Secretary of State is not necessarily an interested party, which is why he needs to be named in here; he might not be affected. The hon. Lady’s point about being directly or indirectly affected is covered under clause 70(7), which says that an interested party means

“a person whose interests may be affected”.

That could be directly or indirectly, surely.

Kirsty Blackman: We discussed this at length, with a lot of banter, in Committee. But I have a concern that the provision does not say “directly” or “indirectly”. It does not make that as clear as it could. A clear statement from the Minister at the Dispatch Box would give me a level of comfort. I do not think that it is the intention of the Government to exclude the Scottish Government, the Welsh Government, or the Northern Ireland Assembly from making these challenges, but I think that the Bill is written in a woolly enough way that it potentially accidentally excludes them.

Jim Shannon: The hon. Lady has outlined the issue very well on behalf of the Northern Ireland Assembly. This has to be an equality issue. If it should happen that some other part of the United Kingdom affects businesses in my constituency or in Northern Ireland, equality is part of that. Should not the Minister and the Government address the issue of equality for all those reasons as well?

Kirsty Blackman: I completely agree that there is not a level of parity here. There should be because the Government recognise that the Scottish Parliament has responsibility for some things—the Government recognise that most days. They recognise that in relation to the other devolved Assemblies, too. This is not about any of those Administrations having a veto; it is simply about the right to refer this to the Competition Appeal Tribunal in order for it to be looked at. It is not about any of those authorities being able to cancel subsidies, or to veto them in any way. It is simply about being able to raise that challenge. It is something that was raised by the witnesses in the Bill’s evidence sessions, so it is not something that I have just somehow invented, or that the Welsh Government have invented, or that the Scottish Government have invented. It is a real worry for people, so the more the Minister could say on this the better.

I will not speak for too much longer. I have just one more amendment—amendment 11—to cover. There are two schedules—schedules 1 and 2—in relation to the subsidy control principles. The subsidy control principles are set in the Bill, and it is clear that they are the principles that authorities need to look to in guiding the decision making about giving subsidies. There are two schedules: one for the general principles and one for the environmental principles, which relate specifically to subsidies around energy and environmental matters.

6.45 pm

The general principles, as they are written, do not mention the UK’s commitment to net zero or the most important challenge that is happening anywhere. Covid is very important right at this moment, but tackling

climate change is vital for the futures of us all and for the futures of our children. This Bill will not stand the test of time if an attempt to tackle climate change or at least to hold people to some level of account when it comes to climate change and decision making is not in it.

Amendment 11 would add a final principle to the subsidy control principles that states:

“Subsidies should not normally encourage behaviour which will have a negative effect on the achievement of the UK’s net-zero commitments.”

The amendment would not totally tie things down; it just says that authorities granting subsidies should have regard to net zero commitments in the subsidies they are giving. The subsidy control principles are important because, should there be any challenge or any referral to the CMA or the CAT, they will be looked at—there will be a requirement to see whether the subsidies met the subsidy control principles. I just do not think we can allow the Bill to pass without saying that it is really important that any decisions taken—remember, this is public money—on the spending of public money in the form of subsidies should have regard to our climate change obligations. I am delighted that the Opposition have tabled similar amendments, and I would be happy to support any of those that they look to press.

The Bill is not perfect—in fact, it is far from perfect—and we have a huge number of concerns. I am disappointed that the Government have not tabled amendments at this stage to change the Bill, because there was a lot of consensus on the Opposition Benches and from the witnesses about some of the deficiencies that we see in the Bill. If the Government are not willing to listen to us, I hope they will listen to the voices of their Members, who are similarly pushing for transparency on the databases.

The key things that we are keen to look at are: the issue of agriculture being included; the issue of net zero not being included; the issues around transparency; and, finally, the issues around parity of esteem, particularly with interested parties. I hope that the Minister can give me some comfort from the Dispatch Box on the last of those, to make clear for anyone looking at this in the future that the devolved Administrations are counted as interested parties when it comes to indirect, as well as direct interests.

John Penrose (Weston-super-Mare) (Con): I rise to speak to the amendments in my name and that of my hon. Friends. I start by saying that there is a great deal to support about this Bill, and I think I mentioned that on Second Reading. This Bill is vitally important, not just because it is required under the terms of our leaving the EU, but because it does some very important things to how the future subsidy control regime will be applied. We have already heard that the central set of principles is crucial. The notion of pre-approval and allowing things to be done at pace to create a much less bureaucratic, much more nimble, much more predictable regime is overall hugely to be welcomed. I hope everyone will be able to sign up to that.

The Bill also means that I hope we will be able to move to a principle where we have as few exemptions and exceptions to our subsidy control regime as possible. It is essential that we have a subsidy control regime that does not allow loopholes through which—I am sure the Minister would never dream of doing such a thing—some less principled future Government might try to drive

any sort of measures through that might involve either cronyism or economic distortions of any kind. It is essential that there are minimal loopholes and that the Bill covers as evenly and as predictably as possible the entire economy.

It is no accident that this country has had one of the lowest levels of public subsidies granted in recent years under the guise of the EU’s regime. For the free marketeers among us and those who care about economic efficiency and productivity, that should be a source of pride, and we should not be trying to overturn or change that in future. In fact, I made that point in the Government-commissioned competition policy review that I was recently asked to do, which has a chapter specifically on subsidy control that says that less is definitely more. It is far better to do less in the area and therefore ensure more space for companies and business leaders to compete on their organisations’ abilities and the quality of their products and services rather than on whom they know in Government and, as a result, how much rent and subsidy they can wring out of their political connections. It is essential that we remember that, adhere to it and persist with it as much as we can.

That is crucial, because the Bill done right ought to be a major piece of post-Brexit dividend that we should seek to achieve as a result of leaving the EU. If we get it right, we can have a faster, more nimble and more economically rational way of dealing with subsidies. We can keep the best of the objectivity that everyone said we had under the EU but do it in a faster, more digitally enabled and generally more modern, less bureaucratic and less covered-in-red-tape fashion. Such a post-Brexit dividend is here for the taking. It is waiting for us to pick it up off the table, provided that we can do it correctly.

My concern—this is why I tabled amendments 1 to 8—is that while the Bill does an awful lot of that right, we may be about to make one critical error. We have already heard the points about transparency made by the SNP spokeswoman, the hon. Member for Aberdeen North (Kirsty Blackman). It is all very well to pre-approve and to have a more flexible, faster and more nimble approach, but that will work only if we have an army of armchair auditors who can spot when something is going wrong and say, “Hang on a second. This is a marvellous principle, but it isn’t being adhered to in this case.” Without transparency, hon. Members, people in our constituencies and the journalists who pore over such things will not be able to do so until it is too late. In a digitising economy, speed matters, too. If it cannot be done before it is too late—or at all—companies will be driven out of business. Once all that is left is rubble, the jobs are lost and the investment is forgone, it is too late to come back two years later—or even eight months later in fast-moving sectors—and say, “We’re terribly sorry; we got this wrong.” We need to be able to move rapidly and pick up things up as soon as possible. That is why I tabled the amendments.

Kevin Hollinrake: My hon. Friend makes a strong point about armchair auditors in particular. As soon as the US published all loans of \$150,000 under the paycheck protection program—its version of the coronavirus business interruption loan scheme—\$30 billion was paid straight back to the US Treasury on the basis that companies did not want that visibility. It was not that money was taken fraudulently—perhaps it was taken inappropriately.

John Penrose: My hon. Friend makes a very good point. For those of us who worry about the scale of subsidies, who take pride in ours being a relatively low-subsidy country and economy and who want it to stay that way—we do so because we care about competitiveness and people competing only on the basis of their ability to please their customers rather than whom they know in Government—that must be the right approach. That American example of how transparency can drive down subsidy levels is a good one. Incidentally, it would be fascinating to see how that applies to countries such as Spain, which have low thresholds for declarations and therefore high levels of declarations. We can follow that carefully.

Richard Fuller (North East Bedfordshire) (Con): My hon. Friend is making a very useful speech, and I very rarely say that in Parliament—not about him, but generally about speeches here. Does he agree that the value of his amendments is that they would increase the number of pieces of information we have, and that the Government are missing the value of predictive analytics in considering the way in which subsidies are or are not working, as that can then be applied to other areas of Government expenditure?

John Penrose: That is absolutely right. Transparency is of course about trying to improve the productivity of our economy and avoiding distortions of our economy, and of course it is also about trying to reduce cronyism, but my hon. Friend is right to say that there is a longer-term benefit in that we can then tell whether the subsidies we are offering are any good: are they actually having the effect we want them to have and can we learn from that? I am afraid there is a long and ignoble history—we can all see this and cite examples from Governments of all political types and stripes in history—of politicians just getting it wrong and not learning that extra data might very well achieve something. I am afraid the old phrase that politicians are terrible at picking winners but really good at picking losers applies here in spades, and data and objectivity are essential in pricking that bubble and avoiding that happening again.

The good news is that Ministers get it: Ministers are clear about the value of transparency. They have said so to me and others. In fact, the Minister said to me in a letter earlier in December:

“Transparency is fundamental not only to the future subsidy control regime but also to good governance more widely.”

That is absolutely right. So, the principle is clear: there is no disagreement in any part of the House that this is the right thing to do.

So, why are we not doing it? That has been covered partly in Committee, but it bears being repeated here strongly and forcefully. The EU regime which the Bill is supposed to supplant has a series of transparency declaration thresholds. Everything over half a million euros must be declared; there are thresholds too for cumulative grants, which we heard about in the speech of the hon. Member for Aberdeen North, although half a million euros is the basic threshold. This Bill, however, says that everything over half a million pounds has to be declared. Unless the exchange rate has gone completely doolally in the last 10 minutes, that is a much, or moderately, higher level than half a million euros, and as a result we will in the future be declaring fewer subsidies under this transparency regime than we were

in the past, in spite of the fact that Ministers have rightly said transparency is absolutely essential and a core principle with which we all agree. We are not delivering on the central principle on which everybody agrees, and that is why I have tabled basically three groups of amendments. They do three things, some of which we have already heard about; the hon. Lady summarised them nicely, so I will not go through the detail again.

The first group addresses amounts and says, “Look, we shouldn’t just say we have to declare anything over half a million pounds; we should be much more transparent than that.” If we are really serious about trying to be world-class about this issue, let us knock three zeros off that number: let us go for £500 instead. What have we got to hide? What have we got to be scared of? Why do we not just put it all out there and let people see? That would be transformational, for the reasons I have just described.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): My hon. Friend is making a very good speech and making very good points. On the issue of transparency, surely it would be cheaper as well as more transparent to do exactly what he says, because when there is a digital system putting all this information together it takes more time and money and reduces the productivity of the staff involved if they have to sift through what meets a certain threshold. Why not, as my hon. Friend says, just put everything out there?

John Penrose: Absolutely; my hon. Friend makes an important point. Equally, the point about cost goes more broadly than that too. We heard about the cumulative threshold where, if a single company receives multiple different grant applications or subsidies that collectively go above £315,000 over three years, that is supposed to be declared—but how will it be declared? The company is supposed to keep the letters, but it does not necessarily have a duty to declare it. The different subsidy granting organisations, be they local authorities around the country or whatever, will not necessarily know to talk to each other and will not know for at least six months, or a year in some cases, whether someone else has made those grants.

7 pm

It would be enormously simpler if, instead of all that, we said, “Do you know what? If it’s more than £500, put it on the subsidy database within a month”, then everybody can see it. If someone is about to grant another subsidy, they just have to look at the subsidy database. They know if a company is going to go over a threshold and what else it has, and they can do the comparison easily and simply if they like.

To the point of my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter), it would cut costs not just among the granting organisations—the subsidy disher-outers—but dramatically for the subsidy receivers too. All of a sudden, people would not have to worry about whether they had all the letters about all the subsidies that they had been granted by Aberdeen City Council or Aberdeenshire Council. People would not have to keep them any more, so that would not be a burden on their business. It would not be a burden at all, because it would be on the subsidy database. As the Bill stands, we are creating a burden on businesses that we do not have to create. We can easily reduce and remove it completely with this simple measure.

Nigel Mills (Amber Valley) (Con): Does my hon. Friend agree that there is a general presumption that there should be more transparency about people receiving money effectively from the taxpayer? We could have a strange situation where if I am being paid £600 for grass cutting for my local council, the council would publish the invoice on its database, yet if I am receiving tens of thousands of pounds of taxpayers' money, it would not be published. Surely, that cannot be the right balance.

John Penrose: That is absolutely right. Although I appreciate that there is a technical distinction between amounts of subsidy and amounts of general local authority spend, it is a very strong comparison. If it is worthwhile recording £500 spend on anything by a local council, why are subsidies so special and why should they be different? If anything, because of the scope for potential cronyism and other concerns, we should be tougher on subsidies than on other kinds of spending. Let us at least make the thresholds the same at £500, and then there can be no concern or worry about it.

The first collection of amendments is about the amount. The second collection of amendments, about which we have already heard a bit from the hon. Member for Aberdeen North, is about speed. As I have mentioned, in today's digitising economy, publishing details of a subsidy potentially almost two years later, or even six months later, could be way too late. A company could have gone under if it had been faced by a successfully heavily subsidised competitor in its local area. Jobs will have been destroyed, wealth will have been destroyed, investment will have been forgone and, most importantly, the reputation of that local economy as a free, fair, sensible level-playing-field place to do business will have been damaged.

Clearly speed matters today, and it will matter more and more as our economy moves faster through digitisation. It makes no sense at all, therefore, to allow six months, and in some cases even longer, for those subsidies to be declared. When someone dishes out a subsidy, a letter has to be sent to the person receiving it, so in most cases they could put the subsidy on to the database at the same time—they could probably do it electronically if they had the right interface. I am suggesting that that could happen within a month; it could probably happen within days, but let us be generous and kind, and give people a bit of space.

I will expand on the point about tax-related subsidies. It is true, as we heard, that a tax-related subsidy can take almost two years to be recorded and to become transparently visible under the current proposals. I cannot see any reason why that should be the case, not just for tax-related subsidies but for anything else at all. In general, for most tax-related subsidies, we can do it immediately because we know the value with some certainty right up front. If I am giving someone a subsidy as a reduction on their business rates, I know how much the value of that subsidy is going to be on the day it comes out, so I can put that out on the subsidy database right there and right then. The same goes for most other kinds of tax-related subsidies, such as subsidies on VAT or whatever it may be.

Only for a very small number of tax-related subsidies would there be uncertainty for any length of time. As we have already heard, and I think this is absolutely right, it is perfectly possible to come up with a good

estimate to begin with, and I do not think it works—it is not an adequate piece of logic—to turn around and say, “Well, because we don't know precisely what this particular subsidy amount will be, we should not reveal it at all.” That is making the best the enemy of the good, and the trouble with that, and with saying that we are therefore not going to put anything out, is that we do not end up with the best or the good. We end up with something that is actually pretty dreadful, because we are keeping it secret for up to two years. How does that make sense when, as we have already heard, we can estimate it very accurately? In fact, in many cases these things are done in bands, and we can certainly say, at the very least, that it will be roughly in this or that band. Even if we get it wrong, we can still correct it later, and people know it is there, what it was and roughly how much it will have been. That will have allowed challenge, if necessary.

Kirsty Blackman: Specifically on the issue of uploading subsidies to databases and challenging such subsidies, the only way in which a subsidy will be overturned anyway is if the subsidy was given incorrectly—if it was against subsidy principles or was distortive in some way—so surely this has no effect on the vast majority of subsidies, except that it means they will be uploaded much more quickly. However, in the case of subsidies that are wrong, bad and going to cause problems, surely the quickest possible time is better so that we would be able to see them.

John Penrose: That is absolutely right. It is not just about whether a particular subsidy breaches those principles, but as the hon. Member rightly points out, it is also a question of whether we can then spot that a pattern of cronyism is emerging. If a particular local council was giving out grants to its mates, we could see that much faster. That may not be breaching the subsidy control principle, but you can bet your bottom dollar that people would want to know about that and that the most almighty stink would be created.

That brings me on to the final group of my three groups of amendments, which is about the ability to challenge and check individual items or individual examples of a subsidy within a broader subsidy scheme. At the moment, if someone registers a subsidy scheme under the terms of the Bill, dishes out subsidies under that subsidy scheme and then basically ignores the terms of the subsidy scheme or misapplies them in some terrible way—because of cronyism, because they are just doing a bad job, or even fraudulently—nobody, under the terms of the Bill, can challenge the individual decisions being made. That cannot be right, and it seems daft. All I am saying is that we need to be able to challenge individual examples within a broader scheme, otherwise this transparency mechanism or challenge mechanism will be fundamentally flawed.

That is the modest proposal. So far, I have not heard a single argument that unpicks the logic of that. As far as I can see, there are three Departments of Government with a dog in this fight. There is Lord Frost, who is in charge of the Brexit dividend, and he ought to be thoroughly in favour of this because of the opportunity it offers. There is the Secretary of State for Business, Energy and Industrial Strategy—he was here briefly just now, and I hope he will be back later—who is of course a good free marketeer and is thoroughly committed to improving productivity, so he should be in favour of

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this, too. Finally, there is the Chancellor of the Exchequer, who is the guardian of taxpayers' money. As I have said, we should be taking pride in the fact that we are one of the least heavily subsidising economies in the developed world, and we certainly were when we were part of the EU, so I cannot see that he is going to be objecting to it either.

As I sit down, I therefore just ask the Minister to please explain the logic behind opposing any of the arguments that not just I but others have been advancing. Will please explain who on earth thinks this is a bad idea, because I cannot find them or see them and I do not think anybody knows who they are?

Deidre Brock (Edinburgh North and Leith) (SNP): I rise to speak in support of all the amendments and new clauses in the names of my hon. and right hon. Friends and myself, but specifically new clause 1. I am aware that the Cabinet Secretary for Rural Affairs and Islands has already written to the Secretary of State for Environment, Food and Rural Affairs specifically on this matter.

To begin with, I will tell a little story to illustrate that the apprehensions around this issue were long-standing, even before the United Kingdom Internal Market Act 2020 passed into being, and now appear to be fully justified, especially when we take into consideration the principles of mutual recognition and non-discrimination contained in that Act. In late November 2020—on St Andrew's Day, rather ironically—in the debate on the statement on the agricultural transition plan, I asked the Secretary of State for Environment, Food and Rural Affairs for assurances that the Bill, as it was then, would have absolutely no impact on Scotland's ability to set support in Scotland independent of the system chosen for England. He responded that Scotland and the other devolved authorities “will have more freedom than ever before to design a policy that they judge to be right for them. We will set up a joint group across the UK to do market surveillance, to ensure that there is not disturbance to the internal market”.—[*Official Report*, 30 November 2020; Vol. 685, c. 42.]

The House will note that there was no answer to my question in that reply. However, shortly afterwards the Secretary of State reassured a fellow Conservative MP who had expressed fears on behalf of farmers in his English constituency that food production might not be supported under the new English scheme and that his farmers could

“be undercut by farmers, including in the devolved nations, who are subsidised for food production or by area, not just for stewardship”.—[*Official Report*, 30 November 2020; Vol. 685, c. 50.]

I wondered how he could give any such assurance if he intended keeping the UK Government's nose out of our agricultural support choices, but I ken noo.

As my hon. Friend the Member for Aberdeen North (Kirsty Blackman) has mentioned, at the heart of the problem is the broad recognition that agricultural subsidies do not fit neatly into standard subsidy control regimes. That is why agriculture has its own separate subsidy control arrangements in the EU through the common agricultural policy, and in the World Trade Organisation through the agreement on agriculture. Equally, while the trade and co-operation agreement has provided interim rules on subsidy control in the UK since Brexit,

it does not apply to subsidies subject to the provisions of part 4 or annex 2 of the WTO agreement on agriculture, which relate to most agricultural subsidies.

The Scottish Government have asked the UK Government repeatedly why agriculture is included in this new regime when it is not included in most standard subsidy control regimes, but I understand that to date no satisfactory reason has been given. The Minister has responded that a majority of respondents to the Department for Business, Energy and Industrial Strategy consultation thought it should be included, which seems jolly fair-minded of the Minister, we might think. On the other hand, the UK Government have so far chosen to ignore the serious concerns raised by the Scottish and Welsh Governments. The UK Government have refused to share the consultation responses with our Government, even the anonymised ones, which makes it even more difficult for Ministers and civil servants to understand the reasoning behind this decision or at least to assess whether the responses were weighted and, if so, how. The only reply that I have seen from the Government's response to the consultation is that this hitherto accepted exemption has been removed in order to maintain a “consistent approach” and a broad sectoral scope. So it is some sort of tidying-up exercise, apparently.

Taken all together, this ratchets up what were considerable levels of concern to—I think it is fair to say—alarm not just in the Scottish and Welsh Governments and other devolved Administrations but in organisations such as the National Farmers Union of Scotland. There is less concern from the National Farmers Union of England. I wonder why that might be. It is worth reminding ourselves that the high percentage of less favoured areas in Scotland's agricultural land—some 86%—is almost directly reversed in England, where it is only 12%. We have unique agricultural conditions and practices, so the need for a support system that recognises and understands that and takes it fully into account is vital.

7.15 pm

As the National Farmers Union of Scotland said in its submission to the subsidy controls consultation, financial support for agricultural and rural development remains critical if a vast array of policy objectives, including producing food to the highest standards and addressing climate and biodiversity challenges, are to be achieved. It is almost as though the UK Government learned no lessons after the tortuous arguments over convergence funding that the Bew review eventually clarified to Scotland's benefit—but surely not.

I realise that this will not be of particular interest to farmers in, say, Wiltshire, but it is of great interest to those of us in Scotland who treasure the more remote and rural areas of Scotland and want them to flourish. We see support for our farmers and crofters as an investment in those communities' futures. For every pound invested by Government, many times that is spent by farmers and crofters. That fuels jobs and our economy, and builds food security, which given the UK's reliance on imports for, give or take, 40% of our food, and the recent impact of the disastrous Brexit on supplies, should make us all think again. We consider it vital that the Scottish Government—indeed, the devolved Administrations more widely—retain the ability to support agricultural businesses as they see fit for the foreseeable

future. This, as the NFUS makes clear, relates to the proposed regime's potential impact on policy development in a devolved area.

Jim Shannon: I very much sympathise and agree with the argument the hon. Lady is putting forward. In Northern Ireland we have the highest quality products, we have an export market that we want to retain, and we want to retain food security as well. She referred to the National Farmers Union of Scotland; the Ulster Farmers Union is also committed to retaining that. Does she agree that the Minister should consider this very seriously, with that in mind?

Deidre Brock: Yes, very much so. I agree with the hon. Gentleman because the excellent food produced in Scotland is also to be taken into account. I hope the Minister is listening carefully to what I am saying and will take it into account when he speaks. I would be interested to hear his point of view.

There is a risk that schedule 1 will constrain Scotland's ability to tailor future policies to the needs of Scottish agriculture. There are concerns about how the regime will work for legacy common agricultural policy schemes delivering income payments and coupled support, and doubts about whether clauses 48 and 81 will allow devolved Governments to make changes where required in order to develop and progress agricultural policies in future. Additional difficulties and potential for legal challenge are created over what could effectively be the avoidable double-banking of subsidy control schemes through the application of the new regime. The Scottish Government are also concerned about the principle that a subsidy that does not unlawfully distort international law could still be challenged, as set out in our Cabinet Secretary's letter to the Minister,

"on the basis that it does not minimise negative effects on competition or investment in the UK which is a principle that goes beyond the minimum required under the TCA".

Apart from those numerous concerns, the inclusion of agriculture could dramatically weaken the role of what has been the agreed common frameworks process in this area, which was put in place specifically to manage policy divergence within the UK and any impacts that that might have on the UK internal market. I have been told that no other state in the world includes agricultural payments as subsidies. While I am not entirely sure that that is the case, it is certainly highly unusual. In May, the Minister indicated to the Cabinet Secretary that he was prepared to work on bespoke solutions in the regime that would recognise the particular needs of the agricultural sector, but there has been nothing so far and, I repeat, no real explanation of how it is all supposed to actually work. Perhaps it has been filed in the "too hard" bin, along with many other devolved Administrations' concerns, or the "can't be bothered" bin—I am not sure.

If agriculture is left in this Bill, that could create serious problems for devolved Governments in the delivery of their own policies on food production. If the Government are serious about protecting devolution, they will abandon their plans. I urge the House to hear the concerns voiced by Scotland's devolved Government—I am sure we are going to hear from the Welsh Government as well, and potentially from the Northern Ireland Assembly—and support the inclusion of new clause 1.

Kevin Hollinrake: I rise to speak briefly in support of the amendments tabled by my hon. Friend the Member for Weston-super-Mare (John Penrose). I will particularly address amendments 1 and 8, which are about something brutally simple: scrutiny and transparency. The Government are rightly approaching this through their obligation to meet the competition requirements of the European Union. For that purpose, £500,000 would perhaps be the right level.

I think this is about more than competition; it is also about cronyism and, potentially, fraud. My hon. Friend put it well when he talked about armchair auditors. Time and again, information about things going wrong is brought to the attention of parliamentarians like me by members of the public and members of the press. The more we give people access to such information, the more likely we are to clamp down on any suggestions of cronyism. Although most are ill-founded, it is important that we clamp down on any suggestions of cronyism and of fraud.

I agree with my hon. Friend that we should lower the threshold for reporting and registering on the database from £500,000 to £500. That seems an enormous difference, but consider what we know already. The easiest place to look is the furlough scheme and the bounce back loan scheme. The National Audit Office estimates that some £26 billion may have been lost in those coronavirus loan schemes, not all of it through fraud—some of it was through non-repayment of debt, or defaults. Nevertheless, a significant proportion of the moneys granted to businesses, which were effectively a subsidy, might have gone missing. The Government rightly put together a huge new team of people within Her Majesty's Revenue and Customs, with an investment to the tune of £100 million, to try to clamp down on it by investigating the potential for fraud.

Alongside that, it would be a simple requirement for the database to include every single subsidy over £500 for the armchair auditors, the press, the public and—another important component—the whistleblowers. People within an organisation often do not know what subsidies the business may have received, but they might be able to identify the moneys as inappropriate and alert the authorities to that effect. Some 43% of all crimes are now economic crimes, and 40% of those are brought to light by whistleblowers, so it is hugely important that they have access to this information so they can scrutinise what is happening within these businesses.

My hon. Friend the Member for Weston-super-Mare asked why would we not do this? One answer might be bureaucracy and cost—we are not big believers in bureaucracy and unwanted, unneeded cost, and we rightly want to make our system simpler, not more complicated, for businesses—but the requirement to publish on the database is negligible. As others have said, businesses have to issue a letter anyway, so putting five bits of information on a database is not exhaustive. The impact assessment suggests that the total cost of doing it annually will be only £20,000 extra, which is insignificant in terms of the cost of red tape, but the benefits are huge.

As I mentioned in my earlier intervention, the US had much lower levels for reporting than we did. Our level was €500,000 for telling the EU who received benefits from the loan schemes, and it was done quite late in the day, after the loans were received by businesses. In the US it was \$150,000, which effectively brought

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about a \$30 billion return of moneys to the US Treasury because those businesses were embarrassed to be receiving the moneys inappropriately.

Another reason we are not doing this is that, when the British Business Bank looked at the coronavirus business interruption loan scheme and the bounce back loan scheme, it felt it should not report on this because it might be likely to lead to

“speculation about the Recipients’ financial position”.

I do not agree. Even if it were true, we are already putting on the database loans over €500,000. Are we saying only businesses below that level would have that problem? That is clearly not the case. A lot of businesses that received coronavirus business interruption loans over £500,000 were quoted on AIM, for example, including my own business. I draw the House’s attention to my entry in the Register of Members’ Financial Interests, although I am no longer associated with that business in any meaningful capacity, as it was subject to a takeover earlier this year. I would have no problem at all with the loan we took under the CBILS programme being declared on a database so people could see it. The reasons we were taking it were quite obvious and I do not think it brought our financial position into question at all. Clearly, in the desperate times we were in, most people would see that we were going after desperate measures in terms of insurance policies, which the loan was to most companies. I do not see that as a valid reason for preventing the declaration to the database being completed for all subsidies down to that £500 level.

I will refer quickly to amendment 8. Allowing individual challenge to individual decisions under a subsidy scheme is another check and balance—another way to ensure money is being handed out appropriately. I think all these amendments make sense, which is why I have signed them all. To give the public, the press and Parliament access to the database is a crucial step. I do not think it would be a bureaucratic issue at all for the people responsible for it. I know we have spoken about it, but I urge the Minister to look at this again and to table such amendments at a later stage, if they are not accepted today.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Dirprwy Lefarydd. It is interesting to hear the hon. Member for Weston-super-Mare (John Penrose) describe this Bill as part of a post-Brexit dividend. For many of us from the devolved nations, it actually bodes ill. It bodes ill in relation not just to key devolved competencies, but to questions about whether this negates the power of public procurement and, particularly, whether it undermines the levelling-up agenda. We would expect to see more principles in operation than we currently do, particularly when we compare this with the regimes we worked with and complained about, but were familiar with, under the European arrangements.

My party, Plaid Cymru, will support new clause 1, proposed by the hon. Member for Aberdeen North (Kirsty Blackman), which would exempt devolved agricultural subsidies from the subsidy control requirements. This is a vital new clause that protects our farmers and ensures that the devolved nations can continue to tailor support to local requirements and priorities. I do not think I need to persuade anybody in this Chamber that

UK agriculture is highly regionalised in its type, its significance, the impact it has on its local economies and whether it requires region-specific subsidy for its needs.

I am very much aware of that for the less favoured areas, representing as I do the constituency of Dwyfor Meirionnydd, which is very much an upland area. I have whole communities watching these legislative developments with some concern. I know the farmers’ representatives from Wales, Scotland and Northern Ireland are equally concerned about the implications of what, on its face, appears to be a fairly technocratic Bill, but none the less sets a precedent for the sort of legislation we see coming out from the trade and co-operation agreement in the United Kingdom Internal Market Act 2020.

In Wales, where more than 80% of land is used for agricultural purposes and farmers are the bedrock of our rural communities, guardians of our natural environment and protectors of our cultural identity, subsidies are vital to protecting that legacy. The latest farm business survey showed that subsidies provide on average 30% of upland cattle and sheep farms’ income. Leaving their fate to a Westminster Government set on securing questionable trade deals that boost UK GDP by 0.01% to 0.03% while at the same time sacrificing our farmers is clearly unacceptable. Equally, without this new clause, the Bill would pre-emptively tie the hands of the Welsh Government as they look to establish a new, post-EU subsidy regime. I therefore urge hon. Members across the House to support the clause to protect our farmers, as well as amendment 11 on net zero commitments.

I also extend my support to the amendments tabled by the Opposition, including amendments 19, 23 and 26, which would extend the rights of the devolved Governments. Although I believe that they could, and possibly should, be strengthened by recognising the value of the co-production of guidance, they nevertheless address somewhat some of the Bill’s governance issues. As we have seen time and again, the Government play hard and fast, and make the rules up as they go along. That is why such guarantees as are offered by the amendments are so important.

7.30 pm

My point about the value of co-producing subsidy rules speaks to two wider issues: the role of public procurement in supporting levelling up and the Government’s conduct when developing the Bill. First, the Bill wrongly assumes that the UK economy is a level playing field, deserving therefore of a level subsidy regime. The UK is one of the most regionally unequal countries in the west. That is supposedly being addressed by the Government’s levelling-up agenda.

My party, Plaid Cymru, has long advocated greater public procurement to nurture local businesses in underserved and peripheral areas of the UK. This highly local and nuanced policy, which is recognised in the new co-operation agreement between my party and Welsh Labour, but too often ignored by the Treasury, is vital in delivering levelling up. The Bill’s restrictions on local procurement are therefore economically damaging and contrary to the needs of the levelling-up agenda. I urge the Government to reconsider.

My second point—namely, the Government’s conduct when consulting the devolved Governments on the Bill—helps explain why Wales and Scotland have not given

consent to the Bill. It is important to reiterate that in this place, because we will hear it again. It does matter if what is being produced here is creating discord with the devolved Governments.

In July, the Welsh Government stated that the Bill undermines

“the long-established powers of the Senedd and Welsh Ministers” in devolved areas, including

“economic development, agriculture and fisheries.”

They concluded that the Bill was too “high-level”, lacked “sufficient granularity” and, worse, meant that the powers being given the Secretary of State had

“little scrutiny from the UK Parliament and no scrutiny available to Welsh Ministers or the Senedd”—

our Parliament in Wales. The Labour Minister for Finance in Wales put it more bluntly:

“Despite suggestions from the UK Government that detailed engagement has been undertaken, the Bill only reflects the narrow interests of the UK Government.”

In sum, the Bill asks the devolved Governments to sign a blank cheque, with no explicit provision for further scrutiny or input.

This is yet another power grab that undermines not only devolution but the levelling-up project the Government are allegedly so keen to promote. It simply is not good enough, and it speaks to an unconstructive disdain for the rights and responsibilities of the devolved nations from the Government. The Bill is an assault on devolution, wilfully ignorant of the needs of the national economies of the UK or the role of public bodies in advancing them, and has been prepared by an out-of-touch Government that is overly centralised. It is a mistake that we are set to make again in the Professional Qualifications Bill. As such, my party will not support the Bill before us and I urge Members across the House to oppose it in favour of a more co-operative and informed subsidy regime.

Sarah Olney (Richmond Park) (LD): It is a pleasure to contribute to this very thoughtful debate. I do not share the enthusiasm of the hon. Member for Weston-super-Mare (John Penrose) for Brexit as a whole; nevertheless, I support his comment that if this is to be one of the benefits of leaving the European Union, it is important that we get it right, especially since all the other benefits seem disappointingly slow to materialise.

I support many of the hon. Gentleman’s comments about transparency: it is important that the information is made available. He is right that it will improve the efficiency of subsidies if we can see who is getting them and understand where they are being applied. I valued the intervention from the hon. Member for Thirsk and Malton (Kevin Hollinrake) about what has happened in the United States, and that is an important point to consider. It is important to think about the effectiveness and efficiency of subsidies, and the use of taxpayers’ money.

This will be a new subsidy regime for the UK. The more information that is available to the widest number of people, the more we will be able to see as a country—not just the Government—what is and is not an effective subsidy. We will be able to see what has worked, what has played a role in driving investment to underdeveloped regions and what has helped to build new sectors of the economy. It is so important that that information is

available. More particularly, I support the moves of the hon. Member for Weston-super-Mare to move the threshold to £500, because, where subsidies can distort markets, it will have a disproportionate impact on smaller businesses. That is why moving the threshold in the way that he proposes is so important.

John Penrose: May I back the hon. Lady up by saying that it is about not just smaller businesses, but local economic effects? Something that may, on a large scale, be distortive for the entire national economy may be distortive at a much smaller level for a particular city region or a particular town. I hope that she agrees with that point as well.

Sarah Olney: I absolutely do, which is why it is so important to get this level of oversight at the much smaller threshold that the hon. Gentleman is proposing. Potentially, within the gap between the £500 that he is proposing and the £500,000 that the Government are proposing, there will be a great deal of market-distorting subsidy, and it will be up to competitors who have been disadvantaged to challenge or to bring their own court cases against those subsidies. If they do not have knowledge about how they are personally being disadvantaged, what can they possibly do about it? That is why that point is so important.

My new clause 2 is about climate change. I welcome the comments made by the hon. Member for Aberdeen North (Kirsty Blackman) about the importance of this matter in her excellent opening speech. There are the seven principles against which the subsidies will be assessed, and also the nine energy and environmental principles. What I am disappointed about is that they do not add up to a broader commitment to using public money to fight climate change. I can only amplify what the hon. Lady said about it being our key public challenge at this time, covid notwithstanding.

The Liberal Democrats would have welcomed the opportunity to put the transition to net zero at the heart of the UK’s subsidy regime, and for the Government to have used every tool at their disposal to make the transition as swiftly and painlessly as possible, and we can see how public subsidies can help to achieve that.

New clause 2 provides for an annual report to Parliament detailing the climate change impacts of subsidies granted that year. This would have been an important mechanism for reviewing the extent to which subsidies are being used to stimulate or to de-risk investment in the green economy. We look to the private sector to drive much of the innovation that we need to see and to create the consumer markets for our net zero future, but the Government must do all they can to encourage the private sector to prioritise reducing emissions alongside creating economic value.

Public subsidies are an important part of the levers available, and taxpayers need to see that they are being used effectively. Let us take, for example, the nine environmental and energy principles. In the past few months, we have seen a tremendous concern about our energy sector, and it is easy to imagine a scenario where subsidies are being granted to improve energy resilience and energy supply. Such goals might make sense in the short term as they are in line with the principles, but when we are making short-term decisions about subsidy use, it is really important that we step back and look at

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the longer-term impact of some of those decisions. We need to take the opportunity every year to make sure that, regardless of the short-term decisions that sometimes need to be made, we are nevertheless continuing along the path towards net zero—the challenge that the Government have set for themselves. To have that separate net zero/climate change consideration of the total use of all of our subsidies would be an important check for the Government to make sure that they are progressing towards net zero in the way that they should.

In short, this Bill would have been much improved by enabling greater scrutiny of the subsidies granted. I regret that the Government are not doing more to enable that.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): It is a pleasure to follow some powerful speeches on Report tonight. I share the frustration of the hon. Member for Aberdeen North (Kirsty Blackman) that we could well have moved forward with some of the issues we debated in Committee with some amendments brought forward by the Government. Some of the robust debate we had in Committee led to looking at how we could address those issues more quickly. I acknowledge the contributions from the hon. Members for Weston-super-Mare (John Penrose) and for Thirsk and Malton (Kevin Hollinrake). I will be talking about their amendments later in my speech, but we have discussed at length transparency and the ways in which we need to reform this regime in order for it to be the most effective it can be. I wish to make a brief remark about new clause 1 before carrying on further. I hear the concerns raised by the hon. Members for Aberdeen North and for Edinburgh North and Leith (Deidre Brock), and the right hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts), because they are important, particularly in relation to legacy subsidies in agriculture, as well as future subsidies. The Minister will need to make sure that he can respond clearly to the concerns that have been raised, and we will certainly be listening closely on that.

It is a pleasure to speak to our amendments—new clause 3, on post-award referrals, and amendments 15 to 27. I will also speak in support of similar and, in some cases, identical amendments to those tabled by Labour in Committee, which I was pleased to see have been influential in colleagues' consideration of the Bill. I refer in particular to amendments 1 to 8, which were tabled by the hon. Members for Weston-super-Mare and for Thirsk and Malton, and amendments 10 and 12, which were tabled by the hon. Member for Aberdeen North. There are only slight differences from our position in Committee, and I am sure that today's debate will also help consideration of the Bill in the other place. Amendments 13 and 14 are similar to amendments 2 and 7, and are consistent with our significant concerns on transparency and accountability, which we raised in Committee. New clause 2, tabled by the hon. Member for Richmond Park (Sarah Olney), is also consistent with the position on net zero leadership that we set out on Second Reading and in Committee. We are not actively supporting two amendments—we are more neutral on them: amendment 11, which has similar intentions and principles but is slightly weaker than our amendment 16 and which runs the risk of being unclear for local authorities to implement; and amendment 9, where we

understand the intention to broaden what the Competition and Markets Authority reports on. However, arguably it would not have the information on all subsidies, as most would not be notified to it, so this provision could be impractical and create a significant burden. However, in Committee we also provided suggestions on how the CMA's annual report could be strengthened and what areas it could report on. We had a considerable debate on that, including in respect of the CMA reporting on where it had identified non-compliance with the principles and examining the geographical spread of subsidies that had been notified to it.

Labour recognises the need for this legislation, which establishes the framework for the UK's post-Brexit subsidy control regime. It indeed allows for quicker subsidies to be granted to businesses, which we support. We recognise that a system of subsidy control is important to ensure that public funds are made available to businesses, but with appropriate safeguards in place. Where we departed from the Scottish National party in Committee is that we also believe that the Bill is necessary to protect the UK's internal market. We are speaking to our amendments today on two main strategic areas: the purpose of subsidies; and the way in which the new regime will operate. I will deal first with the purpose and the use of subsidies. Subsidies and their controls should be an integral part of a strong, long-term industrial strategy, promoting growth and supporting industry, jobs and prosperity across the country. We want to see our foundation industries such as steel supported, and we want to see a plan for how we can buy, make and sell more in Britain.

Stephen Kinnock (Aberavon) (Lab): It was an honour and pleasure to serve with my hon. Friend on the Bill Committee. Does she agree that the strategic purpose of a Bill such as this must be about supporting areas of greater economic deprivation and that therefore there is a glaring hole at the middle of this Bill, which is that it does not have that clear, proactive strategic purpose?

Seema Malhotra: I thank my hon. Friend for his contributions in Committee and for that very important point, which I will come on to. We know that the assisted areas map is not part of the UK's regime, but there has to be a way to deal with the principle of that, which is how to ensure resources are targeted to the areas where they are most needed.

7.45 pm

As I was saying, subsidies and their controls must form part of a long-term industrial strategy. Our approach for such a long-term industrial strategy has been to call for long-term investment, clarity for our transition to a green economy and a serious levelling-up agenda. These pledges are integral to our £28 billion a year climate investment pledge.

We recognise that this is framework legislation, but it is missing clear direction or a plan on how subsidies should be used. What are the goals of the UK Government? We know there is a glaring hole in Government strategy: their industrial strategy, which seems to have been watered down and is hard to even find on their own website.

There are two areas on which we believe the Bill should be more vocal: it should more clearly require public authorities to consider the impact of subsidies and schemes on achieving our net zero commitments; and tackle

inequality both between and within nations and regions of the UK. Labour's amendments 16 and 17 would ensure that subsidies and schemes under the legislation were consistent with the UK's net zero targets. Amendment 16 would ensure that all public authorities should consider the impact of subsidies on achieving the UK's net zero commitments. COP26 highlighted starkly how strong committed action across Government is needed if the UK is to reach its net zero targets. Unfortunately, as the Bill stands, the commitment to net zero is not enshrined in the new regime. Quite frankly, that is not good enough. We need firm resolutions and firm policy commitments to achieve net zero and subsidies are no exception.

Labour tabled amendments 15 and 18 to ensure the Bill explicitly states that subsidies and streamlined subsidy schemes can be used for the purpose of reducing regional inequality. Under EU state aid rules, subsidies could be, and indeed were, targeted at areas of economic deprivation, significantly aiding struggling regions. Labour recognises there were some drawbacks to the EU's assisted area map, but it did, as my hon. Friend the Member for Aberavon (Stephen Kinnock) said, direct resources to areas of most need. The Government should not waste the opportunity the Bill brings to ensure we can target areas of economic deprivation.

John Penrose: I am listening carefully to the hon. Lady. I am sure everybody here would agree with the principle of trying to level up, particularly in parts of the UK outside London and the south-east, but can she address the point I was making about politicians having a long and really pretty awful record in picking losers? How does she think that, under her proposal, things are going to be different this time?

Seema Malhotra: I do not think it is about us picking losers or winners at all. This is about us using the data, understanding where there are areas of greatest need and having that as part of a data-led levelling-up agenda. Given that the Government have created a specific Department for levelling up, Labour is surprised that that mandate is not clear and that the hon. Gentleman does not have the answers he needs to have a framework that gives confidence that we are applying resources to areas of greatest need. To be frank, the Government's record on that is not very strong. The Bill should be explicit that supporting areas of deprivation should fall squarely within the subsidy control principles.

On improving the way the new regime will operate, there is a serious lack of transparency in the Bill on how public money is spent and how value for money can be assessed.

Kevin Hollinrake: Does the hon. Lady not agree that the problem with amendment 16—the net zero amendment—is judging what is consistent with the net zero commitments? I have a Westminster Hall debate tomorrow—at 4 o'clock if anybody has nothing better to do and wants to tune in. On greenwashing, for example, it is incredibly difficult to ascertain what complies with net zero when there is so much noise around this. We need to improve in that area. Is this not really a charter for lawyers to take these subsidies to court time and again? Is not that the problem with her amendment?

Seema Malhotra: I thank the hon. Member for his intervention. We have agreed with many of his amendments. What he has just said actually lends even greater weight

to wanting to make sure that that is a consideration and that we have the resources to support that. Perhaps he will talk to those on his own Treasury Bench about this, because we would have hoped that by now there would be a clearer road map for how the country is supposed to move forward to achieving our net zero commitments. He will know as well as I do that many small businesses have been crying out for a road map to net zero to know what can make the most difference, how to assess it and how to look at whether they have a decarbonisation strategy that is fit for purpose. So I think he is lending weight to our argument that we need something in the legislation to help drive the processes behind that. People want answers and want to know they are doing the right thing and making the right investments on our road map to net zero.

I was referring to the serious lack of transparency in the Bill around how public money is spent and value for money can be assessed. There is no requirement to report subsidies below £315,000 over three years. An unlimited number—an unlimited number—of subsidies up to £500,000 could be made under a scheme and not one would need to be reported, as long as the scheme itself apparently is reported. That is not good enough. The argument that this is in order to be consistent with the EU fall because the thresholds in the EU state aid regime were in the context of a very different regime; they were in the context of a scheme of pre-notification, where scrutiny took place before the allocation of the subsidy, not a permissive regime that challenges subsidies after they have been granted. In that context, we must think differently about what we seek to import; we are not importing the whole environment around how those decisions were made in the past.

The Minister has previously stated that we are in a position to be able to change those thresholds—it is not a matter of can't; it is a matter of won't. The hon. Member for Weston-super-Mare (John Penrose) said very cleverly: if this is so obvious and the Minister agrees with transparency, why are we not doing it?

During covid, we have seen Ministers wasting money on crony personal protective equipment contracts. I could spend my entire speech talking about this, but my main point is that that would have remained hidden from the public and from Parliament without ongoing freedom of information requests. Transparency on public expenditure—who is paying out, how much is being given, who it is going to and what it is being used for—are basic questions that we should know answers to as a matter of routine on subsidies being paid by our Governments, local authorities or other public authorities. Greater transparency, not less, should underpin the system of self-assessment by public authorities that sits at the heart of the Bill and our responsibility to the taxpayer.

The Centre for Public Data has made it clear that greater transparency would help ensure the honesty, consistency and efficiency of the system. It is also essential that interested parties—be they competitors, other public authorities or groups acting in the public interest—are able to challenge subsidies that they believe are distortive or unfair.

On the subsidy database, we support amendments 1 to 8 on transparency and reducing the threshold for the requirement to report on the database. This includes subsidies made under a scheme referred to in amendment 1. As the Bill stands, subsidies made under a scheme with a value of less than £500,000 do not have to be entered

[Seema Malhotra]

on to the database. There is no convincing reason for that, and it is in the public interest that all subsidies under a scheme be published. Worse still, a scheme can be registered with little information so that there will be no overall transparency for a scheme under which millions of pounds of taxpayers' money could be spent without scrutiny.

Amendment 8 in the names of the hon. Members for Weston-super-Mare and for Thirsk and Malton amends clause 70, which currently provides that, where a subsidy is made under a scheme, the decision to grant an individual subsidy cannot be reviewed. The amendment suggests that the response given by the Minister in Committee was not reassuring enough.

This set of amendments also reduces the timeframes in which subsidies must be entered on to the transparency database and the timeframes in which any modifications must be uploaded. Members will be aware that the Bill currently requires subsidies or schemes to be entered on to the database within six months of being made or within one year in the case of a tax measure. We argued in Committee that there was a need to reduce those timeframes. Having longer makes it more likely to result in an incomplete or inaccurate entry, because officials may leave or records may be lost. We heard evidence from Jonathan Branton, a legal expert in the area, who said, "I have yet to hear a...persuasive case for why you need that long to publish...an award."—[*Official Report, Subsidy Control Public Bill Committee*, 26 October 2021; c. 58, Q79.]

Amendments 21 and 22 were intended to bring all services of public economic interest subsidies with a value of more than £500 into the scope of transparency requirements. We do not understand why such subsidies—those up to £14.5 million or all those in the case of hospital care, adult social care and certain public transportation services—should be excluded from transparency requirements. With respect to amendment 6, we firmly support the need for the date of the subsidy to be entered on to the database. There should be no ambiguity about the day that the clock starts to tick for the period in which a challenge can be brought.

If the Minister wants to try to argue that greater transparency would lead to higher costs and more red tape for public authorities, that does not hold up to scrutiny either, because they have that information and they are used to reporting their expenditure above £500. That point was made on Second Reading as well by the hon. Member for Weston-super-Mare. When giving evidence in Committee, Dr Roger Barker of the Institute of Directors said that

"there should be transparency at every level of subsidy".—[*Official Report, Subsidy Control Public Bill Committee*, 26 October 2021; c. 37, Q48.]

A transparent system is important, but so is the quality of the data contained in it. That is why we tabled amendment 20, which would require the Secretary of State to ensure that the subsidy database is subject to routine audit to verify the accuracy and completeness of entries. That would incentivise complete and accurate reporting and provide a mechanism for putting errors right.

In Committee, we heard clear evidence that the database in its current form contains significant inaccuracies and gaps in the data entered. Expert witnesses suggested

that not all subsidies were being entered, as just 501 subsidies were recorded in the best part of 10 months. Of those entries that had been recorded, more than half had a zero or nil value, so either the database is not fit for purpose or the entry of data by public authorities has not been up to scratch—or both.

If the database is not subject to any oversight or control, and if inaccurate or incomplete information entered on to it is not checked, poor-quality information is likely to lead to misguided legal challenges or to harmful subsidies failing to be addressed. We want to be constructive on this point, which is why the amendment is drafted in a way that permits the Secretary of State to decide who should undertake the audits and how they can be done most effectively.

On devolution, this is not a fair four-nations Bill. As it stands, regulations and guidance can be developed without seeking the consent of the devolved Administrations; only the Secretary of State can call for subsidies to be assessed by the CMA; and there are no requirements for the devolved Administrations to be represented on the CMA's new subsidy advice unit. That is important because we need a system that commands the confidence of all four nations.

The devolved Administrations should be given a genuine voice in developing and implementing the new regime. The Minister's response in Committee to our concerns and those of the devolved Administrations was that he had had a number of meetings with the devolved Administrations and would keep talking to them. I would be grateful if he could provide an update on those discussions.

Amendments 23 to 25 would provide Scottish, Welsh and Northern Irish Ministers with the power to call in subsidies or schemes under clause 55. Currently, only the Secretary of State has the power to issue a call-in direction, triggering a report to the CMA. On that basis, the CMA's reports are not binding on a public authority. The harm of extending the call-in power to the devolved nations is not clear to us. Why is the Secretary of State empowered to call in Scottish, Welsh and Northern Irish subsidies that may damage economic interests in England but the Scottish, Welsh and Northern Irish leaders cannot call in subsidies that they believe can cause economic harm in their nations?

8 pm

Our amendment 19 would require the Secretary of State to

"seek...consent of...Scottish Ministers...Welsh Ministers and the Department for the Economy in Northern Ireland"

before making regulations under clause 11. The Minister may recognise our amendment as it reflects precisely the equivalent consent mechanism that exists under the United Kingdom Internal Market Act 2020. As Members will know, this Bill is a piece of framework legislation, with lots of questions left to secondary legislation. Clause 11 is important because it allows regulations to be made defining subsidies "of interest" and "of particular interest". Those important definitions should not be left to secondary legislation, but if they are going to be set by regulation, we believe that the devolved Administrations should be given a formal role in the process of setting the terms.

Amendment 27 would require the Secretary of State to seek the consent of the devolved Administrations before issuing guidance under clause 79 for similar reasons. Our amendment 26 would provide the chair of the CMA board with the power to appoint three non-executive members to the subsidy advice unit to ensure that the unit's leadership has relevant experience of Wales, Scotland and Northern Ireland.

The purpose of our new clause 3, on the role of the CMA, is to allow the CMA to conduct post-award investigations on subsidies and schemes on its own initiative. There is a gaping hole where payments that are in fact subsidies are not reported as such by a public authority, possibly through genuine misinterpretation of the rules or as part of a wilful attempt to get around them. These may be subsidies that are damaging and distort competition but have not been picked up by interested parties or the Secretary of State, so they can go on unchallenged. The CMA should have the backstop power to be able to carry out an investigation and report.

In relation to that, the Minister may also want to respond to amendment 12 on the definition of "interested party" under the Bill. The proposals establish which parties have the standing to make an application to the Competition Appeal Tribunal to challenge a subsidy. There was considerable uncertainty on that point, which leaves this open to further debate. Does the definition provide standing only to parties whose commercial interests have been affected? We tabled an amendment to include explicitly the devolved Administrations in the definition of an "interested party". Rather than leaving that to the courts, Parliament's will should be made clear.

We in the Labour party have taken a constructive approach to scrutinising the Bill. Subsidies are a critical tool to supporting our vital interests, but we need a clearer plan for the use of subsidies and much stronger transparency and accountability on spending public money. If public authorities, our four nations' businesses and the public are to have confidence in the new system of subsidy control and in the new regime to deliver the outcomes for our economy and society, the Bill requires significant improvement. I hope that the Minister will respond favourably on the points that we have raised today.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): I thank hon. Members across the House for the informed debate on the Bill and will try my best to respond to their comments in the few moments that I have.

A number of amendments have been tabled on the topic of transparency, which I take really seriously. My Department is working on a programme of improvements for the subsidy database. To name just two examples, we are resolving the technical glitch that meant that subsidies were uploaded with a zero value. Additionally, we are developing an update to add the data for upload to the information published on the database. Officials will actively look at further improvements over the coming months and in advance of the new regime coming in.

The Government intend to review again the evidence collected as part of the consultation alongside that provided by witnesses to the Committee about the transparency provisions. We will reflect carefully on the points raised so far and engage further on our findings with parliamentarians in both Houses as the Bill progresses. I know the

strength of feeling in the House on this matter, and we will consider carefully what further action we could take to address those concerns if they come back in the Lords.

I start with the amendments that would reduce the threshold at which subsidies are uploaded. The transparency provisions seek to minimise the administrative burdens and costs to public authorities while ensuring that information is available on subsidies that must meet the substantive subsidy control requirements. That is an important tool to aid interested parties to challenge potentially harmful subsidies. However, the amendments would create an additional administrative burden for public authorities, including small local authorities. Paradoxically, they could make it harder to identify in the database the most potentially harmful subsidies that are eligible to be challenged in the Competition Appeal Tribunal. Many small subsidies will also be publicly available via other transparency tools. Such data may not be perfectly formatted, but it does go far wider than subsidies.

In relation to services of public economic interest, there was broad support from consultation respondents for the application of different transparency measures. The contracts must meet the specific requirements set out in clause 29. That is why the database requirements are different for those subsidies.

John Penrose: May I just caution my hon. Friend? I think the paraphrase of his argument about the size of the subsidy database is that big databases are less transparent than small ones. That is clearly bonkers and not right, and I do not think it stands up to any scrutiny. He may be arguing that that is okay because other databases will have the information and that it can all be compared and contrasted, but that works only if the data is in a common format that allows for mutual searching, and there is no such plan for that. May I gently caution him about pushing that argument too far? I do not think it will stand much strain in the Lords.

Paul Scully: All I would say is that it is easy to hide something in plain sight, but the subsidy transparency database is being developed under the Cabinet Office's standard system for all Government databases. I have talked before about interoperability, and we would expect to be able to link those databases and to scrape them in the future.

Dr Poulter: I echo the transparency concerns raised by my hon. Friend the Member for Weston-super-Mare (John Penrose). I welcome the Minister's commitment to allowing the other place to look at this area, but, to reassure some of us, will he please outline the transparency tools that already exist?

Paul Scully: I am not sure in terms of transparency tools. What I am saying is that we will ensure that the database is eventually interoperable with other databases. We clearly want the subsidy database to have enough easily accessible, searchable fields to allow people to make meaningful use of the data.

I turn to the amendments that seek to reduce the time period to upload subsidies to the database for both tax and non-tax subsidies to one month. The risk of a deadline as short as a month is that public authorities are more likely to make mistakes. Although it is possible

[Paul Scully]

to correct data, that creates an additional administrative burden for public authorities. Inaccurate or otherwise poor data would also undermine public confidence in the database.

A short deadline is particularly challenging for tax subsidies, which are often calculated from the information provided in a tax declaration, which the beneficiary is entitled to change within the 12 months following its due date. That is true, for example, of the Government's research and development subsidy scheme for small and medium-sized enterprises, where quarterly uploads to the database are planned for the hundreds of subsidies above £500,000 that are awarded every year. Significantly more resource would be required to upload to the database more frequently and to make corrections to previous uploads as required. I note the proposal to require an initial upload of a tax subsidy as an estimate. However, I believe that more changes and revisions to the database would cause confusion.

On auditing the database, I share hon. Members' desire to make the database as accurate as possible, and my Department is already taking steps to improve data quality. However, a new obligation to subject the database to a routine audit is unnecessary because the system already incentivises accurate entries. Public authorities may not have fulfilled their obligation to make an entry on the database if that entry is not accurate, so the limitation period for a challenge would not start until a correct entry was made. Public authorities must therefore take responsibility for their own data. Ultimately, it would not be a good use of taxpayers' money to have central Government officials independently verifying every piece of information provided by public authorities. As for the requirement to include the subsidy upload date in the list of requirements for the database that may be included in regulations, I entirely agree that that is useful data. As I have said, we are currently developing an update so that that is part of the publicly available information on the database.

Let me now deal with amendments that raise important points about the nature of the subsidy control regime, and especially about the role of the subsidy advice unit. The SAU's job is to be an impartial adviser in respect of the most potentially harmful subsidies and schemes. The regime places clear duties on public authorities that are awarding subsidies. It will be for those authorities to assess whether they are compliant with the regime. That is not the SAU's job. It will only review public authorities' assessments in a relatively small number of cases that have the potential to be the most distortive. New clause 3 would require the SAU to monitor and investigate subsidy activity, and amendment 9 would require it to list all subsidies annually, whatever their size, along with an assessment of their compliance. Both would involve a fundamental shift in the unit's role, to an intrusive, investigatory one.

I fully expect that there will be high levels of compliance with the regime, and that public authorities will take their statutory duties seriously. Of course, failure to fulfil these duties would expose public authorities to legal challenge, and would create unnecessary uncertainty for beneficiaries. Members will appreciate the resource burden that monitoring and assessing all subsidies would involve, and will recognise that not only is it entirely

disproportionate to the risks that the amendments seek to address, but it would distract from the SAU's proper focus.

Amendment 26 would allow the CMA chair to make appointments to the subsidy advice unit to bring greater experience in relation to Scotland, Wales and Northern Ireland. The CMA's staffing is an internal matter, but I note that job vacancies for the new unit are currently being advertised in all four capitals of the UK.

Amendment 8 proposes that subsidies granted under schemes should be open to challenge in the Competition Appeal Tribunal. Schemes represent an important efficiency for public authorities. They allow similar or identical subsidies to be given on the basis of a single, comprehensive assessment against the principles. A scheme should not be made unless the public authority believes that the subsidies given under it will be consistent with the principles. It would therefore be unnecessary for subsidies granted under schemes to be eligible for review by the tribunal. However, if there were a question as to whether a subsidy given under a scheme really met the terms of the scheme, that subsidy could be challenged in the tribunal on the basis that it should be treated as a stand-alone subsidy.

Let me deal next with the amendments relating to the role of the devolved administrations. The UK Government have engaged regularly with the DAs on the design of a UK-wide subsidy control regime, and we will continue to listen carefully to their views. None the less, it is important to reiterate that subsidy control is a matter reserved to this Parliament. That is because we need a UK-wide regime to prevent distortions harmful to competition, and to facilitate compliance with our international obligations. I fundamentally believe that the amendments are inappropriate for a reserved policy matter. The Secretary of State will act in the interests of all parts of the UK.

Amendment 12 concerns who can challenge a subsidy decision. I can clarify that: the devolved administrations, or local authorities, would generally be able to apply for the review of a subsidy when people in the areas for which they are responsible might be adversely affected by it, but there is no reason for the DAs to be able to challenge subsidies that have only a tenuous connection with the interests of people in those areas.

Amendment 10 would allow the devolved administrations to create streamlined subsidy schemes. All public authorities in the UK will be able to use such schemes, but they will function best when they apply throughout the UK. In any case, all public authorities will be free to create subsidy schemes for their own purposes, and primary public authorities, such as the DAs, will be able to create schemes for the use of local authorities and other public bodies within their remit. As for amendment 27, the Bill already requires the Secretary of State to consult such persons as they consider appropriate before issuing any guidance. Attaching a formal consent mechanism to this clause risks delaying the issuing and updating of guidance.

New clause 1 would exempt agricultural subsidies and schemes within the scope of the World Trade Organisation agreement on agriculture from the requirements of the new domestic regime. Having agriculture covered by the same single, coherent framework as other sectors will protect competition and investment within agriculture, while securing consistency for public authorities and subsidy recipients. The Bill's design ensures that public

authorities are empowered to give subsidies that best fit their local needs, whether that means supporting innovation in pharmaceuticals or innovation in farming. I therefore do not agree that agriculture should be exempt from the regime.

Let me now turn to the amendments dealing with net zero.

New clause 2 would require the Secretary of State to report annually on the impact of all subsidies granted in the previous year on the environment and climate change. This would represent a significant administrative burden, not least on smaller public authorities, and would discourage them from granting existing subsidies in the first place. There are also long-standing existing obligations on public authorities to collect this information in specific circumstances, and therefore this amendment is unnecessary.

Amendment 11 would add another principle to schedule 1 centred on net zero, but net zero is not inherent to all subsidies. A great number of subsidies will not have a meaningful impact on the UK's emissions. A requirement for public authorities to assess all subsidies against net zero is therefore disproportionate.

Amendment 16 would add an explicit net zero test to the balancing test principle in schedule 1. The terms of the balancing test are not limited to negative effects on trade or investment within the UK, or to international trade and investment, so this amendment is also unnecessary.

Finally, on levelling up, amendment 18 would establish that streamlined subsidy schemes can be made for the purpose of supporting areas of deprivation. The Bill allows the Government to create streamlined subsidies for any purpose, not least for levelling up, so this amendment is unnecessary, but I certainly commit to ensuring that streamlined subsidy schemes collectively support public authorities in delivering levelling-up objectives.

The first subsidy control principle specifies that subsidies should pursue a policy objective that either remedies a market failure or addresses an equity rationale. Clearly, relative economic deprivation would fall into that category, so these amendments are unnecessary.

I am grateful for the constructive engagement of hon. Members on both sides of the House, but I cannot accept the amendments tabled for this debate. Consequently, I ask hon. Members not to press them.

Finally, I thank the team that prepared the Bill: Jamie Lucas, Jess Blakely, Carmen Suarez, Jane Woolley, George Kokkinos, Hannah Swindell, Sam Naylor, Joe Smith, Matilda Curtis, Dharmesh Jadavji, Steve Huntington, Kerry Mattingly, Anthony McDonough, Tim Beaver, Christian Garrard and Josephine Sherwood.

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

The House divided: Ayes 31, Noes 292.

Division No. 146]

[8.16 pm

AYES

Blackman, Kirsty	Cooper, Daisy
Brock, Deidre	Doogan, Dave
Brown, Alan	Edwards, Jonathan
Cameron, Dr Lisa	Ferrier, Margaret
Campbell, Mr Gregory	Flynn, Stephen
Carmichael, rh Mr Alistair	Green, Sarah

Hanna, Claire
Hanvey, Neale
Hobhouse, Wera
Hosie, rh Stewart
Jardine, Christine
Lake, Ben
Linden, David
Monaghan, Carol
Moran, Layla
Olney, Sarah
Qaisar, Ms Anum

Saville Roberts, rh Liz
Shannon, Jim
Stephens, Chris
Stone, Jamie
Thewliss, Alison
Thompson, Owen
Williams, Hywel
Wilson, Munira

Tellers for the Ayes:
Richard Thomson and
Steven Bonnar

NOES

Adams, rh Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Atherton, Sarah
Bacon, Gareth
Bacon, Mr Richard
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Bhatti, Saqib
Blackman, Bob
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartlidge, James
Cates, Miriam
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire

Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davison, Dehenna
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, rh Lucy
Freeman, George
French, Mr Louie
Fuller, Richard
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Glen, John
Goodwill, rh Mr Robert
Graham, Richard
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Gullis, Jonathan

Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harper, rh Mr Mark
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, Chris
 Henderson, Gordon
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alistair
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryllyn
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin

Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Norman, rh Jesse
 O'Brien, Neil
 Opperman, Guy
 Parish, Neil
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James

Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles

Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Young, Jacob

Tellers for the Noes:
Craig Whittaker and
Alan Mak

Question accordingly negated.

Clause 11

SUBSIDIES AND SCHEMES OF INTEREST OR PARTICULAR INTEREST

Amendment proposed: 19, page 7, line 9, at end insert—

“(4) Before making regulations under this section, the Secretary of State must seek the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland.

(5) If consent to the making of the regulations is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority, the Secretary of State may make the regulations without consent.

(6) If regulations are made in reliance on subsection (5), the Secretary of State must make a statement to the House of Commons explaining why the Secretary of State decided to make the regulations without the consent of the authority or authorities concerned.”—(*Seema Malhotra.*)

This amendment would require the Secretary of State to seek the consent of the Devolved Administrations before making regulations under this section. Where such consent is not given within one month, the Secretary of State may make the regulations without that consent, but must make a statement to the House of Commons explaining their decision.

Question put, That the amendment be made.

The House divided: Ayes 180, Noes 292.

Division No. 147]

[8.30 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Barker, Paula
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Blackman, Kirsty
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas

Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Campbell, Mr Gregory
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Charalambos, Bambos
 Cooper, Daisy
 Cooper, rh Yvette
 Coyle, Neil
 Creasy, Stella (*Proxy vote cast by Chris Elmore*)
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet

Davies, Geraint
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Doogan, Dave
 Doughty, Stephen
 Dowd, Peter
 Duffield, Rosie
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Ferrier, Margaret
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Gill, Preet Kaur
 Giindon, Mary
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Griffith, Nia
 Gwynne, Andrew
 Hanvey, Neale
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Jardine, Christine
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Maskell, Rachael
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison

McKinnell, Catherine
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Pollard, Luke
 Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thompson, Owen
 Thomson, Richard
 Timms, rh Stephen
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Taiwo Owatemi and
Colleen Fletcher

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Atherton, Sarah
 Bacon, Gareth
 Bacon, Mr Richard
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davison, Dehenna
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freeman, George
 French, Mr Louie
 Fuller, Richard
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Graham, Richard
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Harper, rh Mr Mark
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, Chris
 Henderson, Gordon
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane

Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Norman, rh Jesse
 O'Brien, Neil
 Opperman, Guy
 Parish, Neil
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew

Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill

Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike

Young, Jacob

Tellers for the Noes:
 Craig Whittaker and
 Alan Mak

Question accordingly negated.

Schedule 1

THE SUBSIDY CONTROL PRINCIPLES

Amendment proposed: 16, page 52, line 6, at end insert—

“(c) consistency with the United Kingdom achieving its net-zero commitments established under the Climate Change Act 2008.”—(*Seema Malhotra.*)

This amendment adds consistency with the UK's net-zero commitments as a particular consideration for public authorities before deciding whether to give a subsidy.

Question put, That the amendment be made.

The House divided: Ayes 178, Noes 292.

Division No. 148]

[8.42 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Barker, Paula
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Blackman, Kirsty
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Campbell, Mr Gregory
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Charalambous, Bambos
 Cooper, Daisy
 Cooper, rh Yvette
 Coyle, Neil
 Creasy, Stella (*Proxy vote cast by Chris Elmore*)
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davies, Geraint
 Davies-Jones, Alex
 De Cordova, Marsha
 Debonnaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Doogan, Dave
 Doughty, Stephen
 Dowd, Peter
 Duffield, Rosie
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Ferrier, Margaret
 Flynn, Stephen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gardiner, Barry
 Gill, Preet Kaur
 Gilding, Mary
 Green, Kate
 Green, Sarah
 Greenwood, Lilian
 Griffith, Nia
 Gwynne, Andrew
 Hanna, Claire
 Hanvey, Neale
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Huq, Dr Rupa
 Jardine, Christine
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth

Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Maskell, Rachael
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Pollard, Luke
 Qaisar, Ms Anum
 Qureshi, Yasmin
 Rayner, rh Angela

Reed, Steve
 Rees, Christina
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thompson, Owen
 Thomson, Richard
 Timms, rh Stephen
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Taiwo Owatemi and
Colleen Fletcher

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Atherton, Sarah
 Bacon, Gareth
 Bacon, Mr Richard
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Bhatti, Saqib
 Blackman, Bob
 Bone, Mr Peter
 Bottomley, Sir Peter

Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishty, Rehman

Churchill, Jo
 Clark, rh Greg
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davison, Dehenna
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freeman, George
 French, Mr Louie
 Fuller, Richard
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, John
 Goodwill, rh Mr Robert
 Graham, Richard
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Griffiths, Kate
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke

Hammond, Stephen
 Hancock, rh Matt
 Harper, rh Mr Mark
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heaton-Harris, Chris
 Henderson, Gordon
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McPartland, Stephen
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria

Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Norman, rh Jesse
 O'Brien, Neil
 Opperman, Guy
 Parish, Neil
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Richards, Nicola
 Richardson, Angela
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe

Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, Tom
 Vara, Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Sir Charles
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Young, Jacob

Tellers for the Noes:
Craig Whittaker and
Alan Mak

Question accordingly negatived.

Third Reading

Queen's consent signified.

8.53 pm

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

I pay tribute to my hon. Friend the Minister for his leadership and diligence in steering the Bill through this House. I recognise the contribution of all the officials in my Department whose outstanding work has advanced us to this point. I thank you, Madam Deputy Speaker, and your colleagues for all the work you have done. I extend my thanks to all the House staff who have made sure that everything has gone as one might expect.

This Bill is a hugely important piece of legislation. It establishes a subsidy control system that has been designed by and for the UK. It demonstrates the Government's clear commitment to seize the opportunities arising from Brexit. For the first time, the decision on whether to grant a subsidy will fall to the granting authority itself. At the heart of the regime is a set of clear and proportionate principles that will be underpinned by guidance.

Local authorities, public bodies and the devolved Administrations in Edinburgh, Cardiff and Belfast will be empowered to decide if they can issue taxpayer-funded subsidies by acting consistently with the principles outlined in the legislation. That includes a principle specifically designed to minimise distortions to UK competition and investment. The new regime will help to unlock potential so that all areas of the UK feel the benefits of targeted subsidies. That includes investment in skills, infrastructure, new technologies, and research and development.

With agreement, in Committee, the Government made some technical changes to the provisions to provide clarity in certain areas. Those included ensuring that the transparency requirements apply to subsidies under legacy schemes subject to certain exemptions and that the content of the CMA's post-award report is consistent with that of its pre-award report.

There has been a thorough debate, including today, about specific elements of the regime. I welcome the recognition on both sides of the House of the need for the Bill. The new subsidy control regime will ensure that the UK maintains a competitive free market economy, which is fundamental to our national prosperity, while protecting the interests of the British taxpayer. The debate will continue through the remaining stages of the Bill as it passes to the other place and we will of course be mindful and attentive to that continuing debate. On that basis, I commend the Bill to the House.

8.56 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): It is a privilege to come to the Dispatch Box for the first time as the shadow Secretary of State for Business, Energy and Industrial Strategy. This is an important Bill. On the face of it, it is a technical matter, as our exit from the European Union and single market means that a replacement for the former state aid rules is a legal and practical necessity. However, the debate we have had about how the new regime will be used shows that it is much more important than that.

I thank all hon. Members who have worked on the Bill, particularly my hon. Friends the Members for Feltham and Heston (Seema Malhotra) and for Sefton Central (Bill Esterson) for their work in Committee. I repeat the Secretary of State's thanks to all the Clerks and ministerial officials for getting it ready.

The current Government's economic record sadly combines the worst of everything. Our long-term growth forecasts are low, our taxes are high, our productivity is appalling, inflation is growing and our trade is shrinking. In short, the Conservative Government have created a high-tax, low-growth economy, so the country needs a plan for growth if we are to generate the living standards and public services that the British people rightly expect. Therefore, how the powers and responsibilities that are contained in the Bill will be used is of major interest to us all.

I want to see some ambition from the Government—not just big talk, but real delivery. Throughout the Bill’s passage, we have tried to tease out the outlines of their strategy, or some indication of their plans, but we are none the wiser, mainly because they do not seem to know what they want to do. For any industrial policy to be successful, its focus must be the long term and its fundamental objectives should be cross party to give industry and firms the reassurance that they need to invest for the future.

This Government cannot even agree with what former Conservative Governments proposed and adopted as policy just a few years ago. I have still heard no clear reason from them as to why the previous industrial strategy and bodies such as the Industrial Strategy Council have been abolished. It smacks of the fundamental short-termism and lack of seriousness that infects the whole Government. That matters because for the powers contained in the Bill to work, they have to be a part of a coherent strategy. I do not believe that we have that.

I do not believe in corporate welfare; it is not the Government’s job to bail out firms that are not viable or to distort fair competition in markets. But I do believe that there is a huge role for the Government in partnering with industry to meet our national objectives, particularly on net zero. A good example of where that support is needed is our energy-intensive sector, which has a significant carbon footprint domestically but which compares favourably to the same industries in other countries when international comparisons are made. I want to see from the Government a coherent and effective strategy to use the powers in this Bill to support these industries because, without that, all we will do is offshore our emissions by making these sectors uncompetitive. At present, we have a Government who are willing to intervene, but whose approach is best described as completely scattergun. I know some Conservative Members are converts to economic intervention, but they have skipped the part where that intervention needs to be driven by purpose, rather than short-term political expediency. Michael Heseltine put it best when he said that the Government appear to have “no coherent approach” and the Prime Minister is just

“lurching from crisis to crisis.”

That is harsh criticism, but it is fair.

In many ways we will not be able to judge the success or not of this legislation until we have learnt more about how the Government intend to use it. Quite simply, the Government must do better. If they had taken our amendments, and those of other colleagues here today, on board, that would have substantially improved what we are being presented with on Third Reading. It would have given us greater transparency to show where public money is going and a commitment that any subsidies help the UK achieve the net zero targets, and ensured that the nations and regions have the powers they need to make the new regime a success. It is a real regret that those amendments are not part of the Bill, but I hope members in the other place will take these arguments up.

To return to my opening remarks, although the Bill is not the one we would have proposed, it is clearly a necessity. We will therefore not be opposing it on Third Reading. However, in the months and years ahead, it will only have meaning for the British people if it is combined with the kind dynamic and coherent policy agenda that so far has eluded this Government at every level.

9.1 pm

Kirsty Blackman: I want to start with a few thanks. I thank staff member Dr Jonathan Kiehlmann and my hon. Friend the Member for Aberdeen South (Stephen Flynn) for their assistance on the Bill. I also thank—this shows the seriousness with which Scotland treats this—Cabinet Secretaries Kate Forbes, Ivan McKee and Mairi Gougeon, who have all taken an interest in the Bill and in trying to improve it. We recognise that it is an incredibly important regime and we have significant concerns about it. I wish briefly to comment on amendment 19, which we voted for. We did so not because it was perfect but because it would have made the Bill marginally better than it is currently. So the amendment is not something we would necessarily back wholeheartedly, but it is better than the current Bill as drafted. I thought it would be best to make that clear.

The three major concerns we continue to have about the Bill relate to the inclusion of agriculture. Agriculture is not included in subsidy control regimes elsewhere and I do not believe we have heard enough justification from the Minister or the Secretary of State to understand why they have chosen to include agriculture in this scheme. We believe that the scheme is not transparent enough. Indeed, the hon. Member for Weston-super-Mare (John Penrose) tabled a number of amendments to that effect, as did a number of other colleagues across the House. There are significant concerns about the transparency of the subsidy control database in particular, but that also applies to the subsidy regime more widely. I hope that the Government will take these things into account and will consider them as the Bill moves on to further consideration in the other place.

The last issue we have is about climate change, which should form part of the key principles. I know that the principles can be updated, including by future Governments, but, for the Bill to stand the test of time, reaching our net zero targets should have been put at its front and centre. I appreciate the Opposition tabling an amendment to that effect. The Liberal Democrats did the same, as did we. This is so important and we feel that the Minister and the Secretary of State are abdicating some responsibility on that.

Lastly, I wish to thank the Minister for his clarification in relation to interested parties. I very much appreciate him saying what he said at the Dispatch Box on the role of devolved Administrations when it comes to interested parties. That will make a difference to the operation of the Bill and I appreciate that he did that.

9.4 pm

Kwasi Kwarteng: I am very pleased that there have been as many contributions as there have been. I look forward to taking the Bill forward, as does my hon. Friend the Minister.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 4, 5 and 6 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ROAD TRAFFIC

That the draft Electric Vehicles (Smart Charge Points) Regulations 2021, which were laid before this House on 28 October, be approved.

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Customs Safety and Security Procedures (EU Exit) (No. 2) Regulations 2021, which were laid before this House on 15 November, be approved.

CONSTITUTIONAL LAW

That the draft Consumer Scotland Act 2020 (Consequential Provisions and Modifications) Order 2022, which was laid before this House on 8 November, be approved.—(*Michael Tomlinson.*)

Question agreed to.

National Lost Trawlermen's Memorial Day

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

9.5 pm

Karl Turner (Kingston upon Hull East) (Lab): Thank you, Madam Deputy Speaker, for providing me with the opportunity to speak on this subject, which is incredibly close to my heart, and means a great deal to the people of Hull and many others across the country.

For the past 32 years, Hull has come together, with a date now fixed—the last Sunday in January—to remember and commemorate the more than 6,000 trawlermen of our city who lost their lives at sea. Although the covid-19 pandemic may have moved the annual service online last year, I have no doubt that Lost Trawlermen's Day will, as soon as possible, return to its rightful place in the city and our civic life.

As someone who was born and bred in Hull, it is a source of immense pride, every year, that hundreds of people brave the January wind and cold on the banks of the Humber to attend the service to the lost trawlermen—that is how much it means to the people of our city.

Mrs Sheryll Murray (South East Cornwall) (Con): I pay tribute to the hon. Gentleman for raising this today. As the widow of a trawlerman, who lost her husband at sea, I genuinely believe that what he is asking for today is something that we should all support. I know that my family would really like to see a day when they can celebrate—my children celebrate their father and I my late husband. There are many fishermen's wives out there who do not have anything other than a memory because they did not even have their husbands recovered. My friend has raised this but I genuinely believe that it has cross-party support. On these Conservative Benches, we believe as well that we should be doing this.

Karl Turner: I am very grateful to the hon. Lady. She and I were elected together in 2010 and I remember that terrible event. She paid tribute to me, but may I pay tribute to her for what she has just said in this important debate?

People come together in the city. They do that because, at one time, Hull was the largest and most successful fishing port in the world and the city's development was closely tied to the industry. That success came at a terrible human cost. The price of fish at market may have gone up and down but, at least until recent years, it was always high in terms of lives lost at sea. I think I am right in saying that it was Walter Scott who wrote, over two centuries ago:

“It's not fish you're buying, it's men's lives.”

Sadly, that was very true.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this debate forward and pay tribute to the hon. Lady for her heartfelt thoughts.

I represent Portavogie, the second largest fishing village in Northern Ireland and I have known in my lifetime many a brave man lost at sea. Indeed, just last week, my office had contact with a widow who lost her husband at sea in 1986—35 years ago—and she still mourns him today. Does the hon. Gentleman not agree that the

widows and the children of these men will be warmed in the knowledge that their loved ones have not been forgotten by us in this House tonight?

Karl Turner: I do agree, and I pay tribute to the hon. Gentleman, because I know he is incredibly proud of the industry in his area and campaigns tirelessly for the interests of those who earn their living fishing at sea.

Fishing was and is a hard, tough and unimaginably dangerous job. In the mid-20th century, workers in the fishing industry were four times as likely to be killed as those in the UK's next most lethal profession, underground coalmining.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I am grateful to the hon. Gentleman for giving way, because this is a proposition that I am sure will have support in coastal and island communities right around the country. I was brought up on Islay, with a population of 3,500 people, and even of those who were at school with me I can count no fewer than six who have lost their lives in the industry. The real benefit that would come from what he proposes is not just that it would be an act of remembrance but, in its own small way, it would help to improve the culture within the industry so that the many lives that were lost needlessly would not be lost in future generations.

Karl Turner: I am grateful to the right hon. Gentleman; the fact that he speaks as he does adds incredibly strong support to the argument. I think I am right in saying, having spoken briefly with the Minister prior to the debate, that to some extent we are pushing at an open door.

Fishing in Hull and the rest of the UK was not only deadly during peacetime. Trawlermen were on the frontline of both world wars, not only braving enemy action to keep those at home supplied with vital food when rationing tightened belts, but playing an active role in minesweeping, U-boat detection and saving lives at sea. At the height of the first world war, fishing trawlers on active service were lost at the rate of one every other week, with an average of half of all crew lost in every single incident. The contribution of fishing communities to the wider conflict has been woefully under-recognised, in my respectful view, and that must be addressed.

Lia Nici (Great Grimsby) (Con): I congratulate the hon. Gentleman on bringing this debate forward. As we both know, Grimsby and Hull have had a healthy competition over the years, because Grimsby is well-known as the world's premier fishing port. On the point about the first and second world wars, however, does he agree that our minesweeping, our anti-submarine work, our convoy work and our armed trawling work has not been very well publicised, and that the 66,000 men around the UK who joined the Royal Naval Patrol Service helped to save the UK and to keep it fed, since fish was the only food that was not rationed at the time?

Karl Turner: I am very grateful to the hon. Lady, who makes the point better than me, I suspect, and very passionately; I spotted the Minister listening intently while she spoke.

While fishermen are among those commemorated on the Tower Hill memorial in London, their relative absence from the wider story of this country's war effort should

be further evidence of the need for a National Lost Trawlermen's Memorial Day. We mark Lost Trawlermen's Day in Hull on the last Sunday in January, deliberately and for a significant reason: with high winds and stormy seas, it was always a perilous time for Hull's fishing fleet, with many losses occurring at that time of year.

However, January 1968 marked one of the darkest periods in our city's history, the triple trawler tragedy, when the *St Romanus*, the *Kingston Peridot* and the *Ross Cleveland* all sank within weeks of each other, with the loss of 58 lives. Only one man survived. The devastating blow dealt to Hull's tight-knit fishing community was a call to arms, and the headscarf revolutionaries, led by Lillian "Big Lil" Bilocca, achieved more for safety at sea in a few days than others had achieved in many decades. Dr Brian Lavery paid tribute to her in his book.

Martin Vickers (Cleethorpes) (Con): I congratulate the hon. Gentleman on securing this debate. He talks of the triple tragedy, and I am old enough to remember the hush of cold silence over Grimsby when a trawler went missing. I remember regularly going down to Grimsby docks with my father, who worked on the docks all his working life. I went on the trawlers and saw how little protection they offered to the trawlermen, so I congratulate the hon. Gentleman on achieving not only cross-party support but, as my hon. Friend the Member for Great Grimsby (Lia Nici) said, cross-Humber support, which is not always quite so obvious.

Karl Turner: The hon. Gentleman is of course right that he and I and colleagues from across the Humber do not always agree, but I am grateful that we do on this point.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): It is not just cross-Humber, as there is cross-Tamar support from Devon and Cornwall MPs. In Plymouth we have lost two trawlermen in recent years: one on the *Solstice* and one on the *Laura Jane*. In remembering them as individuals and the risks they take in going to sea, may I ask my hon. Friend to use this opportunity to talk about the need to invest in improved safety such as the further roll-out of the Plymouth life jacket scheme? A personal locator beacon is included on the life jackets, which takes the search out of "search and rescue" if a person goes overboard.

Karl Turner: I thank and pay tribute to my hon. Friend for his work on this issue over the past couple of years as shadow Secretary of State for Environment, Food and Rural Affairs. He is right, of course, and we should extend the scheme further not just to those most at risk but across the industry and to all fishers, because these relatively cost-effective, inexpensive things can save lives.

Neil Parish (Tiverton and Honiton) (Con): I thank the hon. Gentleman for securing this Adjournment debate. Further to what the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said, we can greatly improve the safety of our boats. There will always be risks at sea, but we can minimise those risks by introducing better safety and more up-to-date boats. I would like to see us invest even more in fishing and fishing boats so that we can see our fishermen safer at sea.

Karl Turner: The hon. Gentleman is right that the industry was never safe. Fishermen in Hull and across the country were referred to as “three-day millionaires” because they were paid well, relatively speaking, but when we think about it, they were not paid well enough. The risk of going out to sea on those vessels often meant they did not come home. He makes a good point.

If I may, I am keen to get back to “Big Lil” Bilocca. She is remembered with folk-hero status in Hull, and her legacy is the cornerstone of our respect for this once dominant industry.

The cultural institutions marking the contribution of trawlermen and the wider industry to the city of Hull have gone from strength to strength in recent years. Both the Arctic Corsair and the Spurn lightship have recently undergone dry-dock repairs to preserve them for generations to come, which I am delighted to see. It has chiefly been led by Hull City Council and its leader Daren Hale, and they have ensured that the “Hull: Yorkshire’s Maritime City” project undertakes the vital work needed to preserve and promote Hull’s 800 years of seafaring history.

Cat Smith (Lancaster and Fleetwood) (Lab): I pay tribute to Hull City Council, which is clearly doing a lot of work on its fishing heritage. Will my hon. Friend join me in paying tribute to Fleetwood Town Council, which since 2017 has taken on responsibility for the two memorials to fishing in Fleetwood? There is one on Dock Street next to Asda and, of course, one on the promenade. As we have two memorials in one fishing town, does that not suggest that a national memorial could solidify how communities across the British Isles have paid the ultimate price to put food on the table?

Karl Turner: My hon. Friend makes an excellent point. It is no secret that she is a powerful voice for the industry in her constituency. Indeed, she has often discussed the issue with me and other colleagues who are keen to ensure that it is raised.

Mrs Sheryll Murray: I pay tribute to the Looe harbour commissioners, who have a memorial on the harbourside with my late husband’s name on it, among many others. I also pay tribute to Plymouth City Council, which has a memorial on Plymouth Hoe for merchant seamen. Every year, the fishing industry is included in Merchant Navy Day, but we really must look to have a fishermen’s memorial day.

Karl Turner: I am grateful once more to the hon. Lady. She reminds me of how merchant seamen always remark of the bravery of fishermen. I think merchant ships used to be referred to as big boats, and seamen went out on big boats that had some protection, so they were safer, even all those years ago. Fishermen often went out on tiny vessels in perilous conditions, risking their lives on every occasion—no matter the weather—to put food on the table.

It is very much a team effort to mark the contribution of the fishing industry—not just to our city—and to commemorate those who lost their lives, and I am pleased to see that it has cross-party support in the Chamber. I pay tribute in particular to the founders and organisers of Lost Trawlermen’s Day, the St Andrews Dock Heritage Park Action Group—also known as STAND—in Hull, as well as my constituent Ian Bowes

and his fellow tour guides on the Arctic Corsair, who are keeping the history alive for younger generations. I also pay tribute to my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy), who is just as passionate about the subject as I am. She would have been incredibly keen to be involved in the debate, but unfortunately she could not be here. Most of all, credit must go to all the family and loved ones of trawlermen lost at sea, who have worked tirelessly to ensure that they were not forgotten.

Hull’s history as a city built around the fishing industry and off the backs of hard-working fishermen is mirrored in many towns and cities across the country. Fishing is an essential part of our identity as an island nation. For all the difficult arguments around national identity, I think that fish and chips is high on the list of those on all sides of the political divide.

The building of the railways in the mid-19th century at a stroke expanded the potential market for fresh fish, creating a direct route to supply the growing industrial working classes with affordable protein. Somewhere along the way, some bright soul paired the fried white fish with chips. It was a fabulous idea, for which I am sure Members across the House are entirely thankful. I am—although I am not sure that my waistline is very pleased. I am afraid to tell you, Madam Deputy Speaker, that it is something that I enjoy quite regularly.

Lia Nici: I will spare some of the hon. Member’s blushes—we all like fish and chips a little bit too much. On a serious note, does he agree that we should also remember that, as Lloyd’s Register Foundation estimates, about 24,000 fishermen die around the world each year catching fish for all of us to eat?

Karl Turner: That is an excellent point, and I have to confess that it is a point I had not intended to remark upon in my notes.

I believe the moment is long overdue for formal nationwide recognition of the contribution of trawlermen to our shared national story, and I urge the Government to take Hull’s lead and officially recognise the last Sunday in January, if at all possible, as the UK’s Lost Trawlermen’s Day.

I should make it clear, because I think it is an extremely important point, that the reference to trawlermen in the title of this debate is drawn directly from its use in Hull’s Lost Trawlermen’s Day. It is not in any way intended to exclude those who have lost their lives at sea fishing by means other than trawl—other methods are dominant in many regional industries—or, indeed, to exclude women at sea. I am happy for any national day to have a different title reflecting these very important facts. It is the principle of remembrance for those who risked, and frequently lost, their lives to put the national dish on the table that I am advocating tonight.

Although I am happy to be corrected, my understanding is that, in the absence of a formal mechanism by which the day would be instituted, the Minister could commit the Government today, from the Dispatch Box, to recognising Lost Trawlermen’s Day as a national day of remembrance, and I hope that he will. If the Government truly want to recognise the contribution of fishing communities to our national life, especially the sacrifice of those who never came back, they could perhaps commit some money as well.

We could establish a formal ceremony on the last Sunday in January with the Government's backing. Exactly what form this should take is not for me or indeed for the Minister to decide, but I would respectfully suggest a public consultation to enable organisations working with current and ex-fishermen and families who have lost loved ones to have their say on this important issue. However, if the Government are willing to put some effort in and give fishing communities the respect they deserve, recognising the historic role they have played, they could do no worse than follow Hull's lead.

9.27 pm

Robin Millar (Aberconwy) (Con): I congratulate the hon. Member for Kingston upon Hull East (Karl Turner) on securing this debate, and on the passion with which he delivered the speech and his enthusiasm for that national dish he mentioned.

The trawlermen of coastal communities around the UK make an invaluable contribution to our economy and to keeping our nation fed, but while we enjoy eating our fish in the warmth and comfort of our homes and restaurants, it is easy to forget the skill and the courage of the trawlermen who landed the catch. The coastal waters of the UK are hazardous, weather conditions and sea states can change quickly, and it takes a special person to work, day in and day out, in conditions that include high winds, towering waves, lashing rain and freezing temperatures.

These hazards were brought home to us all too tragically in my constituency in January when the fishing vessel Nicola Faith, sailing from Conwy harbour, went missing with all hands. An exhaustive search and rescue operation was launched, including shore-based coastguard teams and Royal National Lifeboat Institution crews from Conwy, Llandudno, Beaumaris, Rhyl and Hoylake, but to no avail. It would be two months before the bodies of skipper Carl McGrath and crew members Ross Ballantine and Alan Minard were eventually found off the Wirral and Blackpool. The vessel's empty life raft had been recovered off the coast of Scotland a few days earlier, and the wreck was eventually recovered in May. We all now await the marine accident investigation branch's report into these tragic events. I recite this as the plain record of tragic events, but the reality is a devastating loss for the families and loved ones of these young men.

Mrs Sheryll Murray: Does my hon. Friend agree with me, as someone who knows exactly how those families feel, that to celebrate the trawlermen's lives in the way the hon. Member for Kingston upon Hull East (Karl Turner) has described is the best way forward?

Robin Millar: I thank my hon. Friend for her intervention, and I agree. The loss still resonates in communities in Hull and Grimsby months and years later, as we have heard, and remembering and celebrating the work of trawlermen and fishermen from of those communities is important.

I will conclude by placing on a record my respects to the crew of the Nicola Faith and extending my condolences to their families and loved ones. I also thank all those who participated in the extensive search, rescue and recovery operations. It is right that the courage and sacrifice of trawlermen lost at sea is remembered, and I welcome the consideration that has been given to that in the debate this evening.

9.30 pm

Lia Nici (Great Grimsby) (Con): I would like to add my condolences to everybody who has lost a loved one in the job that they were doing. In Grimsby, in the just under 100 years in which this has been recorded, we have lost more than 7,000 fishermen. I thank Doreen Tyson who did all the work as a researcher and supplied it to the Fishing Heritage Centre in Grimsby and to the Fishermen's Mission. I suggest to the hon. Member for Kingston upon Hull East (Karl Turner) that something that Winston Churchill said after the second world war will resonate for all time. He said:

"The work you do is hard and dangerous. You rarely get, and never seek, publicity. Your only concern is to do your job, and you have done it nobly."

9.31 pm

The Parliamentary Under-Secretary of State for Transport (Robert Courts): I warmly congratulate the hon. Member for Kingston upon Hull East (Karl Turner) on securing this important debate on the creation of a national Lost Trawlermen's Memorial Day. Fishing and the courage of fishermen are woven deep into the fabric of this nation. Perhaps too few are truly aware of the dangers that fishermen face to put food on our plates, or of their place in our maritime history, serving our nation in peace and war to keep this country fed and protected.

I was particularly struck by the hon. Gentleman's speech. More than 6,000 fishermen from Hull have lost their lives in the past 100 years, either through fishing tragedies or when their vessels were engaged in wartime service. More than 1,200 fishermen working from Hull died in the first world war; 300 Hull ships were used as minesweepers and for searching for submarines, and by the end of the war, only 91 Hull-owned ships were still afloat. Between 1939 and 1945, 191 trawlers from Hull were taken into military service, and 96 of them were lost. My hon. Friend the Member for Great Grimsby (Lia Nici) is right to say that this sacrifice and this service are nowhere near well enough publicised. The work of the Royal Naval Patrol Service and others ought to be remembered by all of us in this House and across the nation.

David Duguid (Banff and Buchan) (Con): I congratulate the hon. Member for Kingston upon Hull East (Karl Turner) on securing this debate. Does my hon. Friend the Minister agree that the number of people who are in the Chamber for this Adjournment debate tonight, representing all parts of the United Kingdom, just goes to show how much we owe the fishermen who have been described tonight? I should also like to add my thanks, through the Minister, to the Prime Minister and the Secretary of State for Business, Energy and Industrial Strategy for visiting my constituency earlier this year and for signing the book of condolence in Fraserburgh. I think they both found it quite touching that such a memorial already existed, but I totally agree with the hon. Gentleman that a specific day for recognising our fishermen is a worthy cause.

Robert Courts: I warmly agree with everything my hon. Friend says. We have heard moving speeches from Members on both sides of the House. The support from all parts of the United Kingdom and all political parties makes very clear how important this matter is to the

[Robert Courts]

entire country, and I commend all hon. and right hon. Members for having taken part and having made their contributions so movingly.

We have been hearing this evening about sacrifice and service. That tradition continues to this day and is likely to continue through the challenges of the covid pandemic. It is absolutely clear that we all owe a debt of gratitude to those we have lost. I start my thanks by paying tribute to the hon. Member for Kingston upon Hull East for having secured this debate, and to his constituents, who commemorate the memory of those lost trawlermen already at the annual Lost Trawlermen's Day held locally in Hull.

If I may, I shall take a moment to recognise that this country owes a debt of gratitude to all those who work in perilous working conditions—not just fishermen, but all those who work at sea to keep our critical supply chains moving. A timely reminder of this is the collision that took place early this morning between the UK-flagged Scot Carrier and the Danish-flagged Karin Hoej in Swedish territorial waters near the Danish island of Bornholm. The detail of the incident is still emerging, and I hope the House will understand that I must not comment further until the maritime accident investigation branches have concluded their investigations. What I can say is that I extend my thoughts and prayers to the families of all those seafarers who are still missing, and my very best wishes to all those involved, including those from the Swedish and Danish search and rescue services who have been responding to this incident today. I am sure I speak for the whole House when I thank them and salute them.

I must praise the critical role that the families of fishermen in Hull have played. Their work is the foundation stone on which we are building and improving fishing safety. Following the tragic loss of 58 lives on three fishing vessels—the triple trawler tragedy from Hull at the start of 1968—the campaigning of the headscarf revolutionaries led by Lillian Bilocca, Christine Jensen, Mary Denness and Yvonne Blenkinsop resulted in the first steps in improving fishing safety. They were all fishermen's wives. How extraordinarily moving and poignant it is that we have in the House my hon. Friend the Member for South East Cornwall (Mrs Murray), who added her devastating personal loss to the debate today. We thank her and salute her for her passionate work on fishing safety, ongoing for so many years.

Members were all as struck as I was by the words of my hon. Friend the Member for Cleethorpes (Martin Vickers) about the hush of cold silence that descended over the town when a trawler was lost. The determination of the headscarf revolutionaries to see full crewing of ships, radio operators on every ship, improved weather forecasts, better training for crew and more safety equipment led to the publication of the Holland-Martin trawler safety report in 1969. At that time, more than 60 fishermen a year were being lost. As we heard from the hon. Member for Strangford (Jim Shannon), each one of those represents for their families mourning that never ends.

In 1975, we saw the first significant regulations introduced for fishing vessels of 12 metres and over. As the hon. Member for Kingston upon Hull East said, the introduction

of the regulations is a testament to the work of the headscarf revolutionaries and those who supported them, and I pay tribute to them.

Fishing has changed since the 1960s and 1970s. When the Holland-Martin report was published, we had a sizeable deep water fleet; now our vessels tend to be smaller. Actual trawlermen, as the technical phrase is, are fewer, but the danger to those who fish commercially remains, albeit in different forms. I welcome the opportunity to recognise and highlight the real dangers that fishermen face every time they go to sea, as the hon. Member for Lancaster and Fleetwood (Cat Smith) rightly said, to provide food for us.

Cherilyn Mackrory (Truro and Falmouth) (Con): I congratulate the hon. Member for Kingston upon Hull East (Karl Turner) on securing the debate. As, I think, the only current Member of the House who is married to a fisherman, I thank my hon. Friend the Minister for his kind words in suggesting that all fishermen need to be remembered, not just those who work on large boats. My husband works on an under-10 metre vessel. There is a bit of *déjà vu* because I mentioned it in my maiden speech, but we can send them out on a calm clear day, and then the weather turns and we do not know if they are going to come home safely or not. They can call you and say, "It could be two hours before I get back," and the worry is very palpable. So I thank my hon. Friend for his words and hope that the memorial day will connect everybody in the country to their fishermen and their coastal communities, and to the dangers involved in bringing food to their tables.

Robert Courts: I thank my hon. Friend very much for that intervention. She really brings home to us all the importance of what we are discussing. I very much hope that this debate and the idea the hon. Member for Kingston upon Hull East has had will help, as she says, to connect people. Perhaps that is the point the hon. Member for Lancaster and Fleetwood was making as well—about connecting people to an understanding of what others do in order to bring food to them. They both make that point exceptionally well and I thank them for doing so.

Mr Carmichael: I am grateful to the Minister for giving way on that point of connection and for reflecting on the contribution of our fishing industry during times of conflict. It is worth remembering that we have just seen the passing of the last man who was part of the Shetland Bus, Jakob Strandheim. That still lives very strongly in the communities I represent in Shetland, but as we get further from the memory of what they did, acts of commemoration like this will be all the more important.

Robert Courts: The right hon. Gentleman is quite right, and I thank him for making that point. He is absolutely right that the memories of the sacrifices made by communities runs deep, but we must not be complacent. Those extraordinary acts of sacrifice, through the sheer passage of time become something we have to redouble our efforts to remember. There are those we have lost, but also, as we have heard, those currently working in what is a uniquely dangerous industry.

I believe there is merit in exploring further the idea from the hon. Member for Kingston upon Hull East, supported by so many Members across this House, of a national memorial day dedicated to those who have lost their lives. Consequently, I have asked my officials to explore the proposal further. I would like it very much if the hon. Gentleman and all the right hon. and hon. Members who have spoken were a part of that engagement as we consider the proposal further.

Mrs Murray: I am really pleased to hear those words from my hon. Friend, because there are so many people in my position, but they have no grave to visit, no body to bury, because some fishermen are lost at sea, never to be seen again. To give them a day when they will be able to pay tribute to their loved ones is very, very important thing. Believe you me, I know. I am one of the lucky ones.

Robert Courts: I thank my hon. Friend for making the point so beautifully, so poignantly, so eloquently. All I can do is pay tribute to her again for her fortitude and for her passionate campaigning. I hope very much that she will take part in the work we do as we explore the proposal further. I am glad that it may offer her, and others like her, comfort and solace.

I hope the House will allow me, while we remember those we have lost, to say a word or two to focus on what we can do to make the industry a safer working environment for the men and women working in it today and in the future. The 1980s, 1990s and 2000s saw new requirements to improve safety. For example, we now have basic safety training for those who want to work on a fishing vessel. Skippers must have certificates of competency. We have better health and safety requirements, such as the need to assess risks. We have seen the progressive introduction of new standards for smaller fishing vessels. Those changes have had a significant impact on fatalities in fishing, which have reduced from 60 a year in the 1960s to an average of six in recent years, as we have heard. Of course, that is still too high. It is true that the numbers fishing at sea have reduced by about 45% since those days, while fatalities have reduced by 90%. That must show that the safety changes have had an impact.

While that is a massive improvement on where we used to be, sadly this year we have seen the loss of 10 fishermen to date. No one should lose their life to provide food for our plates, so there is more to be done to make fishing safer and to protect those who choose to work in this historic industry. After all, fishing remains the most dangerous industry in the United Kingdom. On average, there are approximately 53 fatalities per 100,000 in fishing, set against 0.5 per 100,000 for the general workforce. For us, this continued loss of life is unacceptable. To think otherwise would be a betrayal of the memory of those we have lost over the years.

As my hon. Friend the Member for Aberconwy (Robin Millar) told us so movingly, the loss of life continues right up to today. The loss of the Nicola Faith on 27 January 2021 resulted in the loss of Alan Minard, Ross Ballantine and skipper Carl McGrath in the Colwyn Bay area of north Wales. Again, this matter is still under investigation by the marine accident investigation branch. While I can say nothing further, I of course send my condolences and thank my hon. Friend for his moving contribution.

What more can be done? Do we accept that fishing is dangerous and the loss of life therefore inevitable? My Department and I do not believe that to be the case. I say that as someone who reads all the marine accident investigation branch reports before they are published. I am determined that more can be done.

We should be encouraged by what has been achieved in Iceland. In the 1980s, it experienced on average more than 12 fatalities a year in its fishing industry. From 2017 to 2020, there were none. Our fishing industry can be safer. That is why the Maritime and Coastguard Agency, the Royal National Lifeboat Institution, the Sea Fish Industry Authority and the national fishing federations, partnered together in the Fishing Industry Safety Group, have the aim of eliminating preventable fatalities by 2027.

We know that in the UK, based on the investigations undertaken by the marine accident investigation branch, there are three main causes of fatality: people going overboard, vessel stability and personal accidents. The MCA and its partners are working tirelessly to address those challenges. I will say a word or two about each, if I may.

Starting with going overboard, ideally not going overboard in the first place is the best option. To help fishermen think about how not to go overboard, in 2018 new health and safety regulations were introduced that require risk assessments. Risks that might cause someone to go overboard now have to be recorded alongside steps to prevent it happening, or at least to reduce the chances. The new requirements cover everyone on board, not just those under contract.

Where the risk of going overboard cannot be eliminated, people must wear a personal flotation device. The industry has been working hard for many years to get fishermen to wear personal flotation devices. Seafish and the national federations have provided more than 8,000 devices free to crews, particularly those on small fishing vessels. We have heard from the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) how valuable that is and the massive difference it has made in his constituency. I thank him for his work, as well as other Members who have helped spread the word about personal flotation devices around our coasts and in their constituencies. Excellent work is being done by the RNLI and Seafish through practical demonstrations at environmental pools around the country.

Even with the great work that is going on, sadly we still see regular fatal incidents where fishermen enter the water and are found not wearing a personal flotation device. When the encouragement, training and guidance fail, the Maritime and Coastguard Agency, as the regulator, can use its aerial surveillance capability to check that personal flotation devices are being worn when the risk of going overboard has not been eliminated, and it can take action.

I will say a word about vessel stability. Requirements have existed for larger fishing vessels since the introduction of new rules in 1975 as a result of the work of the headscarf revolutionaries, but no such requirements existed for small vessels, making up the majority of the fleet. Unlike going overboard, which normally involves just one person, capsize can be a sudden and catastrophic event that ends the lives of everyone on board. The loss of vessels such as the *Stella Maris*, the *JMT*, the *Purbeck Isle*, the

[Robert Courts]

Sarah Jayne, the Nancy Glen and the Heather Anne, to name but a few, led to the introduction in September of new stability requirements for smaller vessels.

We heard of the importance of safety and newer vessels and new safety requirements from my hon. Friend the Member for Tiverton and Honiton (Neil Parish), and he is right. Just last week, we saw the launch of the latest phase of the Maritime and Coastguard Agency's "Home and Dry" campaign, with videos on how to conduct tests and avoid compromising a vessel's stability. Since 2008, the MCA has invested more than £3 million to support training in stability awareness and other safety skills. It is anticipated that, next year, the MCA will consult on introducing mandatory stability training.

Although stability nowadays is a problem for small fishing vessels, the working environment of a fishing vessel, with the dynamic movement of the vessel and equipment, means that accidents for those on board are all too common. Despite the challenging working conditions, accidents are not inevitable. The good maintenance of equipment, safe operating systems, regular review of those systems and following good safety behaviours can reduce or eliminate the risks, whether someone is working a machine on land or fishing gear at sea. I am heartened that the industry has developed a free online safety management system that helps to achieve those things. I encourage all those fishing commercially either to adopt that system or develop their own in line with the MCA's maritime guidance note covering the topic.

Mrs Murray: Will my hon. Friend join me in paying tribute to his predecessor, who worked with me in 2011 to try to introduce safety stop buttons for deck equipment, which was one of the things that was entirely responsible for my late husband's death?

Robert Courts: Yes, I wholeheartedly pay tribute to my predecessor for that work and to my hon. Friend the Member for South East Cornwall for her passionate advocacy of that critical step. Thank goodness that is one step we have been able to take, but there is so much more to do, and I look forward to working with her and others on that.

Changes can take time to have an effect. Although we can introduce new requirements, have more robust enforcement, develop training, give guidance, run publicity campaigns and provide funding, ultimately, safety is the responsibility of the owners of the vessel on which people work and, undoubtedly, those on board. We must always remember those who, sadly, have died while fishing, and there is no better way of remembering than by looking to the industry to eliminate all preventable deaths in future. We should follow the lead of the headscarf revolutionaries by bringing together people with all groups, not just in Government, who can influence and drive change in the industry.

Ultimately, although the Government can support initiatives and introduce new requirements, only those involved in fishing can prevent further fatalities and we will need to work with them to help to improve their safety. However, we will not sit back and wait to see whether safety improves. In the new year, I intend to write to all hon. Members with constituency fishing interests. I would like to explore this and use their unique insight and knowledge gained through their work in their constituencies—their thoughts and ideas on what they, their constituents and others can do to improve safety in this critical industry.

Jim Shannon: I thank the hon. Gentleman for his response to everyone tonight; it has been exemplary and we really appreciate it. He understands where we are all coming from. In my village of Portavogie, which I represent, we have a memorial—a statue of a fisherman in a sou'wester as he steers a boat. It epitomises and captures the feelings of us all in the area. I had a brother who fished on the boats and I have lost some dear friends over the years, so I understand the issue.

It is really important for the hon. Gentleman to get all the viewpoints, not just of those who are here, but of the fish producer organisations that have the knowledge of the local communities who have lost their loved ones. We can feed all that into the process. I think he is saying that that is what he wants to do, and if that is the case, that is the way forward.

Robert Courts: I thank the hon. Gentleman for what he has said. That is indeed what I should like to do. I have been very struck by the tragedies about which I have read and heard since I have been fortunate enough to be in this post, and I should very much like to seek the aid of hon. Members such as him to ensure that communities, representatives, and indeed everyone who wants to feed in their views to assist this can have those views heard. Driving down those unnecessary fatalities is a goal towards which we can all strive, and of which we can be proud. It would be a fitting achievement, and a fitting tribute to all those who have lost their lives.

Let me end by leaving one thought with the House. Over this winter, if any of us or any of our constituents—anyone watching this debate—turns in for a late night after a fish-and-chip supper in a warm pub, deep in landlocked safety, I hope we will take a minute, just once, to tune in to the shipping forecast, with its calm gale warnings, and will think of those at sea, risking life and limb that we might be in bed, safe and warm and fed.

Question put and agreed to.

9.56 pm

House adjourned.

Westminster Hall

Monday 13 December 2021

[DAVID MUNDELL *in the Chair*]

Online Animal Sales: Regulation

[*Relevant document: Oral evidence before the Environment, Food and Rural Affairs on 24 November 2020, Pet Smuggling, HC 926.*]

4.30 pm

David Mundell (in the Chair): Before we begin, I remind Members that they are expected to wear face coverings when they are not speaking in the debate. This is in line with current Government guidance and that of the House of Commons Commission. I remind Members that they are asked by the House to have a covid lateral flow test twice a week if coming on to the parliamentary estate. This can be done either at the testing centre in the House or at home. Please also give each other and members of staff space when seated and when entering and leaving the room.

Christina Rees (Neath) (Lab/Co-op): I beg to move,

That this House has considered e-petition 587654, relating to regulation of online animal sales.

It is always a pleasure to serve under your chairmanship, Mr Mundell. This petition, entitled “#Reggieslaw—Regulate online animal sales”, closed with over 109,000 signatures, and states:

“Given how many animals are sold online, we want Government to introduce regulation of all websites where animals are sold. Websites should be required to verify the identity of all sellers, and for young animals for sale pictures with their parents be posted with all listings.”

I volunteered to lead on this petition because my daughter had a dog called Reggie. He was part of our family for many years, and we loved him so much that it broke our hearts when he tragically died from cancer. I met with the petitioner, Richard, who told me that he started the petition after he bought his 12-week-old Labrador puppy Reggie through a reputable website for his partner for Christmas, and then realised that he had unknowingly contributed to illegal puppy farming. Richard, who is with us in the Public Gallery tonight, bravely concedes that he should have done more research before buying Reggie and should have walked away, which would have prevented the seller from getting more money to continue acts of animal cruelty. However, Reggie would still have died.

Richard gave Reggie love, dignity and pain relief throughout his very short life. Reggie fell ill 12 hours after Richard took him home, and died from parvovirus after two days. When Richard bought Reggie, he thought that Reggie was from St Helens, Merseyside, but when he went back to the address where he had bought Reggie, he found that the seller had gone. The microchip number for Reggie did not match the documentation and was registered to Dublin, Ireland, so Richard believes that Reggie was illegally shipped to the UK. Richard started Justice For Reggie to raise awareness of the dangers of online animal sales, which is part of the Animal Welfare Alliance, which he also set up and is made up of a number of animal websites.

Richard would like the Government to establish a regulatory board to regulate all animal sales websites, and that these websites should be verified before they are set up. He would like it to be a legal requirement to have pictures of puppies suckling on their mother, and to identify online sellers, in that every seller should produce a photo ID and two proof-of-address documents to prove by whom, and from where, the pet is sold. Last week, Richard walked 200 miles from his home in Wigan to hand in a petition to the Prime Minister at 10 Downing Street, and I know that some Members who will speak in tonight’s debate met Richard at Downing Street to show their support.

The Government responded to the petition on 1 July 2021, saying:

“The Government shares the public’s high regard for animal welfare. We endorse the Pet Advertising Advisory Group’s work and support their actions to improve the traceability of online vendors.” Their response mentioned the UK Government’s Petfished campaign, and said that the Animal Welfare (Kept Animals) Bill will end puppy smuggling, as it

“includes powers to introduce new restrictions on pet travel and the commercial import of pets on welfare grounds, via secondary legislation.”

It went on to say that the UK Government’s pet theft taskforce is considering different measures to stop pet theft, including the regulation of online sales, a voluntary code of practice and a certification scheme for compliant websites to encourage sites to increase checks. Sales should be cashless to improve traceability. It also said that the Department for Environment, Food and Rural Affairs planned to launch an online advertising programme to assess whether the Government need to strengthen the regulatory framework around online advertising, with a consultation expected before the end of this year.

I am sure Members are aware that animal welfare is a devolved matter. There is no specific legislation on acquiring a pet online; however, the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 cover, among other things, dog and cat breeding and selling animals as pets, as licensed by local authorities. Dog breeding is defined as “three or more” litters a year or where that is regarded as a business by a local authority. “Selling animals as pets” covers selling and selling on, whether bred by the seller or not. The regulations require an advertisement for an animal sale to include the licence number, the licensing authority, the age of the animal, a photo, country of origin and residence, and require that the animal be in good health. Dogs must be sold in the presence of the purchaser and from the premises in which they are kept.

In April 2020, Lucy’s law amended the regulations to prohibit the commercial sale of dogs and cats under six months other than by the breeder. However, the regulations do not apply to private animal sellers. Perhaps the Minister will consider amending them to include private sales. I have met a number of animal organisations to listen to their views on animal online sales, and there was broad support for reform.

PAAG, the Pet Advertising Advisory Group, was set up in 2001 to combat growing concerns about irresponsible advertising of pets for sale, rehoming and exchange. It is made up of 25 animal welfare organisations, trade associations and veterinary bodies, and is endorsed by DEFRA and the devolved Administrations. PAAG is concerned about poor welfare standards, lack of

[Christina Rees]

information about a pet's history, offloading sick pets, dealers posing as private sellers, and pets ending up with unsuitable owners who, for example, use them in dog fights.

Peter Dowd (Bootle) (Lab): What is concerning in the discussions we have had is that, currently, websites are not a safe place to buy a pet. It is estimated that 92% of pets are sold online, with most taking little responsibility in the sale. Does my hon. Friend think that that is something we have to deal with robustly?

Christina Rees: I completely agree with my hon. Friend, who has been a staunch campaigner for animal welfare for many years. I am sure the Minister is listening to his point.

PAAG has set out 27 voluntary minimum standards that advertisers should comply with, and some of the UK's largest classified websites have agreed to do so. PAAG told me that Richard's petition includes one of PAAG's minimum standards: that all breeders should include a recognisable photo of young animals, including dogs and cats with their mother. That has been implemented by Pets4Homes and Preloved, which remove adverts that do not adhere to that.

PAAG will continue to engage with other websites on implementing that more widely. PAAG believes its work is vital, given the lack of regulation of online advertising and sale of pets. Dogs Trust asks for PAAG's voluntary minimum standards to become a legal requirement for all adverts of pets for sale, and asks for a centralised, publicly accessible list of commercial and private registered sellers and breeders. It believes that a complete ban on advertising pets for sale online would not eradicate the challenges of poor animal welfare, impulsive pet purchases and unscrupulous sellers seeking to profit from selling animals. Dedicated consumer awareness campaigns will be more likely to encourage responsible advertising and purchasing in the long term. There is no jurisdiction over websites based outside the UK, however, so a ban may have the unintended consequence that websites move their operations overseas to avoid having to abide by such a law.

The trust asks that anyone breeding, selling or transferring the ownership of a puppy aged up to six months old, regardless of any financial gain, should be required to be registered, that anyone doing so for more than one litter of puppies should require a licence, and that all breeders should display their unique registration or licence number on any advert. It also asks for a central, publicly accessible list of all registered and licenced breeders or, failing that, a single point of entry for the databases operated by individual local authorities, which would allow purchasers to verify where they are buying a dog from—for example, by verifying the postcode. It also asks for a single database or point of contact for the 15 national microchip databases, and for DEFRA to create a system whereby websites can verify the details on a microchip. The trust also states that action should be taken against sellers who get around the prohibition of the sale of pets on platforms such as Facebook and Instagram by using emojis in place of words such as “for sale”, not including the sale price and speaking with potential buyers in closed groups or private messages, which are not monitored.

The Royal Society for the Prevention of Cruelty to Animals told me that demand for puppies rose exponentially during the pandemic, as people wanted companionship or exercise during lockdown. During the first lockdown, Google searches for “puppies near me” increased by 650%, with 15,000 searches in July 2020 compared with 2,000 in January 2020. The prices for some popular breeds escalated. For example, the price of French bulldogs increased from £1,500 pre pandemic to £7,000. Unbelievable. English breeders could not satisfy the demand, so trade in imported dogs escalated by 43% between May 2019 and May 2020, with many sold online. Although the regulatory framework has changed considerably in the past five years, the RSPCA believes that there are still loopholes in the law and, most significantly, huge issues with enforcement, especially in the complicated online marketplace. Enforcement should be a priority.

It is still too easy to find online adverts for pets that do not comply with the 2018 regulations. As lockdown has shown, sellers and buyers are ignoring the rules on conducting sales in person. It is not clear that online adverts that break the rules are routinely removed by websites and social media platforms, and the sellers behind them are not being punished. The RSPCA asks for more resources for local authorities, which lack resources and expertise, and more funding for Her Majesty's Revenue and Customs tax investigations into serious pet selling, which often involves large amounts of money. Border Force should prioritise the illegal import of animals.

The Kennel Club told me that when the licence regulations changed in 2018 from five to three puppy litters a year, reputable breeders complained of too much bureaucracy, which resulted in a 10% decrease in puppies being registered with the Kennel Club. It has evidence of disreputable sellers using fake names and false Airbnb addresses to sell puppies from. Disreputable sellers want to offload puppies quickly, so they sell the popular breeds. The British Veterinary Association is a member of PAAG and fully supports PAAG's position on online animal sales.

The placement and content of online advertising is regulated by the Advertising Standards Authority, which it does by enforcing the code of non-broadcast advertising, sales, promotion and direct marketing, known as the CAP code. This self-regulatory system states that all online adverts are expected to be

“legal, decent, honest and truthful”.

Online advertising includes marketing and communications on companies' own websites, and other third party spaces under their control, such as Twitter and Facebook. The Advertising Standards Authority website states that to report a dubious advert after the fact, someone would need a photo—a screenshot of the advert—and to complete an online form. However, it also states that it is impossible to check all online adverts because there are millions every year. The ASA can refer advertisers who persistently break the CAP code to trading standards departments in local authorities for enforcement, under the Consumer Protection from Unfair Trading Regulations 2008. However, these apply only to businesses. As I have said, local authority trading standards departments are under-staffed and under-resourced, and their priority during the pandemic is enforcing covid restrictions—or, as I call them, covid protections.

I conclude by urging the Minister to support Reggie's law to prevent "dogfishing", which is a term for when a person tries to mislead someone into buying a dog that might not be as advertised. For example, the dog might be a different gender or breed—or, as in the tragic case of Reggie, it may be seriously unwell. I ask the Minister to answer the requests from the animal organisations that I have presented.

David Mundell (in the Chair): If everyone sticks to about five minutes, we will fit everyone in who wants to speak in this debate.

4.47 pm

Andy Carter (Warrington South) (Con): It is a pleasure to serve under your chairmanship, Mr Mundell. May I start by saying how good it is to see Rick sitting at the back? I hope his feet have recovered, because he has done so much to highlight this cause. I remember joining him on a Zoom call late one evening back in April during lockdown, and hearing the terribly sad story, which the hon. Member for Neath (Christina Rees) outlined, and seeing some of the pictures of Reggie. No animal lover could fail to be impacted by the story that Rick has told.

I am really pleased to be able to contribute to this debate, because as a two-time dog owner, I think there is something very special about animals, particularly dogs. They give us companionship and loyalty. When they are ill, we want to do everything we can to try and protect them, look after them and make them better. Particularly when it is a puppy, it is such an emotive issue that not being able to do anything is heartbreaking. This House needs to be able to highlight this issue and to talk about unregulated advertising.

I want to praise and thank the team at Justice For Reggie for the work they have done in bringing national attention to the issue of puppy farming. I have seen Rick on the TV more than I have seen the Prime Minister over the last couple of days; he has appeared on Sky News and a variety of other channels, with the dog at his side, to talk about these issues, capture the nation's attention and highlight the issue of puppy farming and dodgy advertising; and that is what this is: dodgy advertising.

This is an emotive issue, and it is an issue for families up and down the UK. In my constituency of Warrington South, I have heard from families who have been personally affected. They have purchased a dog and within a couple of weeks that dog has become desperately ill. They do not know what to do or where to go to.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): Will the hon. Member commend the work of the RSPCA and the Animal Welfare Foundation, who have come up with a puppy contract? This contract could empower someone looking to purchase a puppy or a dog, and help them avoid some of the pitfalls that come from dealing with irresponsible breeders.

Andy Carter: I absolutely will, and I thank the hon. Member for his intervention. I will come on to some of the other charities and animal campaigning groups that have done so much to highlight the issue. I remember saying to Rick early on that if we can build a coalition, that is a great opportunity to put a strong message to parliamentarians and the wider public that this is happening.

It is worth saying at the start that the Government have done some very good work in this area, particularly through Lucy's law, which means that anyone wanting to get a new puppy or kitten must buy it directly from the breeder, with some significant fines and sentences for people who break the rules. However, as the hon. Member for Neath mentioned, we can and should go further on some of the legislation. While progress on Lucy's law has been encouraging, there are difficulties with the application of the legislation, primarily in stopping the importation of illegally farmed puppies from outside the UK. As we heard in Reggie's case, it sounds as though he was imported from Ireland into the country. The ease and popularity of the internet means that impulse-buying pets has become an appealing option, with people able to search and find an animal for sale at the click of a button.

The lure of a quick, unregulated sale also attracts many unscrupulous breeders and dealers to websites and other platforms. As I mentioned earlier, people in my Warrington South constituency have told me that they have lost money after responding to posts advertising dogs, puppies, cats and kittens on social media, online marketplaces and other pet-selling platforms. They meet someone in a car park, hand over cash and then they disappear, or they put down a deposit and never see that person again. We must take steps to stop that happening. In many cases, animal lovers are being encouraged to hand over funds as a deposit and are presented with cute pictures of animals only for nothing to be delivered. Thousands of times a day, we see online sites advertising and selling puppies without the parents being present in any photos. That is a general theme we are seeing in online sales not just here, but across Europe.

I read an article this morning in the *Metro*, which put it well:

"People are profiting from misery", and the whole practice of online pet selling is, I am afraid, a very shady place.

Dog thefts are also a consequence of rapidly rising prices, and the pandemic has only sought to increase opportunities for criminals to exploit pet owners and families. According to the Pet Food Manufacturers Association, as of March this year, an estimated 3.2 million households had acquired a new pet during lockdown. That is a huge market for criminals across Europe, and we must get tougher in catching them and regulating the online space. Estimates suggest that as many as 88% of puppies born in Great Britain are bred by unlicensed breeders. We need websites to commit to following at least the minimum PAAG standards. It is important that all adverts display the age of the animal advertised. While the rules of social media sites are clear that such sales are completely prohibited, people have ways to get round them. The reality is that sellers of banned or dangerous dogs can often be found lurking in the comments section of images of adorable puppies in closed groups.

I welcome the priority set out for sellers to display their licence number on all adverts. There are problems with ensuring that licences are properly granted and that local authorities have adequate resources to assess the applications and the locations of those licences. Even so, many sellers fail to display the number, making it more difficult for consumers to know who they are buying from. I ask the Minister to look at what action can be taken to encourage more sellers to display their licence details.

[*Andy Carter*]

As the hon. Member for Neath mentioned, local authorities are currently in charge of licensing, but it is extremely difficult for them to tackle illegal trading on such a scale, because of the lack of resources they have to monitor the enormous volume of online sales. Indeed, local authorities are unable to monitor the trade offline too, or to provide qualified individuals to assess welfare needs. Along with a stricter licensing regime, we need professionals who are able to adequately determine whether a licence should be granted. Unfortunately, local authority officials who inspect places where animals are sold are not necessarily trained specifically in detecting animal welfare issues. That is where we need, as the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) mentioned, the work of the RSPCA and other organisations to be included too. Another important point is that the individuals who buy such animals are not aware that the seller should be licensed.

To conclude, I am looking forward to hearing the Minister's response to the request that the Government introduce further regulation for all websites where animals are sold, including by private individuals. I again congratulate all those at the Justice For Reggie campaign on the incredible work they have done to highlight this issue.

4.55 pm

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): It is always a pleasure to serve under your chairmanship, Mr Mundell. I thank the hon. Member for Neath (Christina Rees) for having opened today's debate on e-petition 587654, and the over 100,000 signatories who have brought this important issue before the House. As an animal lover, I fully support any measures that will strengthen animal welfare laws, and I commend Richard Ackers on his dedication in pursuing Reggie's law. I am saddened by the circumstances that led him here in the first place—circumstances that were traumatic for Richard and his family, of course, but were also devastatingly cruel for Reggie, the adorable 12-week-old puppy whose death sits at the very heart of this campaign.

Many people across the UK have found themselves with a surplus of free time over the past 20 months or so. We are a nation of animal lovers, and millions found themselves in a position to take on a pet they might not have otherwise had time for. Adoption rates soared; there was also a huge increase in puppy sales, and naturally, it became a sellers' market. It has not just been puppies such as Reggie, though: there has been an increase in ownership of other pets, such as cats and rabbits. Unfortunately, people will always look to take advantage of such an increase in demand. Unscrupulous sellers putting profit before the wellbeing of animals has always been an issue: I would like to think that those sellers are in the minority, but that does not detract from the need to do everything we can to stop them.

Existing licensing laws go some way towards providing regulatory oversight, but it has become clear that those laws are no longer enough. Sales made through online platforms by unlicensed private sellers are prevalent. The issue is not isolated to pets—I have spoken before about the need for better regulation of online marketplaces for children's toys—but the sale of live and sentient beings, often suffering, cannot continue to fly under the

radar unaddressed. The Pet Advertising Advisory Group has done some excellent work on this issue, developing 27 minimum standards that should be adhered to by online adverts for young animals, and its collaborative approach has brought some of the UK's biggest online platforms on board. Those standards remain voluntary, though, meaning that not all websites have opted to implement them. I know that DEFRA supports and encourages take-up of those standards, but will the Minister commit to legislating for them?

I also want to highlight the issue of cat breeding, which is sometimes overshadowed by the focus on puppy farms and smuggling. This year's Cats Protection "Cats and Their Stats" report found that there had been a huge increase in online sales of cats, with 68% of new owners purchasing their cat online. As I touched on, this has led to skyrocketing cat prices, with the average price almost £150 higher than in 2020. I am very pleased to be able to say that cat breeding is regulated in Scotland, but am disappointed in equal measure that Scotland is the only part of the UK that does so. As of September this year, anyone breeding three or more litters in a year must be licensed. The PAAG agrees that cat breeding should be regulated, although most of its members believe that the threshold should be two or more litters annually. It also generally supports registration of breeders of one litter, although Cats Protection has concerns that this could have unintended consequences, such as an increase in abandoned kittens as a result of people finding themselves with an unexpected litter. Kittens do not fetch as high a price as puppies, so I understand that concern.

Scotland is also the only nation in the UK that regulates rabbit breeding. That threshold is a little higher—six or more litters of kits per year—presumably recognising that there is a reason behind the phrase, "breeding like rabbits". Could the Minister tell us about her Department's plans to regulate sales of cats, rabbits, and other common pets? Has the Department engaged with its Scottish counterparts to inform those plans?

To conclude, the Government's initial response to the petition indicates positive forward movement. However, the position that advertising and trading standards sit within the remit of the relevant non-ministerial bodies is disappointing. These bodies must first have the legislative framework to work within, and that responsibility sits with Ministers.

5 pm

Sir Roger Gale (North Thanet) (Con): Bonnie came to us when she was about seven years old. She was dumped in a field, with three other dogs, in the west midlands. She was emaciated, traumatised and had quite obviously been used for puppy breeding. Her body was covered in scars and her feet were rotten from the urine that she had been paddling in, in the cage or shed that she had been born in.

That is the background to the dear little puppies that are sold online; that is where they come from. It is misery. They are then laundered, fraudulently, through breeding bitches, presented as the mother of the litter. It does not matter much whether they come from Wales or England, or, as many do, from Northern Ireland, the Republic of Ireland or mainland Europe. A lot of them are in the country illegally and many are carrying diseases.

These “dog is for life, not just for Christmas” dogs and puppies, are often bought before Christmas and, within two or three days, people such as my eldest son, who is a vet in practice, are asked to pick up the bits—the bits of a dying puppy while a little girl is in tears having been given the animal for Christmas. That is what we are dealing with, so what are we going to do about it?

Personally, I would like to ban the sale of all sentient beings online, but I have to accept that that horse has probably left the stable long ago. We are now living in an age of electronic sales, so it has got to be right that each and every person, whether they are selling as breeders, commercially or “privately,” are licensed and identifiable.

Andy Carter: Does my right hon. Friend agree that there should be some responsibility with the online platforms for looking at what is going on in that space? Having worked in the broadcast space, I remember selling pets on air was prohibited and there were certain regulations for selling in newspapers. It seems to me that the online space is a wild west where there is not really any regulation by those platform owners.

Sir Roger Gale: My hon. Friend is absolutely right. As we know, these online platforms are notoriously reluctant to take responsibility for anything much, if they can get away with it. I believe that the online platforms should have a responsibility for checking the licences of the people who are selling, not just with this but with a lot of other products as well, before they are allowed to sell anything.

I commend Rick Ackers for promoting Reggie’s law and the thousands of people who have signed the petition. Rick’s sore feet will not be going anywhere, unless we get some legislation. We owe it to a lot of people to make sure that we get this properly under control once and for all.

5.4 pm

Alex Davies-Jones (Pontypridd) (Lab): It is a pleasure to serve under your chairship, Mr Mundell and to speak in the debate today, and especially to follow the right hon. Member for North Thanet (Sir Roger Gale), who I know is a passionate life-long campaigner for animal welfare, just like myself.

As hon. Members across the House well know, we are a proud nation of animal lovers. Animal welfare is an issue that cuts across political divides, and I am so pleased to see Members from across the House calling for urgent reform and regulation of the sale of animals online.

Those of us with pets know first hand the joy and excitement of bringing home a new cat, dog or rabbit to become a member of the family. I am becoming something of a broken record, but bringing home Dotty and Dora—my Jack Russell puppies—nine years ago was an incredibly exciting time for my family. I was lucky: Dotty and Dora came from a friend up the road whose dog had just had puppies; I knew they had been looked after, and they had stayed with their mum until they were big enough to leave safely.

However, in the nine years since, there has been a huge shift in the way people acquire animals. The most popular way to get a new pet is online, with some 92% of all pet sales happening online via websites

which allow for third-party sales or on social media. While the vast majority of people looking to get a pet that way do their best to make sure it has been properly looked after and is the right age to leave its mother, there are many tragic cases of animals being bred or transported to the UK in horrible circumstances, and then sold on to unsuspecting customers online. In the worst instances—in cases such as Reggie’s—those animals are simply too sick to survive, leaving behind devastated families.

Last week, I was honoured to join the team behind the Reggie’s law campaign at 10 Downing Street to hand their petition—which received more than 100,000 signatures—to the Prime Minister. They have turned their tragedy into a really powerful campaign. It is wonderful to see Richard and the team here today, after he walked an incredible 232 miles from his home to London to raise awareness of this important issue and to raise money to support animal charities.

One of the beneficiaries of Richard’s fundraising is Hope Rescue, a dog rescue charity working across south Wales that operates from a rescue centre in Llanharan, just across the border in the constituency of my hon. Friend the Member for Ogmere (Chris Elmore). I visited the charity a few months ago, and saw first hand the incredible work it does looking after rescued and abandoned dogs. I saw one five-week old puppy that had been rescued from an illegal puppy farm only a few days earlier, but he was one of the lucky ones: he is now in a place where he is loved and cared for, and has luckily suffered no long-term damage as a result of his start in life.

As Members well know, there is already a significant amount of regulation across the UK to control the sale of pets online, which, in England and Wales, is set out in the respective licensing of activities involving animals regulations, as we heard from my hon. Friend the Member for Neath (Christina Rees). Although the regulations are devolved, their provisions on pet sales are broadly the same. They require all advertisements for pets—online and offline—to display the licence number and issuing local authority, as well as a recognisable photo and the age of the animal. For dogs specifically, the regulations require the sale to be completed in person, not online, at the site where the dog was kept and, in the case of puppies, the animal to be seen with its mother.

Lucy’s law also bans the third-party sale of puppies and kittens in both England and Wales. Such animals should therefore be sold only by the person who bred them and, in Wales, from the breeders’ premises. However, it is clear from Reggie’s tragic story, and as hon. Members have said, that those regulations are simply not working well enough.

A quick online search shows that a major issue with the regulations is that they are simply not being enforced properly, which has only been exacerbated by the explosion of interest in buying a pet during lockdown. Local authorities have seen their funding slashed over the last decade, and over the last 18 months they have faced enormous challenges because of the pandemic. While I recognise that policing and enforcement is not a key responsibility of the Minister’s Department, I am hugely concerned that not enough is being done to tackle this all-important issue.

I commend the Government’s petfishing campaign and recognise that public awareness of the things to look for is vital. However, until bad actors are stopped

[Alex Davies-Jones]

from making huge amounts of money selling animals illegally online, there will be more sad stories like Reggie's. I support the calls in the petition to require people who sell animals online to verify their identity, and I would be grateful if the Minister could outline the Government's policy on that matter.

I also urge the Minister to work with her counterparts across Government and with the devolved Governments to make enforcing policies on animal welfare a priority, both at home and at the border. Without swift action, there will sadly be many more Reggies and many more Ricks and families like his forced to contend with losing a beloved family pet in horrible circumstances.

5.9 pm

Sir Mike Penning (Hemel Hempstead) (Con): It is a pleasure to serve under your chairmanship, Mr Mundell. Unusually, I do not think I can disagree with a single thing that has been said in the Chamber today. As I look around the Chamber at the colleagues who are going to contribute, I do not think I will disagree with anything they say either, but do not test me too much.

It was a pleasure to be with Ricky and several colleagues outside No. 10 in the pouring rain. The longer we stayed, the more it rained; it was horrendous. To get 100,000 signatures from one person's experience means that that experience touched the nation. It did so, as we have already heard, because we are a country—a United Kingdom—of animal lovers. I have seen more people get agitated about an animal being hurt than about people hurting themselves or other people. In many ways, that is right, because the animals cannot defend themselves.

As my hon. Friend the Member for Warrington South (Andy Carter) said, puppy farms are the most abhorrent industry out there. When I was a very young lad, I used to work in Petticoat Lane, Brick Lane, in north London, where puppies were sold at the side of the road in cages. They had obviously come from puppy farms, way back then, 50-odd years ago. We banned that; we stopped that. But the marketplaces that were there off Petticoat Lane and other markets around the country, in all colleagues' constituencies, are now online. It is fundamentally unacceptable for platforms or marketplaces or whatever they want to call themselves today to say, "Hold up! It's too difficult to monitor this," just like it is too difficult for them to pay some tax occasionally. They spend untold amounts of money making sure they get around that sort of regulation, and it is about time that we put regulations in place not after the fact but as these things are happening, today.

I commend the Government and the Minister for the work on Lucy's law; it was life-changing for a lot of people. What is also life-changing for a lot of people is when, in good faith, they see a puppy online with its gorgeous little eyes, and its mummy sitting there looking after it and snuggling up so that it can have its milk, but it is not the puppy that they get and it was not its mother giving it milk. I have constituents who say to me that when they go with their children to collect the puppy that they bought online, and there is the little puppy—in a car park, because, of course, something is going on in the house, or else they have been shown mum, but mum is nowhere near the puppies—and within months, and sometimes within days, the puppy is not only ill but is

not actually what they thought they had bought in the first place. I have a constituent who bought a whippet. It is the biggest whippet ever seen now and it has clearly been cross-bred. People are petrified of going back, even if they know who the seller might be, because these people are serious criminals. Let's not beat around the bush—they are criminals.

Peter Dowd: If the law were passed, it would be an exemplar for other countries across the world; it would send the message out. Does the right hon. Gentleman agree that it would be a win-win situation, both for the consumer—the person buying the dog—and more importantly for the dogs and the animals themselves?

Sir Mike Penning: I completely agree. In fact, it would be a win for everybody if we get this right, including for the Inland Revenue, because none of these people pay any tax. It would be a complete win for the animal—not just for the puppy, but for where it came from, that puppy farm. The hon. Member for Pontypridd (Alex Davies-Jones) said she had lovely Jack Russells. I saw some footage of a bitch that came on heat and they put her in a shed with three or four male stud dogs, to make sure that she had puppies within a few weeks. That animal nearly never survived, let alone gave birth. Those things are happening; these people are criminals. Although we quite rightly say that we need to give more power to local authorities, we need to give them the expertise and ammunition to scare the criminals out of the marketplace. At the same time, the people providing that marketplace need to close it down.

In the world we live in today, animals will be bought online, and the pandemic increased the number of people going online. I went through trauma—absolute trauma—at home, because we lost our dog. It is the first time in my life that we have not had a dog at home. She was 22 and a dachshund—before they were fashionable, as they are at the moment—and we lost her. At home, both my daughters and my wife are saying, "Let's get a puppy. We're at home. We can look after her now." I stood my ground, for one simple reason: we are not at home now.

If people go to any of the rescue centres, they will see that there are thousands of animals there now. The people who got the animals were in the right frame of mind at the time. Admittedly, lockdown put a lot of us into very difficult times. At the time, it was the right thing to do, but now it is not. If someone goes to a rescue centre, they will not be able to just pick an animal up and walk away. The staff will check the person out and ensure that the animal is healthy, and that is what we should be doing today. I say this to the Minister. It may be difficult, but lots of things are difficult in government. That is why we are in government—to sort these things out and to sort the online market in animals out. It can be done if there is a will, and there is a will in this room today.

5.15 pm

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): It is an honour to serve under your chairmanship, Mr Mundell, and to speak in this important debate. I, too, thank the hon. Member for Neath (Christina Rees) for introducing the debate, but most importantly I thank Richard Ackers, or Rick as he is better known, and the Reggie's law team for their courage, passion, compassion and determination to bring this matter into

focus and before the House today through their petition, tireless campaigning and a more than 200-mile walk from Wigan to deliver the petition. It was an honour to join Rick as he delivered it to No. 10 last week.

There can surely be no more noble pursuit than seeking to protect those who are otherwise defenceless against tyranny. That is what we are concerned with today—the tyrannical abuse of power against defenceless creatures and what action we can take to limit, prevent and ultimately stamp out such cruel practices.

Like many families, mine was blessed with a new puppy during the pandemic. Reflecting back, I realise that our wee puppy could so easily have suffered the same fate as Rick's Reggie. We found his advert online, we visited the seller and—despite asking all the reasonable questions about the location of the mother—once we had seen the pup, we melted and just accepted the assurances that we were given that mum was resting because she was tired from suckling. Thankfully, our wee Malu is fine and is now the boss of all he surveys.

Rick's family were not so fortunate. Since the loss of Reggie in December 2020, Rick and the Justice For Reggie team have been working with other distressed families to highlight and uncover the facts about the illegal puppy trade, illegal online sales and the mental health impact that has on families. Their work aims to use this tragedy to deliver positive legislation by gaining the support of Parliament, and it is great to see cross-party support today.

What will Reggie's law do? It will incorporate regulations to provide a safe buying platform for potential buyers of animals sold online on animal selling sites. It is far too easy to sell a pet. It requires only an email address and a burner phone. Rick has found that too many online pet selling sites are reluctant to engage in improving standards of online animal sales and welfare. The law would require all online pet selling platforms to support a comprehensive ID check of the seller behind every pet, and require evidence of the mum to be submitted, whether by photo ID or other means. I suggest today that that should be tied to a pet passport identifier, because we know that a large number of puppies are illegally imported into the UK to be sold online.

The other question to understand is this. Will Reggie's law make a difference? Well, Rick and the team are in regular discussion with various stakeholders from the RSPCA, Dogs Trust and others, and they have secured agreement that the ID requirements of Reggie's law would not only put in place necessary barriers in relation to this practice, but make investigations and court action against illegal breeders and sellers much easier. We know what the international response has been. In Victoria, Australia, following the introduction of a similar law known as Oscar's law, dog theft and illegal breeding and selling dropped by more than 90%. Reggie's law could have such a positive impact, not only on puppy-farmed pets and stolen pets but on the health and wellbeing of owners and buyers.

As animal lovers and pet owners, we know the bond of love and loyalty that exists with the family pet. Will the Minister outline how the matter being debated is to be taken forward, given the wide public and cross-party support here today? We have a duty to honour that loyalty by protecting those creatures who are otherwise

defenceless against such cruelty. This would be a real opportunity to set the tone for legislation to be developed across these islands.

5.20 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate, Mr Mundell. I congratulate the hon. Member for Neath (Christina Rees) on setting the scene so well for us all. I also congratulate Richard, who is in the Gallery, for making this debate happen, and all those MPs who made the effort on that very wet day to be with him—I was not one of them.

When I read the title of the debate, I knew I would want to add my comments. I have always been an animal lover, and I have always been fortunate to have dogs. When I lived with my mother and father in the countryside or in small villages, having a dog was as natural as getting up in the morning, going for a walk and going to school. We have always had dogs. I remember my first dog very well, in Ballywalter back in the early '60s. He was a collie; we have also had Pomeranians, Jack Russells, terriers, springer and cocker spaniels, and we have also moved to hunting dogs—I love hunting. Hunting dogs give us a purpose, and love and affection and companionship.

I was also very fortunate to have married, some 34 years ago, another animal lover, who volunteered at Assisi for 10 years. She now works part-time in a cattery. Sandra had a love of cats; I had a love of dogs but I learned to love cats, because my wife wanted me to. That was just the way it happened. Now, I love cats as much as my wife does, although I had to acquire that affection for them over the years. What brought us together was our love for each other, but she then brought home a wonderful rescue dog from Assisi called Autumn. That is the dog we have now. That dog was abused and very fearful. She had a particular fear of men; I only had to raise my voice a bit and her tail would be between her legs. It took a number of years for that dog to come around. She is some seven years down the line, and is loving her life. Sandra and I could not imagine life without her.

Autumn and so many others like her are the reason I abhor online shopping for animals because of the lack of regulation and the potential for abuse of the system that is in place to protect animal welfare. That is why the debate is so important. Members have made pertinent contributions, and I look forward to the Minister's response. I have spoken on many occasions against puppy farms, and the need to see the dog in the home with the mum, not in a Tesco car park, as the hon. Member for Warrington South (Andy Carter) said. It may happen in Tesco or any other big car park so that they can get lost in the crowd.

We need to prevent some of the horror stories that we hear daily of the maltreatment of animals in puppy farms. Covid-19 exacerbated the online sale of animals, there is no doubt about that. People were seeking companionship and needed something to fill that gap. Charities such as Blue Cross and Dogs Trust sent me and others briefings stating that they understood that many pets are bought and sold on the internet in the 21st century. Therefore, we must work together with classified websites, social media platforms, charities and the Minister to ensure that the online marketplace is as safe as possible for people to buy and sell animals.

[*Jim Shannon*]

How do we improve it? I look to my Minister and my Government. My preference would be to end all online sales, but I understand that that is how the world now operates, so it may not be possible. I would suggest that we bring in regulations to change the situation. We need to ensure that enforceable legislation is place. Blue Cross has urged the Government to legislate to make the Pet Advertising Advisory Group's minimum standards a legal requirement for website selling animals.

Furthermore, the Government and the Minister must look at the legislation introduced in France in 2016, which is a good example of how we can do this. I am not fond of everything that comes out of Europe—that is not a secret—but if France can do something with that legislation, why can we not at least look at it? The legislation mandated the inclusion of tax numbers in all online pet adverts. I suggest that we ascertain whether something similar would be workable across the United Kingdom of Great Britain and Northern Ireland.

As someone who is usually sceptical of additional regulation, it is not often that I advocate for it, but as a bare minimum we must introduce those minimum standards. However, I do not believe that that is the end of our obligations. I ask the Minister whether consideration has been given to appointing a working group to tease out the best way of fulfilling our animal welfare obligations to a high standard, which is what we all want to do, including the Minister, and not to the bare minimum standard that is apparent today.

How can we allow reputable businesses to continue their trade? Not everybody is in the puppy farm business; some do it the right way, and we have to ensure that they are rewarded and can continue to do so, while ferreting out those who have no concern for the animal that they are selling, or the home that they are placing it into. The debate has given us a chance to reiterate our commitment to doing better than we are. I know that the Minister, like myself, is keen to have something in place that works for the Republic of Ireland, Northern Ireland and the rest of the regions of the United Kingdom. How are we ensuring that puppies from puppy farms in the Republic of Ireland cannot come through Northern Ireland into Scotland and the rest of the mainland?

5.26 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute pleasure to serve under your chairmanship, Mr Mundell, and to sum up the debate for the Scottish National party. I pay tribute to the hon. Member for Neath (Christina Rees), who set the scene in such a detailed way and who often speaks on animal welfare matters. She laid out the crux of the matter for the Minister, and why this is such an important debate to so many right across the United Kingdom.

I also pay a special tribute to Richard Ackers, who is in the Gallery and has spearheaded this wonderful campaign, paying tribute in such an important and compassionate way to the life of Reggie in order to ensure that his sad life and death were not in vain. Much good can come from his story. This little puppy has stolen the hearts of many people across the United Kingdom, and is now spearheading a campaign to ensure that no other puppies and pets go through the same trauma that he did, or a similar trauma.

I pay tribute to many of the hon. Members on both sides of the House who have spoken. It has been a fantastic debate. As was mentioned, it has been difficult to disagree with anything that has been said so far, which is somewhat unusual but very—

Jim Shannon: Refreshing.

Dr Cameron: It makes me feel extremely positive, and as the hon. Member says it is refreshing in this House.

The hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) spoke about cats and rabbits too, which was important. As chair of the all-party parliamentary dog advisory welfare group, I tend to have a focus on dogs, which I think, until he met his wife, the hon. Member for Strangford (Jim Shannon) had, too. It is important that we realise that there are huge sales of other types of pet too, and this type of regulation can have a wide-ranging impact. Many Members have spoken, including the right hon. Member for Hemel Hempstead (Sir Mike Penning), the hon. Member for Warrington South (Andy Carter), the right hon. Member for North Thanet (Sir Roger Gale) and the hon. Member for Pontypridd (Alex Davies-Jones), who I joined last week at the door of No. 10, with Rick.

Sir Mike Penning: And me.

Dr Cameron: Absolutely. I thought I mentioned everybody, but I pay tribute to the right hon. Member for Hemel Hempstead, who is waving at me from across the way. He has managed to combine many animal welfare campaigns, and it has been amazing to work with him. He was one of the leading lights in the campaign last week.

The hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey) was on the steps alongside us. There was such a cross-party effort. He made sure that we were aware that the issue did not just affect little Reggie, it carries on to this day. MPs too can fall foul when buying puppies and other animals online, despite best efforts and the research we try to do. As the hon. Member said, when he saw that little puppy—particularly with his family with him—his heart melted and the sale was done. The unscrupulous dealers of puppies, kittens and other pets see that as money in the bank.

We have done a lot with Lucy's law. I want to pay tribute to Marc Abraham, because Lucy's law has taken us on a journey towards much better regulation. However, as has been mentioned today, we have further steps to take, and laws must be strengthened. The Justice For Reggie campaign group has listened to thousands of people every month who suffer scams, heartache and financial turmoil. Most end up paying financially as well as emotionally. They are traumatised and scarred, while the seller readvertises on platforms, because, quite simply, platforms lack the required regulation.

Rick said:

“When I bought Reggie through a well-known selling website and realised I had unknowingly contributed to illegal puppy farming, I have never hidden the fact that I could have done more research and should have walked away. This would have prevented the seller getting more money to continue the illegal acts of animal cruelty, although Reggie's fate would have been the same and he would have still died. What I gave Reggie was love and dignity and ensured he had pain relief throughout his very short life. Had I not bought him, Reggie would have been discarded like rubbish and died in pain.”

Families are put in an impossible situation day after day. Rick's campaign has heard from over 300 families, who have contacted it distraught and not knowing which way to turn. They blame themselves, as they too bought puppies using online sites.

Sir Mike Penning: I thank the hon. Member for giving way. I hope I am not shortening the Minister's speaking time, Mr Mundell. There is another side to this. There are people out there who want to buy dogs that are mutilated. Their ears have been cut—not by vets. They mutilate these animals and sell them on. There is a market for that; that market needs to be shut and the full force of the law imposed. It is not just about families who are buying an animal to love and cherish. There are people who want to buy mutilated dogs, which are available on these sites.

Dr Cameron: Absolutely. The right hon. Member makes an extremely good point. There is also what I would describe as an ongoing fashion in breeding dogs in ways that are not healthy for the dog breed. That must be looked at alongside the matter that he raised.

We all applauded the introduction of Lucy's law. I was privileged and delighted to campaign on it and launch it in Parliament as chair of the all-party parliamentary dog advisory welfare group. The law has gone a long way. However, as we can see, people are evading it. Over lockdown, Rick's campaign spoke to 86 councils across the UK. All of them have repeated the same message: they are too underfunded and understaffed to police the law. Much more support must go to councils. That will be absolutely crucial. It would be helpful if the Minister indicated the level of ongoing collaboration with the council groups and explained how we can strengthen that to make sure that, in practice, it does what it says it does on the tin.

It is very upsetting for families to go through this. Rick said it affected his mental health, and he was so disturbed by it that he decided to set up the Animal Welfare Alliance, a collaboration between 10 of the largest websites in the UK, prompted by Justice For Reggie through numerous meetings. Their aim is to share data and improve protection, but they are not naive enough to say that that will solve the problems. They need the Government to act. This clearly needs enforcing with regulations. As many hon. Members have said, it is a wild west on the internet, quite frankly. Without the Government acting to ensure regulation, this will not happen, because platforms simply will not do it themselves.

Rick highlighted PAAG, and he appreciates its work to control online sales, to try to make being online safer. However, it cannot do that alone, and it only speaks with a small number of websites. As we discussed, we are in a digital age, and we cannot turn back the clock. A ban on online sales is not pragmatic. It is not doable. It is not going to work. Regulation is supported by many of the animal welfare charities that contacted me before the debate and it seems to be the most pragmatic way of addressing these grave matters.

Pets are sentient. There seems to be more regulation when buying a car online nowadays than when buying a pet. People have to go through many more processes to verify who they are and their insurance and other various things, but buying a pet does not seem to have

the same level of rigour, which it really should have. It is a tall order for the Minister, but I know she has a good heart and tries her very best in everything she works on. In tribute to Reggie, we must make sure his life is not in vain. We must tackle this online wild west with regulation. It is a mix of consumer scams, animal cruelty and serious organised criminals who profit in the same way as they do from other illegal activities that they engage in. It is a serious matter.

Jonathan Edwards: I was touched by the comments from the right hon. Member for Hemel Hempstead (Sir Mike Penning) about the criminal nature of these gangs. Unfortunately, Carmarthenshire has a number of illegal puppy farms. The fines for people when they are caught seem pretty low. There was one instance of a £200,000 fine. Do we need to look at the penalties for people who engage in this activity?

Dr Cameron: Absolutely. That is a great point to end on. Action must be taken, because this is about serious organised criminals. I have the same situation in my constituency as the hon. Member. It is difficult to address these issues. It will require concerted effort, but it must be undertaken to make sure that no more little dogs like Reggie go through such a terrible death.

5.38 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Mundell. I begin by congratulating my hon. Friend the Member for Neath (Christina Rees). Her introduction was comprehensive, full, excellent and very moving. What a fantastic debate, and what fantastic unanimity around the Chamber. There were powerful contributions from my hon. Friend the Member for Pontypridd (Alex Davies-Jones), the right hon. Members for Hemel Hempstead (Sir Mike Penning) and for North Thanet (Sir Roger Gale), and the hon. Members for Warrington South (Andy Carter), for Rutherglen and Hamilton West (Margaret Ferrier), for Kirkcaldy and Cowdenbeath (Neale Hanvey), and for Strangford (Jim Shannon), and some powerful interventions from my hon. Friend the Member for Bootle (Peter Dowd).

I am pleased to have the opportunity to put on the record Labour's tributes to the fantastic campaign for Reggie's law. We offer our support for it and for the 109,000 people who signed the petition. Like others, I was delighted to meet Rick in a rather wet Trafalgar Square last week. What a walk, what a campaign and what a wounded heel. The simple message from the campaign is that the law is not working, and it is up to us in Parliament to do something about it. That was powerfully put by the right hon. Members for North Thanet and for Hemel Hempstead. The biggest question for the Minister is how DEFRA is working with the Department for Digital, Culture, Media and Sport, because this is as much about the online world as it is about animal welfare. During the Committee stage of the Animal Welfare (Kept Animals) Bill, Labour tabled an amendment that we believe would have gone a long way in securing progress on this; I will return to that later.

The concerns about online advertising have been around for a long time, and I will not repeat the points made by others, but it is clear that the pandemic introduced a new range of issues. The world has changed, as the right hon. Member for Hemel Hempstead said. We have gone from the old world of notices on village notice

[Daniel Zeichner]

boards to an online world where every notice board is available to everybody, everywhere. That creates a whole new set of problems.

We have heard the figures about the rise in the number of searches and the problems that that creates. From work on the Animal Welfare (Kept Animals) Bill, I could see the surge in prices and the problems with imports from abroad. It is clear that the treatment of imported cats and dogs, particularly, have fallen below acceptable standards and criminal gangs can see a lucrative revenue stream. The Government have recognised those problems, but we feel that their solutions do not go far enough, hence our amendments to try to crack down on that. There were some Government Members who agreed with us on that and decisions made during discussions were fairly close, so I hope that we will have the opportunity to go further on Report.

My hon. Friend the Member for Pontypridd made the point very well about changes over the past few years that have led to a range of worrying situations, including the click and drop situation, where animals are collected by potential buyers. Research from the Kennel Club suggests that, for many people, these ways of buying animals have become the new norms. We heard about some developments that have, quite rightly, been introduced, such as the licensing of activities involving animals regulations and Lucy's law. There is progress, but more needs to be done. The problem that Rick and others have expressed to me is that PAAG may be well meaning, but it is not going to work with a voluntary system. Many PAAG members have come to the same conclusion.

There is a list of things that people want to be done, alongside the enforcement questions. The RSPCA makes it clear that there is plenty of evidence that those who break the rules do not face any real consequences. It tells us that it is not clear that online adverts that break the rules are routinely removed by many sites, and that neither social media sites nor the sellers responsible are punished. As we heard from a number of Members, local authorities do not have the resources or expertise to deal with this, but I agree with the right hon. Member for Hemel Hempstead that if there were a real will, it could be done. The question is if there is a real will and if we are prepared to put resources into that.

Many of these websites and social media platforms, for which I do not think there is much sympathy in this room, are hugely profitable businesses. They are very good at—how can I put it?—being creative about how they account for themselves, but that is part of the problem, as they often have external jurisdictions and we need to work with others to try to clamp down on them. There is a wider problem, but we can see the sheer horribleness of it and its consequences. We need better resourced enforcement, to use some of those tax investigations and so that we can go beyond taking part on a voluntary basis.

To finish with the details of Reggie's law, as I mentioned, we tried to introduce parts of that through an amendment to the Animal Welfare (Kept Animals) Bill, which I hope will be reintroduced on Report. It required all websites that sell animals to verify the identity of all sellers. It also demanded that all prospective sellers who wished to sell a cat or dog aged one year or less should post a

photograph of the animal with one of its parents, as a number of Members have suggested. It required listings by commercial sellers that did not include that seller's licence number to be removed, therefore helping to ensure that all animals sold online came from reputable, trustworthy sources.

We had a discussion in Committee, but the Government chose not to accept the amendment. In her response to the amendment, the Minister for Farming, Fisheries and Food cited the existing legislation and guidelines that were in place, but they are not enough. The campaign for Reggie demands more, the petitioners demand more, and frankly, I think all of us in this room demand more. The online world has a lot to offer, but it must stop being a haven for those who profit from the cruel exploitation of animals. It is time to crack down on them.

David Mundell (in the Chair): I call Minister Jo Churchill. Just be mindful that you should leave a couple of minutes at the end for Christina Rees to wind up.

5.45 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jo Churchill): Indeed I will, Mr Mundell; it is a pleasure to serve under your chairmanship. I start by paying tribute to the hon. Member for Neath (Christina Rees), who laid out brilliantly the challenges we face: she cantered through the challenge posed by the online world while recognising the work of the Pet Advertising Advisory Group.

I pay tribute to Richard, or Rick, Ackers for the work he has done. As he has heard this afternoon, we do not always speak with one voice in this place, but he has managed to galvanise Members from all sides of the House to put forward a very compelling case that there is a challenge here. I hope he will hear in my response something to give him hope that we recognise not only that the issue is a challenge, but that we need help from people like him to get the right answers. Such cases cause emotional distress. As we heard from the hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey), when someone is presented with a small puppy, their heart melts. As a Labrador owner, my sympathy is with Richard, his family and his children. What happened is just grim.

We are a nation of animal lovers—if we wanted to prove that, this afternoon's debate could not have done a better job. We abhor with one voice the mistreatment of animals. The Government have worked hard to improve the welfare of animals wherever they are, but, as today's debate has outlined, there are still gaps that need filling. Our record on animal welfare is good, and in recent years we have done more to make sure that we are filling those gaps and that animals receive the care and protection they deserve. Only in June this year, the Animal Welfare (Sentencing) Act 2021 came into force, delivering on our manifesto commitment to increase the sentences available in our courts for the most serious cases of animal cruelty from six months to five years. We also launched our action plan for animal welfare this year, bringing together the wide range of different issues we are dealing with and setting out our future aims and ambitions. In addition, our commitment to maintain the UK at the leading edge of animal welfare is one with which we all agree.

As we have heard, the Justice For Reggie campaign that stems from Reggie's sad little life focuses on the advertising requirements that apply to the sale of pets. The online sale of pets is currently regulated as follows: under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, anyone in the business of selling animals as pets, or breeding or selling dogs, requires a valid licence. As we have heard, this is a challenge: we have strengthened things up such that dog breeders are expected to obtain a licence if they breed and sell three or more litters per year.

The sale of puppies, kittens, ferrets and rabbits under the age of eight weeks is prohibited, and we talk to Scotland quite regularly about that issue, to ensure we can learn from what is being done there. That prohibition prevents licensed breeders from selling dogs not bred by them and from breeding dogs where it can be reasonably expected, on the basis of their genotype, phenotype or health, that doing so would lead to welfare problems. My right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) raised that issue.

Licensed breeders must also show puppies to purchasers in the presence of their mum. However, we heard that that is not always the easiest thing to insist on when someone is presented with the puppy, particularly if those around them want to take it home. Licensed sellers advertising puppies for sale must include their number; during the recent Animals (Penalty Notices) Bill, the shadow Minister and I spoke about how that will add another tool to our toolbox. We heard about how Lucy's law stops the early separation of animals from their mums, unnecessary journeys at a young age from breeder to pet shop, and the keeping of puppies in inappropriate commercial premises. We have also heard that, for all that, these things still go on.

Under these licensing requirements, licensees must meet strict statutory welfare standards. Anybody who advertises must include their number on the advert, and must specify which local authority issued the licence. There is an onus on us, and Rick has said that at every stage he should have done more. However, I am cognisant of the fact that while that is easy to say, it is quite challenging to do.

Andy Carter: Does my hon. Friend agree with me that social media companies can play a much bigger part? It is not beyond the wit of man to create a form for that type of information—those licence numbers—to be entered in, so that they could be clearly verified using technology. Could she consider that with colleagues in DCMS?

Jo Churchill: My hon. Friend brings up a point about responsibility. There is responsibility on those who purchase and on the breeders, but there must also be responsibility on online companies. The hon. Member for Neath mentioned databases; making sure that databases are functional is also important in this space, and it is something that I think Mr Ackers has also addressed in his work.

Sir Mike Penning: One of the biggest issues for the Minister and the public to understand is that if these animals were pigs or cattle, we would know exactly who the mum was and where they had been travelling. We would know all their breeding—everything about them—for the safety of our constituents. This cannot be beyond

the wit of man. Just because the word “pet” is used should not mean that we cannot trace these animals. Surely we can do something.

Jo Churchill: My right hon. Friend makes a good point. Covid has meant that the movement of livestock is recorded much more online, which has shown us ways of traceability.

In addition to the duties to show the age of the animal for sale and a recognised photograph, the commercial third party sale of puppies and kittens has been banned in England since 6 April 2020. That prevents commercial outlets from selling animals in England unless they themselves have bred them. As I said before, licensed breeders are prohibited from showing a puppy to a prospective purchaser unless the biological mum is also present. There is an exemption in limited circumstances when welfare concerns must take precedence. However, as my right hon. Friend the Member for North Thanet (Sir Roger Gale) pointed out, some unscrupulous breeders rarely think of the consequences for the mother when they are doing this under the line.

Alongside the statutory regulation of commercial pet breeders and pet sellers, we support the self-regulation of online platforms that sell pets. We do this through the close working relationship we have with PAAG, which was created to combat concerns regarding the irresponsible advertising of pets for sale, or for rehoming for exchange.

Daniel Zeichner: I heard the Minister mention self-regulation, but are we not agreed that self-regulation is not going to be enough? Are we going to go further?

Jo Churchill: Will the hon. Gentleman bear with me a little longer?

PAAG has been engaging with the online marketplaces, to help them distinguish appropriate adverts from those that should be removed. PAAG has developed a set of minimum standards for advertising pets for sale. Several of the UK's largest classifieds websites have already adopted these minimum standards, which the Government support.

DEFRA also runs a public communications campaign called Petfished, which we heard about earlier; it raises the awareness of issues associated with the low welfare and illegal supply of pets, including encouraging prospective buyers to research thoroughly. The current work in that area also includes progressing the pet theft taskforce recommendation, which was made in September, to encourage sales platforms to implement more identity checks. We will approach that work through our existing relationship with PAAG.

The inclusion of advertising requirements within the local authority licensing regime serves an important purpose, ensuring that those with the power to issue, revoke, refuse or vary a licence can act where requirements are not met. That builds on the local authority's ability to investigate and prosecute animal welfare issues under the Animal Welfare Act 2006. The net result is a rounded approach that lets local authorities investigate local instances of low-welfare breeding and selling, pursue prosecutions where animal welfare standards are breached, and manage the licensing regime. I have heard many hon. Members today saying that there are big gaps, so I will briefly address those comments.

[Jo Churchill]

My right hon. Friend the Member for Hemel Hempstead spoke about mutilations of dogs. The Animal Welfare (Kept Animals) Bill includes a power to make regulations about the importation of pet animals into Great Britain, for the purposes of promoting animal welfare. That will enable us to clamp down on the importation of dogs that have been subject to low-welfare practices, such as ear cropping or tail docking.

As I said to the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier), we have regular contact with our Scottish counterparts, but the LAIA regulations require anyone selling rabbits as pets to obtain that valid licence, as with any other area. On online sales, DEFRA does have a responsibility to improve self-regulation through PAAG and the LAIA regulations, but the other aspects sit with DCMS. I will come on to how we are working, and intend to work more fully, with the Department.

My hon. Friend the Member for Warrington South (Andy Carter) spoke about how particularly special dogs are to families, and how parents need to be present; I urge people to ensure that they are. We have heard about the Dotties and the Doras, and from my right hon. Friend the Member for Hemel Hempstead about how sad a home is when we lose a dog.

Online sales outside the UK that result in animals being imported are not captured by the current licensing regime and neither are pets rehomed by rescue centres, but the Animal Welfare (Kept Animals) Bill will introduce further restrictions on imports to combat low-welfare movements. We are working towards the licensing of rescue centres.

To conclude, we think a holistic approach is possible, but I am well aware that the key stakeholders—trade associations, PAAG, the Pet Industry Federation, and the Canine and Feline Sector Group—will be integral to collecting evidence to inform DEFRA's review. In addition, I would welcome any evidence that Justice

for Reggie may hold about how we can improve that. Following this debate, I will ask officials to meet representatives of the Justice for Reggie campaign in the coming days so that we can take on board any information and evidence they can provide that can assist our understanding of these issues. There will also be a roundtable with PAAG and some of the online platforms in the new year, which Justice for Reggie would be welcome to attend to make its points in person.

To conclude, the Government are proud of the improved protections that we have introduced and of our ambitious and progressive reform programme, but there is further to go. I hope that those present today have been reassured that we take this issue seriously and will work together, across Government and with those involved, to improve the situation.

5.59 pm

Christina Rees: I thank all Members for their valuable contributions to this important debate. We all agree that the Government must act now. It is terribly upsetting that unscrupulous people are making money from disreputable pet animal sales online, but the key point is that innocent people are being duped by unscrupulous pet sellers who do not care if the animals they are selling live or die. Those poor animals endure the most disgusting conditions; I do not understand how anyone can be cruel to a pet that only wants to give unconditional love.

I urge the Minister—who is very magnanimous, and listens—to legislate to prevent people suffering the heartbreak that Richard has. I thank Richard for his determination not to give up on justice for Reggie. It has been an absolute honour to present Reggie's law for Richard in this evening's debate.

6 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Monday 13 December 2021

CABINET OFFICE

Duchy of Lancaster Estate 2020-21

The Paymaster General (Michael Ellis): My noble Friend the Minister for Efficiency and Transformation, Lord Agnew Kt, has today made the following written statement:

I have today laid before Parliament, pursuant to section 86 of the Climate Change Act 2008, the “State of the Estate in 2020-21”. This report describes the progress made on the efficiency and sustainability of the central Government estate and, where relevant, records the progress that the Government have made since the previous year. The report is published on an annual basis.

[HCWS470]

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Human Rights Sanctions Designations: Myanmar

The Secretary of State for Foreign, Commonwealth and Development Affairs (Elizabeth Truss): On International Human Rights Day, 10 December, the UK announced a further tranche of sanctions in response to the military coup in Myanmar under the Myanmar (Sanctions) Regulations 2021. Asset freezes have been imposed on four Myanmar entities responsible for manufacturing or procuring arms and equipment and providing support and finance to the Myanmar military, which has continued to undermine democracy and violate the fundamental rights of the civilian population. The UK is committed to preventing the flow of arms to Myanmar and will continue to use sanctions and diplomatic pressure to this end.

In parallel, the UK imposed an asset freeze and travel ban on one individual under the Global Human Rights Sanctions Regulations 2020 for serious human rights abuses in Pakistan. The designation of a former Lashkar-e-Jhangvi commander who facilitated the 2017 bombing of the Lai Shahbaz Qalandar shrine, which killed at least 70 people, sends a strong message that the UK will use all tools at our disposal to defend freedom of religion and belief.

The UK announced the designations during the US-hosted summit for democracy, as part of our commitment to continue to use our targeted sanctions to defend human rights as well as counter serious corruption globally.

The full list of designations is below:

Under the Myanmar Sanctions Regulations 2021
Myanmar

The Quarter Master General’s Office.

The Directorate for Defence Industries, a state-owned enterprise.

The Department for Defence Procurement.

The Myanmar War Veterans Organisation, a quasi-reserve force for the Myanmar military Under the Global Human Rights Sanctions Regulations 2020.

Pakistan

Furqan Bangalzai; a former commander in the terror organisation Lashkar-e-Jhangvi.

[HCWS469]

HOME DEPARTMENT

Director of Labour Market Enforcement’s Strategies 2020-21 and 2021-22

The Parliamentary Under-Secretary of State for the Home Department (Rachel Maclean): Alongside the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully), I am today publishing the Labour Market Enforcement Strategies for 2020-21 and 2021-22, submitted by the previous Director of Labour Market Enforcement, Matthew Taylor. The strategies will be available on www.gov.uk.

The Director of Labour Market Enforcement’s role was created by the Immigration Act 2016 to bring better focus and strategic co-ordination to the enforcement of labour market legislation by the three enforcement bodies which are responsible for state enforcement of specific employment rights:

The Employment Agency Standards Inspectorate (EAS);

Her Majesty’s Revenue and Customs National Minimum and Living Wage enforcement team (HMRC NMW/NLW team); and

The Gangmasters and Labour Abuse Authority (GLAA).

Under section 2 of the Act, the Director of Labour Market Enforcement is required by the Immigration Act 2016 to prepare an annual labour market enforcement strategy, which assesses the scale and nature of non-compliance in the labour market and sets priorities for future enforcement by the three enforcement bodies and the allocation of resources needed to deliver those priorities.

Before his term ended, Matthew Taylor submitted these strategies ahead of the statutory deadlines. It was important to take the time to work with the Director and the enforcement bodies to ensure the strategies were making the right recommendations in the face of the challenges to the labour market presented by the pandemic. We are now working closely with the enforcement bodies as they implement the recommendations alongside their day-to-day enforcement activities.

In previous years, we have published a Government response to the strategies setting out the approach we will take to the recommendations. For the latest strategies, we have instead worked closely with the Director and their office and the enforcement bodies to agree the recommendations ahead of publication of the strategies.

I thank Matthew Taylor for his contribution over the 18 months he spent in the role. I am looking forward to working with the new Director, Margaret Beels, who took up the role in November 2021. Margaret brings with her extensive industry experience, having been chair of the Gangmasters and Labour Abuse Authority (GLAA) since 2011, where she led on work to tackle and prevent modern slavery and labour exploitation—and which she was honoured with an OBE for in 2020.

As we continue to support workers and root out exploitation by rogue employers, Margaret’s experience will be invaluable, and I look forward to working with her in helping to build an economy that works for all.

[HCWS472]

TRANSPORT

Transport for London Funding Settlement: Interim Extension

The Secretary of State for Transport (Grant Shapps):

I am updating the House on an interim extension of the current Transport for London funding settlement that was due to expire on 11 December 2021 by one week. This has been agreed by the Mayor of London.

On 8 December, the Department for Transport received a letter from the Mayor of London that provided further information on how Transport for London and the Mayor will raise new income of between £0.5 billion and £1 billion in line with the commitment agreed under the June 2021 emergency settlement. This response was already three weeks past the original deadline of 12 November. Government require further clarification on these proposals and the Mayor of London has been asked to provide more detailed information by 15 December. Should sufficient information be received, work on an extended further settlement will continue, to support the capital and its transport network. We have thus far supported London with over £4 billion of funding and will make sure services are protected while work on the next settlement is underway.

Support to Transport for London has always been on the condition that Transport for London reaches financial sustainability as soon as possible and with a target date of April 2023. The condition on identifying new or increased income sources is integral to Transport for London achieving that objective. An extension of the existing funding settlement will provide Transport for London with support until 17 December 2021 by rolling over the provisions of the existing settlement, providing continued support to Transport for London and certainty to Londoners while we work with Transport for London on their funding needs.

The Government are committed to supporting London and the transport network on which it depends, while balancing that with supporting the national transport network. I will update the House on the details of the next financial settlement after the close of this extension period.

[HCWS468]

WORK AND PENSIONS

Counter-fraud Funding

The Parliamentary Under-Secretary of State for Work and Pensions (David Rutley): Fraud is stealing from honest taxpayers. It is right we bring the collective weight of Government to bear on this growing challenge and I am determined to take further decisive action.

Across Government, 16,000 people, including counter-fraud experts, are currently working to tackle fraud. The world's first Government Counter-fraud Function works to identify new and emerging fraud risks and to support Departments to improve capability to access and use data and analytics to tackle these risks.

My Department has worked hard to drive out fraud. Officials prevented more than £1.9 billion of fraud during the first year of the pandemic through strengthening our checks and disrupting the operations of serious and organised crime groups.

However, it is clear that we need to go further, both in terms of eradicating fraud from our current cases and designing fraud out of the system.

At spending review (SR) 2021, DWP secured £103 million for fraud and error activity to continue funding key fraud and error detection and prevention work originally agreed in spring Budget 2021. This first phase of funding enables DWP to secure the completion of our current transformation programme which will enhance our ability to prevent and detect fraud and error.

Today, I can announce additional funding of £510 million over the next three years. This second phase of funding, which will deliver significant savings over the SR period, will enable us to drive down the level of fraud in universal credit (UC) and collect more debt, through:

A targeted review of UC claims to allow us to systematically review stock UC cases to uncover fraud and error and remove it from the system;

a debt enforcement function to allow us to target hard to collect debt.

This funding also includes provision for a fraud prevention fund, which will allow us to explore and test innovative approaches to designing out fraud and error. This investment represents a further important step towards our long-term vision, dramatically reducing the level of fraud and error in the UC stock and more effective collection of debt while continuing to provide effective counter fraud operations on a larger scale.

[HCWS471]

Petition

Monday 13 December 2021

OBSERVATIONS

LEVELLING UP, HOUSING AND COMMUNITIES

Pine Trees development

The petition of residents of the constituency of Wycombe

Declares that planning permission for Pine Trees was granted by the local authority (now Buckinghamshire Council) on the condition that the developer, Taylor Wimpey, paid a commuted sum to support the upkeep of the open spaces and play areas known as Bobcat Park, allowing for the local authority to adopt the park; notes that the local authority failed to include any mention of said commuted sum in the Section 106 planning conditions for the development; notes that the developer sold, and continued to sell, homes at Pine Trees on the basis that Bobcat Park would be adopted by the local authority and that residents would not need to pay anything towards upkeep of the park; notes that in connection with a separate planning condition, the developer has paid to the local authority more than £2 million for the creation of a bus link scheme which has since been abandoned, leaving funds available to support adoption of the park; and notes that in the absence of a commuted sum, the local authority has indicated its opposition to adopting the park, leaving the costs of maintenance to be borne by the residents at the development, conflicting directly with what they had been told.

The petitioners therefore request that the House of Commons urge the Government to legislate to ensure in future if planning is granted on particular conditions,

and these are not carried through by a council, then that council is responsible for remediation and to ask the relevant Member to seek to broker a solution.

And the petitioners remain, etc.—[Presented by Mr Steve Baker, Official Report, 23 November 2021; Vol. 704, c. 322.]

[P002698]

Observations from the Minister for Housing (Christopher Pincher):

Due to the role of the Secretary of State in the planning system, the Government are unable to comment on specific development proposals.

Contributions from developers play an important role in delivering the infrastructure that new homes require, such as open space facilities. Local authorities can obtain these contributions by charging a Community Infrastructure Levy (CIL) on new development, and by negotiating section 106 planning obligations with a developer. However, section 106 agreements can be varied, resulting in lack of clarity for communities over the infrastructure that will be delivered.

The Government strongly believe that management charges should be transparent and that there should be a clear challenge or redress if things go wrong. Where costs do fall directly on homeowners, it should be clear to potential purchasers what the arrangements are for the maintenance of roads and upkeep of open space, public or otherwise, with a clear route to challenge or redress if things go wrong.

The Government's White Paper, 'Planning for the Future' proposes that the new 'Infrastructure Levy' will replace section 106 planning obligations and the Community Infrastructure Levy. The proposed Levy will be simpler, more transparent and more consistent.

The consultation on 'Planning for the Future' closed on 29 October. We are analysing the consultation feedback thoroughly and holding meetings with industry and local authority representatives to understand the impacts of our proposals. We will respond formally in due course.

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