

**Friday  
21 January 2022**

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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Friday 21 January 2022**

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# House of Commons

Friday 21 January 2022

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

## PRAYERS

[MR SPEAKER *in the Chair*]

**Paul Holmes** (Eastleigh) (Con): I beg to move, That the House sit in private.

*Question put forthwith (Standing Order No. 163).*

*The House divided: Ayes 0, Noes 46.*

**Division No. 166]**

**[9.34 am**

## AYES

**Tellers for the Ayes:**

**John Lamont and  
Peter Gibson**

## NOES

Aiken, Nickie  
Atkins, Victoria  
Bell, Aaron  
Butler, Rob  
Cadbury, Ruth  
Caulfield, Maria  
Docherty, Leo  
Double, Steve  
Drummond, Mrs Flick  
Fell, Simon  
Freer, Mike  
Fuller, Richard  
Griffith, Nia  
Hands, rh Greg  
Harris, Rebecca  
Harrison, Trudy  
Hayes, Helen  
Hollobone, Mr Philip  
Hopkins, Rachel  
Hudson, Dr Neil  
Knight, rh Sir Greg  
Lopez, Julia  
Maclean, Rachel  
McGovern, Alison

Milling, rh Amanda  
Mohindra, Mr Gagan  
Moore, Robbie  
Morden, Jessica  
Nici, Lia  
O'Brien, Neil  
Opperman, Guy  
Oppong-Asare, Abena  
Owen, Sarah  
Pursglove, Tom  
Reeves, Ellie  
Shannon, Jim  
Solloway, Amanda  
Spellar, rh John  
Stewart, Iain  
Tarry, Sam  
Vickers, Matt  
Whately, Helen  
Wild, James  
Wood, Mike  
Zeichner, Daniel

**Tellers for the Noes:  
Michael Tomlinson and  
Gareth Johnson**

*Question accordingly negatived.*

## Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill

*Bill not amended in the Public Bill Committee, considered.  
Third Reading*

9.48 am

**Peter Gibson** (Darlington) (Con): I beg to move, That the Bill be now read the Third time.

I want to begin this morning by thanking the many people who have been involved in the long gestation of the Bill. As an MP elected in 2019, I was pleasantly surprised to be drawn in the ballot to bring forward a private Member's Bill. I have learned from speaking to many colleagues across the House—many of whom have been here for decades—that the probability of being picked and then steering a Bill that would garner Government and cross-party support through its various parliamentary stages is very low. Today is the culmination of that process, at least in the House of Commons.

Reform of our taxi licensing is something that I know various Transport Ministers have battled with over previous years. My hon. Friend the Member for Wealden (Ms Ghani) and my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) are very keen to see the Bill reach the statute book, as, too, is the current Minister, my hon. Friend the Member for Copeland (Trudy Harrison). It is a pleasure to see her in her place today.

Ahead of today's debate, I spoke with my right hon. Friend the Member for South Holland and The Deepings. He has been an incredible support to me on this journey and I know he would like to have been here today; he cannot be because of a ministerial visit in his constituency. I place on the record my gratitude to him and to my hon. Friend the Member for Wealden.

It would be remiss of me not to mention the good work of the all-party parliamentary group on taxis during this debate, which I know carries out great work in trumpeting reform and updating taxi legislation. I thank the APPG for its engagement with me as well.

Some will recognise much of the Bill, because a previous incarnation of it was ably brought to the House by my friend the hon. Member for Cambridge (Daniel Zeichner). Although he and I sit on opposite sides of the House, it has been a pleasure to work with him on steering the Bill through it. I am indebted to him for his support. Some great things come from this House when we work together on matters, and I am proud to be able to help improve our constituents' lives with this legislation.

My right hon. and learned Friend the Member for South Swindon (Sir Robert Buckland) also cannot be here today, but he is keen to see the Bill on the statute book—not only as a former Lord Chancellor, but as a constituency MP. In previous debates, I have mentioned the sad and tragic murder of his constituent Sian O'Callaghan. From my engagement with Sian's family, the Suzy Lamplugh Trust and my right hon. and learned Friend, I know that the Bill will stand as a lasting tribute to Sian.

Violence against women and girls, which is a key focus of the Government and indeed all hon. Members across the House, has been detailed in the recently

[Peter Gibson]

published “Tackling violence against women and girls strategy”. This work builds on a long heritage of legislation brought about by Conservative Governments, including the Children Act 1989, the Protection from Harassment Act 1997, the Protection of Freedoms Act 2012, the Modern Slavery Act 2015 and the Domestic Abuse Act 2021, all of which contain steps and measures to protect people.

Having sat on the Women and Equalities Committee and the Bill Committee for the Domestic Abuse Act and regularly engaged with my local police, domestic abuse refuge and night-time economy, I am only too well aware of the need for our society to do more to protect people. I am grateful to all hon. Members present for helping to put measures in place that will improve the safety of our constituents.

I will provide an overview of what the Bill does and its merits. There are about 343,000 taxi and private hire vehicle driver licences issued in England and 276 licensing authorities that issue those licences. In each case, it is the responsibility of our local licensing authorities to decide whether a person is fit and proper to hold a taxi or private hire vehicle driver licence. The Bill will make a straightforward, clear improvement to the information available to our local licensing authorities when determining an applicant’s suitability. The availability of as much relevant information as possible is essential to support local licensing authorities in making the right decision, because better decisions can be made when more information is available.

As I said, there are about 343,000 licensed taxi and private hire vehicle drivers. Local licensing authorities refuse applications when they decide that someone is not fit and proper. Furthermore, authorities monitor the activity of their licensees and will suspend or revoke licences when they have concerns. Our local authorities therefore grant, refuse, revoke and suspend licences of those 343,000 people, but there is no requirement for them to share details of their adverse licensing decisions—suspensions, revocations or refusals—with others. It is perfectly possible for a driver to be refused a licence in one local authority and be granted one by a neighbouring authority that has no knowledge of the refusal by the other. It is a crazy situation, and one met with incredulity by many when I have explained what the Bill does.

Not all local licensing authorities are oblivious to the problem. Many use the national register of taxi and private hire licence revocations and refusals, commonly referred to as NR3, established by the Local Government Association and the National Anti Fraud Network. While that is good practice, without consistent use of it—or a similar database—by all licensing authorities, the authority making a decision cannot have the full picture. Given that there are 276 different licensing authorities across England, we need to make it easier for them to share information, because, in this instance, sharing really is caring.

That is what the first part of the Bill aims to do. It would require all licensing authorities in England to record and input into a designated database their suspensions, refusals and revocations of taxi and private hire vehicle driver licences where this is due to safeguarding or road safety concerns.

**Sir Greg Knight** (East Yorkshire) (Con): I congratulate my hon. Friend on getting this far. Only about 1% of all private Members’ Bills make it on to the statute book, so he has done very well. I wish him well as the Bill proceeds.

My hon. Friend referred to the database. May I ask him who is going to fund the costs of that?

**Peter Gibson:** I am grateful to my right hon. Friend for his intervention. He raises a very important point about the cost, which I will address in further detail later in my speech. However, it is safe to say that a notional cost is already being borne by many local authorities as part of their membership of the national anti-fraud framework. It is for the Minister to decide whether to designate that database for the use of this legislation, if we are successful in getting it on to the statute book, and whether the Government fully fund it themselves or pass the relatively nominal cost on to a local authority.

Licensing authorities will then be required to search the database when processing each licensing application to ascertain whether the applicant has had a licence suspended, refused or revoked by another licensing authority. If there is a relevant entry on the database, the authority will be obliged to request further details of that adverse decision and have regard to the information considered by the other licensing authority when making its own decision. To be clear, the database would only record instances in which a licensing authority suspended, refused or revoked a driver’s licence due to safeguarding or road safety concerns: it would not hold details of that decision. The details would remain held by the relevant licensing authority, and would need to be requested on a case-by-case basis where an application is made to another local authority by an individual whose name appears on the register.

**Dr Neil Hudson** (Penrith and The Border) (Con): I congratulate my hon. Friend, the proud champion for Darlington, on having introduced this Bill and on getting it so far. I fully support the Bill, which will improve the safety of passengers in taxis and private hire vehicles, and I echo his comments about the cross-party nature of working on this issue; he has mentioned the hon. Member for Cambridge (Daniel Zeichner). It is so important that we work together across the House on important issues such as this.

However, does my hon. Friend agree that the history of the licensing regime goes back to an era when private hire vehicles of any sort were very unlikely to go out of their own area and operated in very small geographical areas? The regime dates back to a different time, but now the situation has evolved. That is why things need to change.

**Peter Gibson:** My hon. Friend raises an incredibly important point. Much of our legislation dates back to previous eras when people did not travel outside their local authority areas, but now vehicles licensed in one local authority could operate entirely in another. Far from being even in neighbouring local authorities, they could be in completely disparate parts of the country.

In the interests of ensuring that the latest and most relevant information is available to the licensing authority, the Bill stipulates that licensing authorities must input

the decision details within five working days of notifying the driver of their decision. During the 11 years that the record would be held on the database, the licensing authority must also ensure that it is kept up to date to reflect any changes, such as if the driver successfully appeals the original decision—as indeed they will be able to, just as they may now.

**Nickie Aiken** (Cities of London and Westminster) (Con): I congratulate my hon. Friend on this excellent private Member's Bill. I am fascinated to hear what he is saying about the regulation and licensing of private hire vehicles. In London, we have the issue of pedicabs, which can be considered a private hire vehicle but have no licensing regime. We do not know who the drivers are, or how safe they are—in fact, we do not know how safe their vehicles are. Does my hon. Friend agree that it is about time that we had a proper licensing regime for pedicabs in London?

**Peter Gibson:** I am grateful to my hon. Friend for her intervention. She, too, knows the challenges of steering private Members' Bills through the House, and she rightly continues to raise the issue of pedicabs and to press the House to deliver legislation to deal with it. She has been a tremendous champion of that, and I look forward to her continuing that campaign.

The Bill will give the Government the flexibility to provide the database or to designate another database provider. The database operator will also be able to charge a fee to licensing authorities to cover the cost of administering the database, but that fee would also need to be agreed by the Secretary of State. The fee does not have to be levied; the Government may choose to cover the cost, and I think that adequately deals with the point raised by my right hon. Friend the Member for East Yorkshire (Sir Greg Knight).

Enabling licensing authorities to check an applicant's previous licensing history with other authorities in respect of suspensions, refusals and revocations will ensure that relevant information can be considered. The aim is to empower our licensing authorities in the vital work they do in protecting the travelling public from the few who seek to do harm.

The other aspect of the Bill is new duties on licensing authorities to report concerns about drivers licensed in other areas and to respond to those reports from other authorities. As Members may be aware, only the licensing authority that issued a driver's licence can suspend, refuse or revoke it, but, as we know, drivers may be licensed by one local authority but operate almost entirely in another—often a neighbouring local authority, but sometimes much further afield.

Where a licensing authority in England has safeguarding or road safety concerns about a driver licensed in another area that would lead to it considering suspending or revoking that licence had it issued it, the authority will be required to report those concerns to the authority that issued the licence. Those concerns must be reported, even if the licensing authority is based in Wales or Scotland, and they must be reported within 10 working days of the authority's becoming aware of the relevant information relating to the driver's conduct in its area.

Where a licensing authority in England receives concerns from another licensing authority in England, Scotland or Wales, it must consider whether to suspend or revoke

the driver's licence. The authority must inform the reporting authority of its decision and reasonings within 20 working days. These measures will help ensure that the licensing authority that issued the licence and is able to suspend or revoke the driver's licence is aware of serious concerns over its drivers, even when they are working in other areas, so that only those who are fit and proper remain licensed.

Overall, the Bill is about ensuring the safety of our constituents when travelling by taxi or private hire vehicle. From the support the Bill has received across the House, I know it is something we can all get behind. The Bill goes some way towards the reform of our taxi licensing system and improves safeguards for the protection of our constituents. It does not provide for wholesale reform, and it is not a costly measure. It simply and cleanly closes a glaring loophole that frankly should never have been allowed to exist. I commend the Bill to the House.

10.3 am

**Jim Shannon** (Strangford) (DUP): First, I commend the hon. Member for Darlington (Peter Gibson) on opening the debate in such an effective way, as he always does. He did so the last time I was here, too. Today is the culmination of that; I understand that Third Reading will take place today.

Whenever my grandchildren see something go well, they say, "Granddad, you're a lucky duck!" The hon. Member is a lucky duck today, so well done to him for shortly getting the Bill through Parliament and for all he has done to improve this key issue: the safety of those who use taxis and private hire vehicles. Well done, genuinely. Those who are here are here to thank him and to participate in the debate. For the record, I also commend the hon. Member for Cambridge (Daniel Zeichner), because I know that this is a subject close to his heart. We can all rejoice in the culmination of the Bill's progress through the House today.

Although I appreciate that the Bill does not apply to Northern Ireland as it is a devolved matter and we have our own taxi and private hire vehicle laws—I have spoken to the hon. Member for Darlington about that—it is great to speak on the main aspects of the Bill to see what can be learned in this place and what encouragement can be given to improve the legislation. When the legislation is passed, I intend to send it through to our Minister in Northern Ireland and say, "Here's something that they're doing across the water. Perhaps it might be a good idea to follow suit and put whatever we don't have in place as well."

The Bill has a simple but effective purpose, which is to protect our public—a key issue. Our taxi and private hire business is massive. In 2020, almost 300,000 taxis and PHVs were licensed to operate in England. That represents a roughly 60% increase in the numbers licensed since 2005.

In Northern Ireland specifically, the Department for Infrastructure figures say that there were 8,781 registered taxi drivers as of '20-'21. According to a previous DfI report, in 2014, a total of 15,802 taxi drivers' licences were recorded—just six years later, the figure has plummeted to just 9,045, a fall of more than 42%. The figures indicate that we in Northern Ireland have not had the increase in business to which the hon. Member for Darlington referred.

**Dr Hudson:** If you will forgive me for making a second cricket analogy in two days, Mr Speaker, I cannot resist the opportunity to break my duck and intervene on the hon. Member. On his point about how different parts of the United Kingdom can learn from each other, does he agree, as a Northern Ireland Member, that legislation through which we can share best practice across the United Kingdom shows us how important our precious Union is?

**Jim Shannon:** I certainly agree with the hon. Gentleman. He is right that I am a committed Unionist and I would always love to see this great nation as one; everybody from Scotland, Wales, Northern Ireland and England is better together. He is pushing at an open door with that point. He makes a serious point, however, about how we can learn. It is important to share details, legislation and ideas, and to share what is right and what is successful, and then do that across this great nation.

Whether the figures in Northern Ireland are a result of the pandemic is another topic. I welcome the safeguarding aspects of the Bill, to which the hon. Member for Darlington referred. The main concept of the Bill is to ensure that only those fit to hold a licence are entrusted to carry the public. We could not ask for more—that is a key point. On Second Reading, he stated that the Bill aims to

“protect the hundreds of thousands of...drivers from having their reputation tarnished...by the abhorrent behaviour of a small minority”.—[*Official Report*, 10 September 2021; Vol. 700, c. 596.]

I repeat that today because it is a key part of the issue.

Many local government associations welcome the Bill as it would make it mandatory for licensing authorities to access vital background information about drivers seeking a licence in their relevant areas. That fully supports the use of councils, as they can ensure that those using taxi or private hire services are kept safe. With that in mind, I am sure that we in Northern Ireland, where it is a devolved matter, will make that happen, as the hon. Member for Penrith and The Border (Dr Hudson) said and the hon. Member for Darlington wants, too.

Licensing laws need to be brought up to date, which is what we are doing today. The Bill will take us to the next stage of enshrining safeguarding and protection in legislation. We live in a world where regulations, guidelines and policy are everything, so this is an opportunity for protection to be brought in, for legislation to be updated and to secure better travel for our constituents. The Bill aims to make the licensing system for taxis and PHVs fit for the 21st century, which will ultimately benefit both passengers and trade. We should all welcome that, because it is a step in the right direction for taxi companies and passengers who travel.

I feel strongly that more power to deal with allegations of crime or misconduct should be given to local authorities. The process of an investigation could well be delayed for months otherwise. For the protection of our constituents, the Bill takes us that stage further. Local agencies should have the power to deal with this matter in their areas. When working with the private sector, we must ensure that our constituents get every level of protection.

This Bill enables all licensing authorities to record and input into the database instances where they have refused to grant or renew a driver's licence, or have

suspended or revoked the licence because of a certain safeguarding or road-safety concern. I welcome the recent announcement of £14 million to help the taxi industry deal with the impact of the pandemic. We often say—it is the truth—that the Government stepped up to help businesses during the pandemic, and we are all deeply indebted to them for that. They have helped my constituents, along with all the constituents in this great nation represented by MPs in this House.

I believe that further discussion should be undertaken between the Minister, the Department and the devolved nations to see how we can further protect the public. I appreciate that data and information can be shared if necessary, but there should be a further conversation on the timescale. When the Minister sums up, can she indicate what conversations have been had with the devolved Administrations? That would tie in with what the hon. Member for Penrith and The Border said in his intervention and what the hon. Member for Darlington said. If there is something good here, we should share it.

To conclude, I welcome the comments of hon. Members who have spoken so far. I look forward to the contributions from those who follow, from both sides of the Chamber, particularly from the hon. Member for Ilford South (Sam Tarry) and the Minister.

I wish the hon. Member for Darlington well for the remainder of this important Bill's legislative process. When it comes to public safety, it is crucial that we play our part in protecting the general public by having the correct guidelines in place. For that reason, this House, the Minister and the Government have much to thank the hon. Member for Darlington for introducing this Bill.

10.12 am

**Paul Holmes** (Eastleigh) (Con): I am delighted to have finished writing my speech before being called, Mr Speaker. I sincerely congratulate my hon. Friend the Member for Darlington (Peter Gibson) on progressing the Bill to this stage. It is a good Bill and it is a testament to his due diligence, his assiduousness as a Member of Parliament and his fundamental love of good governance. This Bill puts good governance at the heart of the taxi and private hire vehicle industry.

Now that he has Government support for the Bill, he might want to step down his case for Darlington to have Great British Railways headquarters, because we in Eastleigh need some good news too. If he manages to get this excellent piece of legislation on the statute book, Eastleigh should have Great British Railways headquarters. I am sure he will agree with me when he winds up at the end of the Bill, or he may wish to intervene. I think that Eastleigh has a very good case.

**Peter Gibson:** As my hon. Friend knows from my previous speeches in this House, Darlington is the birthplace of the railways. In 1825, Locomotion No.1 pulled the very first passenger train across Skerne Bridge—the oldest, longest-established and continuously used railway bridge in the world, and heritage site—in my constituency. I can think of no better place for Great British Railways to be based than Darlington.

**Mr Speaker:** May I suggest that a train is not a taxi? As much as the hon. Gentleman sells this great history, even he would agree that it does not quite link in to this Bill.

**Paul Holmes:** I apologise to you, Mr Speaker, and to my hon. Friend the Member for Darlington for leading him down that path, but my constituents were expecting me to mention that point.

**Nickie Aiken:** Not for the first time!

**Paul Holmes:** Not for the first time, as my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) outlines. I will get to the cars that service the trains in Eastleigh, but I just say to my hon. Friend the Member for Darlington that Eastleigh is the birthplace of the railways in the south.

This Bill closes some of the loopholes around the good administration, and relieves the current burden on local authorities and licensing authorities. I agree with my hon. Friend the Member for Darlington that there is a kind of postcode lottery and patchwork quilt approach to the licensing of private taxis in England. As someone who has previously served on a licensing authority in Southampton—[*Interruption.*] My hon. Friend the Member for Cities of London and Westminster heckles me from a sedentary position; she told me 10 minutes ago that she was chairman of the largest licensing authority in the UK, so I am sure that she will want to intervene and share her experience during my speech.

I remember consistently that when I was a member of the licensing authority, there was a perennial frustration when drivers came before us that we did not necessarily have all the information that we wanted, given the timescales for approving and licensing taxi drivers. We also did not know whether that driver had been before other licensing authorities.

**Nickie Aiken:** As my hon. Friend has just informed the House, I was proud to be the chair of the largest licensing authority in the country. Does he agree that we should thank the outstanding licensing officers—including the licensing enforcement officers—up and down this country, who work so hard to ensure our safety, whether that is in premises, taxis or any other form of licensing?

**Paul Holmes:** I absolutely agree. In my background and in my hon. Friend's, the teams worked tirelessly to ensure that we have not only roadworthy vehicles, but safe drivers. In addition to her comments, we should also put on record our thanks to the thousands of taxi drivers—my constituents and constituents across the whole UK—who play by the rules, keep their cars up to scratch and provide a service to people in this country. We really do value their lifestyle and the work that they do, and we thank them.

This Bill is good for reassuring millions of users of the taxi trade, particularly people travelling late at night, of their safety. As my hon. Friend the Member for Penrith and The Border (Dr Hudson) said, whereas years ago taxis were predominantly focused on close geographical areas, they are now travelling much further around the country and are being used a lot more. That is why it is so important that licensing authorities across the whole country know where drivers have come from and whether they have not necessarily played by the rules in the past.

It is unfortunate that the most important provision in the Bill, as my hon. Friend the Member for Darlington said, is that it protects people. It protects people who are vulnerable, including young people, but in particular

women who may actually be using a taxi for the safe trip home, instead of using public transport; unfortunately, in recent times we have seen the absolute reason why this Bill should pass, which is that it will provide women with that reassurance in getting home.

There is a key problem. It is bizarre that in 2022, we still have an antiquated and outdated system. My hon. Friend the Member for Penrith and The Border said that this licensing regime has been going on for many years. It is bizarre that we have a system that has not got a single, uniform, one-stop code or database to be able to ensure the safety not only of vehicles, which are travelling further, but the people who drive them, who have people in their cars. I use taxis from here at the end of late-night sittings, and sometimes, when I am travelling, when I get back to my constituency, and it is rare to see the same driver twice. The many millions of people who use taxis in this country probably do not see the same driver twice. Given the nature of being in a taxi—with a stranger—it is bizarre that we do not have people being properly checked.

**Lia Nici (Great Grimsby) (Con):** I commend my hon. Friend the Member for Darlington (Peter Gibson) for bringing this Bill to the House. My hon. Friend the Member for Eastleigh (Paul Holmes) has experience of serving on a licensing authority; in the process of licensing taxi drivers and their vehicles, are criminal records and other issues that are not linked to taxis part of the decision-making process?

**Paul Holmes:** Yes, they are. Licensing authorities can ask for such information but my hon. Friend the Member for Darlington is trying to mitigate the fact that that process does not show whether drivers have had not necessarily criminal convictions but suspensions or revocations because they have not kept their vehicle up to scratch or have committed some sort of misdemeanour. There is provision for that in the existing licensing regime but it does not go far enough, which is why the Bill needs to become law.

As my hon. Friend the Member for Darlington has outlined, the problem is widespread. Local authorities are not required to share information and people whose licences have been suspended, refused or revoked can carry on working elsewhere. My hon. Friend has absolutely the balance right in respect of the need to protect the information of drivers who play by the rules and those who may have had a mishap, because his Bill allows that information to be shared only on a case-by-case basis. That will reassure the decent, honourable taxi drivers out there who play by the rules that this is a safety mechanism, not an attacking mechanism. That is vital.

**James Wild (North West Norfolk) (Con)** *rose*—

**Dr Hudson** *rose*—

**Paul Holmes:** I give way to my hon. Friend the Member for North West Norfolk (James Wild) first.

**James Wild:** The removal of a taxi driver's licence takes away their livelihood so, given my hon. Friend's experience on a licensing committee, will he reassure me that the Bill will not affect the appeals processes that are in place?

**Paul Holmes:** I shall respond to that excellent point after I have given way to my hon. Friend the Member for Penrith and The Border.

**Dr Hudson:** I am grateful to my hon. Friend for giving way to a double-headed intervention. His points about the database are well made—it is important that authorities can access and share information—but does he agree that with central databases it is so important that the information is shareable but kept secure?

**Paul Holmes:** I thank both my hon. Friends. I have taken a double-header; I shall respond first to my hon. Friend the Member for North West Norfolk, who makes a good point. There is of course an appeals process in the existing licensing regime and the Bill will not harm it at all. In fact, it will do the reverse by making it easier for local authorities to get all the information they need and allowing the driver going through the appeals process to be confident that the local authority will get the full information it needs from throughout the country, if that driver has served under two licensing authorities.

My hon. Friend the Member for Penrith and The Border makes the good point that having a central database should not mean that local authorities keep information inappropriately. I agree with him that drivers should be reassured that their information will be used properly.

**Peter Gibson:** It may assist the House if, following the interventions that my hon. Friend has just generously taken, I put on the record and clarify the fact that in respect of the decisions taken by local authorities the Bill will not change or alter the appeals process in any way, shape or form. The existing regime, with appeals to magistrates courts, will remain as it is.

**Paul Holmes:** I thank my hon. Friend, who is an expert on the Bill because he wrote it, for that clarification. He will have reassured Members from all parties and has just added to the reasons why the Bill should be passed today.

**James Wild:** I am grateful to my hon. Friend for taking a second intervention. To return again to his experience on a licensing committee, will he say what proportion of applications for private hire licences were rejected? Would he expect that proportion to increase when local authorities have additional information?

**Paul Holmes:** My hon. Friend tempts me to hark back to my career in local government around 12 years ago—[*Interruption.*] I know I do not look old enough, as someone very kindly said. I do not think the Bill will have an impact on the number of cases that would be refused. What it would do is allow that information to be shared with councillors. Officers take their responsibilities very seriously and perform them impartially, independently and without fear or favour, as my hon. Friend the Member for Cities of London and Westminster said. I do not think the legislation would have an undue effect on the number of cases that would be refused or granted.

To come back to my speech after those wonderful interventions, the system is outdated as there is no obligation on local authorities to report the concerns

about drivers to the home authority. At present, we are in effect allowing an unsafe system. I am not saying that in a melodramatic way or trying to raise concerns about the thousands of drivers that behave properly and provide a backbone to the country, but the current system has some large loopholes and can be unsafe for some people—perhaps not unsafe, but negligent—in allowing the cross-country approach. That is why my hon. Friend the Member for Darlington should be congratulated.

In clause 2, my hon. Friend has thought exactly of that point, with a reasonable time period to record a suspension from local authorities of five days. That would not put an undue or onerous duty on local authority officers, particularly those in licensing teams who work in that atmosphere every day. That is not unreasonable. Clause 2 also provides for that information to be kept on the database for a period of 11 years, and that gets the balance just right. It is not too onerous for drivers to think that if they leave the profession or want to come back to it the information will be kept on for too long. The Bill may be seen by some as onerous for the taxi driver. I do not agree, because those people who have played by the rules, and may have been in the career for 30 years, will have nothing to hide, and they should be reassured by the Bill.

**Peter Gibson:** It may further assist the House for me to clarify that I have had extensive engagement throughout the country with a variety of private hire taxi operators and vehicle hire associations representing their members' interests. Every single one of them is keen to protect the reputations of good, decent and honourable people who are plying their trade as taxi or private hire vehicle operators, who should be commended for the work that they have done throughout covid. I think it is fair to say that the Bill is universally accepted as good legislation that will protect the reputations of good, decent drivers.

**Paul Holmes:** As usual, in two minutes my hon. Friend has made the point in a much more succinct and concise way than I have in 12, and I am sure that will happen again in our mutual careers over the next few years. He never knowingly undersells something with fewer words than I do.

My hon. Friend the Member for Penrith and The Border made the point that drivers are now driving further and people are using taxis for longer distances, rather than just in their city or town jurisdiction. If we apply the Bill to the geographical location of my constituency in Eastleigh, it has a major railway station in Southampton Airport Parkway that is massively serviced by Southampton taxi drivers because it is 500 yards over the local authority licensing boundary. It seems perfectly sensible to me that if someone is using a major infrastructure point such as Southampton Airport Parkway and travelling back into the city of Southampton, Eastleigh and Southampton should be able to share information to ensure the constant and uniform provision of safe vehicles and safe drivers. As well as road safety, given that there are more cars travelling and many people using taxis have absolutely no idea of the safety mechanisms or of how well serviced the car is in which they will be travelling one mile or 50 miles, there has to be a mention of what my hon. Friend the Member for Darlington said: this will have an impact in making people who use taxis feel safer and more reassured.



Ironically, as I said earlier, people use taxis as their first port of call when they do not necessarily feel safe travelling home on trains and tubes because of the night-time or the early-morning economy. When we leave the Chamber today after what I hope is a successful conclusion to the Bill, it is important that we all go out and let our constituents know that this fundamental legislation will provide them with that extra safety, particularly vulnerable people who might be travelling to hospital, women and younger people. Unfortunately, some cases in recent history show why this Bill is necessary.

I have had the leave of the House to speak for quite some time. *[Interruption.]* Someone said, “Hear, hear.” Thanks very much. I sincerely congratulate my hon. Friend the Member for Darlington, who is a good friend of mine. He believes in good legislation and has an acute eye for making sure legislation is drafted in the right way. I have no doubt that we will see him have a further impact on legislation and good governance in this country. That is why this Bill should be passed this afternoon.

10.31 am

**Daniel Zeichner** (Cambridge) (Lab): It is a pleasure to follow the hon. Member for Eastleigh (Paul Holmes), who made an excellent speech. The account of his and others’ experience on licensing committees is extremely helpful and useful.

I also commend the hon. Member for Darlington (Peter Gibson), who has been an excellent driver of this Bill. He has successfully piloted it this far, and I wish him every success in getting it through Parliament. I share his commendation of former Ministers, particularly the right hon. Member for South Holland and The Deepings (Sir John Hayes) and the hon. Member for Wealden (Ms Ghani), who fought very hard to get this on the statute book some years ago. I am delighted we are here this morning.

Without repeating the many excellent points that have been made, I will address the important point made by the hon. Member for North West Norfolk (James Wild). It was one of the issues raised when the Bill was talked out three years ago, when I was slightly frustrated not only by the fact it was not able to proceed but more by the fact I was not able to respond to some of the points that were made that day. I addressed some of those points in Committee, because I think it is important that we understand that this is not a draconian attack on people who have offended. The balance between national regulation and local discretion is really important, and it is a delicate issue. There are reasons why it is important to use local knowledge and expertise.

Exactly as the hon. Member for Darlington said, nothing in this Bill changes the ability of local representatives to use their knowledge and discretion to make decisions. The key point is that it gives them extra information to allow them to make a better-informed decision, which is an important point to get across.

I will briefly reflect on some wider issues. I was struck that last week the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright) moved the Second Reading of the Taxis and Private Hire Vehicles (Disabled Persons) Bill, which says to me there is a need for wider, broader legislation in the taxi and private hire world.

If the right hon. Member for South Holland and The Deepings were here today, he would refer back to the report he commissioned from Professor Mohammed Abdel-Haq some three or four years ago, which the Select Committee on Transport and others discussed at length. The professor made 34 recommendations, and I am slightly concerned it has taken us so long to do so little. Exactly as has been said, the world out there changes very quickly. When I embarked on this process four or five years ago, we were still in the relatively early days of app-based travel. Here we are, four years on, and we are still trying to plug one of those loopholes. Goodness me, the world has changed in that time, and it will change again.

I very much hope that, at some point in the future, we will have a comprehensive piece of legislation, and I look to my hon. Friend the Member for Ilford South (Sam Tarry) on the Front Bench because I suspect he will have something to say about that. We really need that, because so many issues have still not been addressed, particularly the vexed issue of cross-border hire, which has been mentioned a number of times. I am afraid that the Bill is only a small piece of legislation in the face of the challenges that exist.

I very much agreed with the comments about the excellent work being done by so many people out there. They have had a hard time during the pandemic, and I am not sure that there are still 345,000 of them, as there were a couple of years ago. I was struck by conversations that I had with representatives of some of the taxi and private hire firms in my own area—Panther Taxis in particular—who were rueing the fact that during the pandemic a number of their best and most experienced people were drifting away, leaving the industry and going off to do other things. That, I am afraid, is partly because some of the support schemes, welcome though they were, were patchy, and different local authorities applied them in different ways. In some cases, it depended on whether drivers were registered in an area, or whether they lived in an area.

Local discretion is important, but I think that overall the feeling in the sector is that the support did not always come through, which has meant the loss of a large number of drivers. I am told—and I think anyone travelling here this morning will be well aware of this—that London is still quieter than before, and that has a knock-on effect. Yesterday I was talking to Steve McNamara of the Licensed Taxi Drivers Association, who told me that the London black cab fleet is nearly 40% electric—which is a huge achievement to which we should pay tribute, although obviously there is more to be done—but the number of registered cabs, which was 18,000 before the pandemic, is still only about 14,000, so there is more to be done in that regard as well.

Let me end by again paying tribute to the huge number of people in this sector. There is a danger, when we talk about the problems in a sector, that we begin to think that all the people in that sector are breaking the rules. They are not: as has already been said, the vast majority provide a fantastic service, often for people with disabilities, which is why I think the Bill proposed last week—the Taxis and Private Hire Vehicles (Disabled Persons) Bill—was so important. These people do a brilliant job in all our communities throughout the country. I also pay tribute, as others have done, to those who make the licensing system work: the local councillors,

[*Daniel Zeichner*]

who often have to make quite difficult decisions, and, of course, the enforcement officers and their officials who back them up.

This is a great sector, it works very well and the Bill will make it work better, but there is still more to be done.

10.37 am

**Nickie Aiken** (Cities of London and Westminster) (Con): Like every other Member who has spoken, I thank my hon. Friend the Member for Darlington (Peter Gibson) for embarking on this mission to reform the licensing laws governing taxis and private hire vehicles. Given what he has said this morning and what I have read in the Bill, I cannot understand why we have not done this before. I agree that private Members' Bills can play a vital part in improving legislation, and I thank my hon. Friend for his diligence and his excellent work on this issue.

I have read the Bill in detail, and I am incredulous that one type of vehicle, which is seen particularly in our capital—the pedicab—is exempt from its provisions because of an anomaly in the law. As many Members know, for the last two years I have been trying to get my Pedicabs (London) Bill through the House; I am continuing to do so, and I hope that it will be read again this afternoon.

**Lia Nici**: It seems to me from what my hon. Friend has been saying that the only difference relates to whether or not a vehicle has an engine. What position are passengers in should a pedicab owner have an accident and they are injured? Must they have insurance?

**Nickie Aiken**: I thank my hon. Friend for raising the issue of insurance. She may be shocked and possibly appalled to learn that, as it stands, pedicabs in London have no licensing regime. Therefore, there is no onus on them to have any insurance. Currently, passengers getting into a pedicab have no understanding of the risk they are putting themselves at. There is no legislation that calls on pedicabs in London to have any insurance, and drivers are not checked. Operations conducted in recent weeks by Westminster City Council and the Metropolitan police found drivers who are wanted for sexual offences. Their vehicles have no form of MOT—there is no onus on the driver to have an MOT or any checks on their vehicle. That is why I have been campaigning, since I arrived in this place, to ensure we have a proper licensing regime that mirrors what my hon. Friend the Member for Darlington is trying to do with his Bill.

**Mr Deputy Speaker (Mr Nigel Evans)**: Can I just stop the hon. Lady there momentarily and suggest that we go back to this Bill? I know and appreciate that the hon. Lady has a separate Bill, which may or may not have a Second Reading this afternoon, but we must focus on this Bill. I have given a little bit of generous leeway, but I think we should get back to the Bill.

**Nickie Aiken**: I appreciate and understand your comments, Mr Deputy Speaker. You will understand my passion to ensure that everybody who gets a pedicab in London is safe, but I will move on.

I pay tribute to the outstanding taxi drivers and private hire vehicle drivers we have in this country. As Members have pointed out, it is clear that they have paid a huge price during the pandemic. One only has to go on to the streets of my constituency to see that the office workers and international travellers have disappeared. I talk to taxi drivers all the time and I know they are desperate for us to get back to normal after the pandemic. I hope the Bill my hon. Friend the Member for Darlington is bringing forward today will give those who work day in, day out to provide a service the comfort that we support their efforts.

Let us not forget that private hire vehicle and taxi drivers provide us with a service, including in taking us to hospital. Many vulnerable citizens going to hospital may not want to get a bus. They may prefer to get a taxi. I have a taxi driver in my own family. I am very proud that my cousin-in-law in Cardiff, Alex, is a black cab driver. He does a brilliant job. I know from first hand the work he does. He supports children with learning difficulties by getting them to school every day of the week. I thank him and drivers like him who are doing that public service, taking our vulnerable patients to hospital and our vulnerable children and young people to school. Quite often, that type of work is forgotten. We think that taxi drivers and private hire vehicle drivers are just those who take us out on a night out or perhaps take us home after we have had a good night out.

In conclusion, I thank my hon. Friend for bringing forward this brilliant Bill. It will make us safer, it will make our drivers safer and it will ensure that our outstanding licensing authorities across the nation, and in particular across England and Wales, provide the extra level of security we all deserve when we get into a private hire vehicle.

10.44 am

**Mike Wood** (Dudley South) (Con): I join hon. Members in congratulating my hon. Friend the Member for Darlington (Peter Gibson) on bringing forward such an important Bill. I remember well that being drawn out of the private Member's Bill ballot, particularly as a relatively new Member of the House, can be something of a mixed blessing. A Member normally only really finds out they have been successful and got one of the higher places in the ballot when, suddenly, their email inbox starts pinging 100 times a minute. They are suddenly far, far more popular than they have been for a long time, with any number of organisations, non-governmental organisations, charities, campaign groups and Government Departments on the telephone with helpful advice on issues they might wish to consider bringing forward. That lasts until they announce the title of their Bill, when suddenly the calls stop and the emails stop, and the work really begins.

A private Member's Bill can be a huge amount of work—preparing and drafting the Bill, navigating the legislative process, building support, finding supporters, negotiating with Opposition parties and finding Members for the Bill Committee. I know my hon. Friend the Member for Darlington will have done a huge amount of work over the past eight months. It is thanks to that work that we are at the point of hopefully completing this House's consideration of the Bill this morning.

That is a tribute to his effort and his effectiveness in bringing people together behind a very sensible set of proposals.

My hon. Friend was typically generous to the hon. Member for Cambridge (Daniel Zeichner) for all the work he did on the predecessor Bill, which laid so much of the groundwork. I think it was Isaac Newton who said he was standing on the shoulders of giants; I do not know whether my hon. Friend would put it in quite such terms, but I am sure the sentiment applies.

**Peter Gibson:** My hon. Friend is making an excellent speech and I am very grateful for his praise, which is making me blush. In Committee, I made similar references to the people whose shoulders I was standing on. I think I described the hon. Member for Cambridge as the father of the Bill, and my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) as the grandfather of the Bill—he took some objection to that, as it seemed to imply his age. I am grateful to my hon. Friend for his comments.

**Mike Wood:** I thank my hon. Friend for that intervention. Perhaps it might have been more delicate to suggest that our right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes) was not the grandfather of the Bill, but more a favourite uncle. That is how most of us think of our right hon. Friend, who I know wishes he could be here.

The need for the Bill is clear to anyone who gives the most cursory thought to the issue. The taxi licensing regime, as has been said, goes back to a time when taxis and private hire vehicles operated locally and were very unlikely to move outside of their area. That is not the world we are in now. We are now in an age of app-based travel. In the 21st century, with Uber, Gett, Kapten and who knows how many others that I am not quite hip enough to yet be familiar with, it really is impossible to know where a taxi might have originated from. Of course, there are exceptions—in Dudley, there are a number of local operators, including one operated by one of my local councillors, which run extremely successfully on a local basis with local drivers and local registrations and are competing with the big ride-hailing apps—but we do need to look at the wider regulatory framework.

Other hon. Members have spoken about their time on local authority licensing authorities. During my time as a member of Dudley Council, through a mixture of pleading and constraints on availability, I very successfully avoided being on the licensing committee, but I know that those who serve on such authorities around the country have the extremely difficult responsibility of making sure that passengers are safe and that responsible operators can run their business and make their living in a fair, reasonable and safe way.

The first priority has to be passenger safety: anyone who gets into a taxi or a private hire car has to know that they are safe. In almost all cases they are, but a very small number of very high-profile cases, such as the horrific crimes carried out by John Worboys, have had a horrible impact on people's lives. Wherever a vehicle or a driver is licensed, authorities have to do everything they can to ensure that the risk is kept to the absolute minimum.

On Second Reading, in an intervention on my hon. Friend the Member for Darlington, I said that, since the liberalisation of licensing, some local authorities have

been responsible for a huge proportion of the licences issued in any region. In the Black Country, City of Wolverhampton Council issues approximately 15,000 licences per year. At least one was for a driver from as far away as Perth—I shudder to think what the fare would have been on the round trip for that taxi, which is presumably still operating in Perth with a licence issued in Wolverhampton. That is why it is so important that, once my hon. Friend's Bill is on the statute book, the devolved Administrations make sure that the flow of information that the Bill provides for is reciprocated: so that Scottish, Welsh and Northern Irish licensing authorities can see clearly any concerns or offences recorded by an English authority, while those who make decisions in places such as the City of Wolverhampton can see whether any reasons to decline a licence have been recorded, whether in Perth, in Swansea or in Derry.

The Bill builds on an existing register, which local authorities have effectively put in place themselves, and provides the option for the Minister to make it the relevant register. The NR3—the national register of taxi and private hire licence revocations and refusals—was created three years ago by the Local Government Association and is managed by the National Anti Fraud Network; it is an excellent example of how local government can innovate and introduce solutions. Those solutions are working well. It is now time for us to legislate for a comprehensive system across the country and support the local authorities that already submit data on a voluntary basis by making that approach the rule, instead of the somewhat patchy system that is now in place.

Putting a statutory obligation on local licensing authorities to record refusals, revocations and suspensions will improve safety for passengers. It will allow local enforcement teams to report instances of wrongdoing, and ensuring that the report is dealt with will help to keep all our constituents safer when they get into a taxi or a private hire vehicle. It will also ensure that licensing bodies in local authorities are in possession of all the relevant facts before they issue a licence, as they will be aware of previous refusals and suspensions.

This is an absolutely crucial safety mechanism; it will ensure that data sharing is commonplace. By sharing the data, all authorities will be in possession of all the facts. That must be the right way to handle the licensing and approval of those who have the responsibility of transporting people about and in whom passengers put their trust daily. Passengers must know every time they get into those vehicles that they are safe. That is important not only because they must of course be safe, but because there must be confidence in the system of taxis and private hire vehicles if the industry, on which so many people's livelihoods rely, is to thrive and be sustainable.

**Lia Nici:** Does my hon. Friend agree that it is not only the people who are actually in the taxis who need to feel safe, but parents and carers? Quite often, taxis are used for people who have learning disabilities or difficulties, people having treatment in hospital, or children being ferried from home to school.

**Mike Wood:** My hon. Friend makes an excellent point. As a father, I would like to believe that I can make sure that my teenage daughter never leaves the house other than to go to school or to other authorised activities, but I know that in a very short time she will be

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travelling independently with friends and, despite her current aversion to the idea of anything alcoholic, it is just possible that as she gets older, she will decide that the nightlife of Dudley, the Black Country and the wider west midlands has a little bit too much to resist.

Any of us would want to know that family and friends who need to take taxis home are absolutely safe. The Bill introduced by hon. Friend the Member for Darlington is an important measure in helping to deliver that, and that is why I look forward to supporting it.

10.57 am

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): I am delighted to speak in the debate. Like others before me, I congratulate my hon. Friend the Member for Darlington (Peter Gibson) on all the work that he has done in bringing forward this important Bill. We have before us today a great opportunity to improve the safety of taxi passengers, particularly women and other vulnerable users. I am delighted to support the Bill and pleased that the Government are doing so, too.

Amending the law in this way to improve safety is most welcome across the board, but I think it is important to note that this measure is designed to target a minority of taxi drivers who have committed sexual offences, caused physical or psychological harm, or threatened or harassed another person, and for whom licensing authorities have refused to grant or renew a licence, or have suspended or revoked a licence, because of certain safeguarding or road safety concerns. In short, those are actions that make someone—often, a woman—feel unsafe or that put them in danger. Indeed, the Bill focuses on stopping a sinister few from abusing, threatening or causing harm to passengers. I think it is important to keep that in perspective while debating the Bill.

Before I get to the crux of the Bill, I want to take the opportunity briefly to speak more broadly about taxi firms and their contribution to wider society. I pay tribute R&L Taxis, based in my constituency in the Scottish Borders. R&L Taxis provide veterans with free taxi lifts through the “Fares 4 Free” scheme, allowing our veterans to get around properly and ensuring that they do not become isolated. During the pandemic, R&L Taxis have offered NHS staff half-price rides, with drivers even dropping off and picking up the same individual after long driving shifts. The owner of the firm, Bruce Mercer, is a veteran himself and has built up relationships with many members of the local community. This work and the service provided by R&L Taxis are to be commended; I am very glad to have the opportunity to recognise Bruce and all the drivers at R&L Taxis in this place today.

**Robbie Moore** (Keighley) (Con): Bruce Mercer has obviously done a fantastic job. Does my hon. Friend agree that this illustrates that some taxi firms do fantastic work in providing safe transport for many of our constituents? Bruce Mercer is clearly going out of his way to provide that at a reduced cost so that many veterans and those who feel isolated are able to benefit from that service.

**John Lamont:** I am grateful to my hon. hon. Friend for making that intervention. His key point is that the vast majority of taxi firms and drivers are providing an excellent service to their local community and the Bill is designed to target a very small minority, but it is right to take action to address those concerns.

Members may rightly wonder why I am participating in this debate given that the Bill’s provisions do not extend to Scotland. I want to raise the profile of the changes introduced in the Bill and highlight that similar measures would benefit Scots if they were brought forward there. Any person who feels unsafe in a taxi is one too many and I welcome that the Bill seeks to address that. I want to highlight why corresponding legislation should be introduced in Scotland, which would obviously impact on my own constituents in the Scottish Borders.

By mandating local licensing authorities to record when a licence has been refused, the Bill creates a database that allows serious safeguarding or road concerns about a taxi or PHV driver to be identified. That will allow licensing authorities in different areas of England to be aware of past criminality before awarding a new licence. Currently in England licensing authorities are not required to share information with other licensing authorities, which can result in situations where, even if a licence is revoked in one area due to a taxi driver offence, that does not prevent them from getting a licence elsewhere in another part of the country. There are even instances where a taxi driver who has committed an offence can drive in the original area where the offence was committed. Often, concerns over safety are not acted upon due to a lack of knowledge on the part of the relevant licensing authorities.

This is clearly a hole in upholding the safety of passengers, particularly women and other vulnerable users. In Scotland there is not a comparable central database that authorities must have due regard to, meaning it is more likely for a criminal to slip through the net. If Scotland adopted the same system and collected and stored information in the same way the Bill suggests for England, a much tighter net would be constructed to prevent criminals from capitalising and preying on passengers.

I recognise the critical and hard work so many of our taxi drivers do across the UK, including in my constituency in the Scottish Borders. Their work will often include unsociable hours and nights away from their families. I hope the focus in the Chamber today does not cast a shadow over their important work, but I hope this debate and the Bill introduced by my hon. Friend the Member for Darlington serve to illuminate what can and should be done in Scotland to safeguard women from the minority of drivers who are dangerous and predatory to society.

11.3 am

**Simon Fell** (Barrow and Furness) (Con): I will be brief because I know that many Members want urgently to speak on this subject. I am grateful to my hon. Friend the Member for Darlington (Peter Gibson) for this excellent Bill and am very glad to speak on it for a second time; I spoke on Second Reading. It is an excellent Bill and at its heart it is designed to keep our constituents safe. I pay tribute to the hon. Member for Cambridge (Daniel Zeichner) for his hard work in bringing this legislation through.

The Bill takes a critical function and makes it universal, so that if someone has been disqualified from driving a licensed hire vehicle, that information is passed to other local authorities. Put simply, it keeps the public safe. Crucially, it also means that people have confidence in the private hire vehicles they are getting into, which is key. We have heard much about the licensing process from my hon. Friends the Members for Eastleigh (Paul Holmes) and for Cities of London and Westminster (Nickie Aiken). It gives people confidence in the vehicles they get into. It means that people who use the services, particularly vulnerable and disabled people and those without access to decent local public transport, who use these services when there are fewer public transport options available, have faith in the drivers and the vehicles they get into.

As has been raised across the House, the vast majority of private hire vehicle drivers are excellent. They do superb work to keep our communities moving and have done so throughout the pandemic. They are of great character and are an absolute credit to their trade, but the system must not allow those who are not a credit to hang on to their jobs and continue to keep operating.

Where I am based in Barrow and Furness, we have Barrow local authority, South Lakes and Copeland up the road, home of my excellent constituency neighbour, the excellent Minister on the Front Bench. When we hire a vehicle through an app or on the phone, we do not think about which local authority or licensing authority we are sitting in. We simply think about which is the nearest, which will get us somewhere fastest and who has the best reviews. The Bill goes to the heart of why we need to share information to clamp down on the bad apples in the system.

There is no denying that the Bill will impose additional responsibilities on licensing authorities. I certainly think very carefully about any additional restrictions that we put on authorities, but these are very small compared with the benefits that will flow from the changes. I am delighted that the LGA backs the Bill and that complementary, albeit voluntary, versions of the scheme are already running across different parts of the UK. Connecting them is key, and we want to see interoperability between England, Scotland, Wales and Northern Ireland, especially at the borders, where the scheme could show the most benefit. That interoperability is not just about data sharing. It is also about sharing best practice. Where one area is forging ahead with new schemes, where it takes the system further and where it learns what information can be shared to the further benefit of the people who ultimately get in these vehicles, we want to make sure that across the borders the other nations take notice and adjust their schemes as well.

Although I back the Bill wholeheartedly, I have some concerns on it and some of the actions that will probably flow post the legislation passing, hopefully. On governance I want an assurance that, if mistakes are made—hopefully, they will not be—and an individual is impugned and placed on the database incorrectly, they will have fair recourse to get their name taken off it in good speed. Similarly, if bad data is put on the database, the licensing authority that put it there should face a penalty. I heard what my hon. Friend the Member for Darlington said on that, but I hope that can be kept under review.

On the database operation, I understand that clause 2 talks about five days in terms of how long it should take before information is put on the database and shared. I

would like the Department to give decent consideration to the speed of data entry and access. We do not want authorities making decisions on poor or out-of-date data. Before I did this job, I spent 10 years in fraud prevention and learnt that as close to real time is what we should aim for.

Similarly on data matching rules, my experience in my past job showed that those who want to evade penalty spend an awful lot of time ably curating the information that they give to people. We want to be using up-to-date systems, and the best technology that uses data matching rules that help minimise the effectiveness of what those people are doing who are trying to keep their jobs when they should not have them. We want to use technology that can pick out both Daves and Davids; can pick out people switching addresses; and uses secondary and tertiary information, such as phone numbers and email addresses, to make sure that good connections are made between items of data that are shared, so that people who are trying to avoid being taken out of the system cannot do so. Getting this right is key to making the system effective.

Setting aside those concerns, I fully support this excellent Bill. I hope it passes Third Reading successfully, and makes it through the other place. I commend the work of my hon. Friend the Member for Darlington.

11.10 am

**James Wild** (North West Norfolk) (Con): It is a pleasure to speak in this debate. I congratulate my hon. Friend the Member for Darlington (Peter Gibson) on successfully stewarding the Bill through to Third Reading. It is right to acknowledge what others have done, including the hon. Member for Cambridge (Daniel Zeichner), who brought forward similar proposals. I hope that he enjoyed his visit a few weeks ago to my North West Norfolk constituency.

At its core, the Bill is about public safety, and giving people greater confidence, when they get in the back of a taxi or private hire vehicle, that the driver has been properly checked out. We legislators have a duty to consider carefully whether legislation is necessary. I recognise that the Bill builds on the approach set out in the Government-issued statutory taxi and private hire vehicle standards, which recommend that licensing authorities share information with other authorities, because better information will lead to better decisions.

The Bill will benefit local authorities—and, through them, the public—by ensuring that they have as much relevant information as possible when considering new applications or renewal applications. It will also mean that local authorities are aware of incidents in other areas involving drivers whom they have licenced. It closes a loophole that means that local authorities are not required to share information. That prevents other authorities from being able to make an informed decision, and as others have highlighted, that creates the potential for a driver who is refused a licence to move to another area to apply for a licence there. As my hon. Friend the Member for Darlington said, that is a crazy situation. The Bill represents a proportionate and welcome response to that, and will help local authorities protect the public.

Constituents have raised with me the difficulty in getting taxi drivers to accept passengers with assistance dogs; they are turned away by drivers. Research by the

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charity Guide Dogs found that the businesses most commonly reported to have refused access included minicabs and private hire vehicles; 72% of respondents reported that happening to them. These refusals are deeply distressing to the individuals involved. They damage their confidence and undermine their independence and ability to live their life. Of course, it is already an offence under the Equality Act 2010 for taxi and private hire vehicle drivers to refuse to carry an assistance dog; they can be fined up to £1,000.

In 2019, the Government accepted a recommendation that all taxi and minicab drivers be required to have disability equality training. I would be grateful to the Minister for an update on that for my constituents and Guide Dogs, and on the steps that the Government are taking to encourage drivers and companies to do that training voluntarily. Given the importance of the issue, I welcome the fact that passengers with assistance dogs and wheelchair passengers will be covered by the clause 1 “Relevant information” provisions, which require information to be passed on if a person poses a safeguarding risk. I welcome the fact that, as my hon. Friend the Member for Darlington confirmed, there is no effect on the appeals process or panels, or on the rights that taxi drivers have when decisions go against them.

I am always focused on the question of when legislation commences. In my experience as a special adviser in various Departments, I found that too often a lot of energy was focused on bringing forward measures; less energy was spent on bringing them into force. I am sure that my hon. Friend the Minister is on the case with her officials to make sure that the measures are implemented as rapidly as possible.

Finally, I lend my support to the campaign launched a decade ago by the noble Lord Finkelstein against the misuse of the prefix “pre”. Private hire cars are often festooned with signs saying, “Pre-booked only”. The explanatory notes fall into the same trap. These cars are not pre-booked; they are just booked. If we can end this preposterous prefix use, that would be a little win for pedants everywhere. I support the Bill.

11.14 am

**Robbie Moore** (Keighley) (Con): I also congratulate my hon. Friend the Member for Darlington (Peter Gibson) on getting the Bill to this stage. I know that he has spent much time diligently looking at the legislation and has had many conversations with colleagues from across the House, including the hon. Member for Cambridge (Daniel Zeichner), who has worked on similar legislation. I wish my hon. Friend all the best of luck as the Bill passes through this House and the other place.

As many hon. Members have said, current legislation in this area has unfortunately been outdated for too long. That is why the Bill is so important. We have many fantastic taxi drivers providing a fantastic, valuable service to all our constituents, doing the best that they can and doing an important job, whether taking constituents to the hospital for doctors’ appointments, or simply taking them home after a night out or from the train station to wherever they wish to go.

**Sarah Owen** (Luton North) (Lab): I pay tribute to the hon. Member for Darlington (Peter Gibson) for bringing this important Bill to the House. On that point, taxi

drivers in Luton are taking people to and from vaccination centres in free “vaxi taxis”. Does the hon. Member agree that that is a fantastic service provided by our taxi and private hire vehicle drivers?

**Robbie Moore:** I absolutely do. That, along with examples that we have heard from other hon. Members, illustrates how important taxi drivers are. They provide a fantastic, valuable service to all our constituents, and it is great to hear that they are even taking people to vaccination centres. That is what I want to illustrate.

My hon. Friend the Member for Darlington has carefully articulated the Bill, which gets to the nub of the issue of safeguarding, ensuring that our constituents are protected when a minority of taxi drivers are not doing the right thing. I will share some instances which, unfortunately, I have experienced in my constituency. Only a couple of months ago, some constituents contacted me as they had video footage of several taxi drivers using their firm to distribute drugs in Keighley. We have a huge drug issue in Keighley. We therefore need one local authority to be able to share data with others so that we get the licensing provisions absolutely right. It is key that licences are given only to taxi drivers who perform their duty with absolute care. We all have fantastic drivers in our constituencies, and it is right that we protect drivers going about their business and keeping passengers safe while we have a targeted approach to clamp down on individuals who are abusing their positions.

Developments in both technology and the transport market in general have prohibited local authorities’ ability to share concerns about an individual, whether relating to darker issues such as using taxis to distribute drugs or safeguarding issues such as protecting women and young children, which are also a huge concern. That is why the current system needs changing. Someone who loses their licence from one local authority should not be able to get one from another local authority in close proximity and carry out their day-to-day duty in that same local authority area in which they lost their licence. That is why the collective ability to share data is so important.

Provisions of the Bill such as those that enable the Department for Transport to provide an information database on taxi drivers will help to streamline the process and ensure no bypassing of the rules. Likewise, the statutory requirements for licensing authorities to have regard to the database will ensure that the standards are kept up to date.

I also welcome the fact that the Bill enables councils to report their concerns about out-of-area drivers and have those concerns acknowledged in the appropriate way. The current circumstances, where local councils are unable to take enforcement action against taxi drivers licensed by other local authorities, even if they are operating in their own streets, are wrong and the Bill will help to counteract that. It will also ensure that local authorities have the power to share vital information on whether a taxi driver is safe to have passengers in their car.

It is also right that the Bill will ensure that drivers are fit and proper and that road safety is guaranteed across local authority borders. I represent a constituency that is right on the periphery of the county of West Yorkshire, on the periphery of Bradford Council’s local authority

remit and with North Yorkshire literally a stone's throw away. I know many taxi drivers take passengers between North and West Yorkshire; that is why this Bill is so important, enabling that data to be shared.

I am delighted that the Bill will go further, building on work done by the Government, to ensure that taxis and private hire vehicles are safer for passengers and drivers alike. The task and finish group on taxi and private hire vehicle licensing, established in September 2017, was important in kickstarting the process towards a safer taxi and private hire vehicle industry. The group was essential in starting the process of reviewing and considering the accuracy of the current taxi and private hire vehicle licensing authorities. It concluded not only that the powers of local authorities needed to be strengthened further, but that new legislation was needed to make our roads safer, so I commend my hon. Friend the Member for Darlington again on bringing forward this vital piece of legislation.

It is absolutely right that the Bill does not remove the current appeal process; it is right that there is a working appeal process. I would have liked to see the Bill encompass the ability to have CCTV in taxis, which would have provided a further mechanism for ensuring that our taxis are even safer; that children, young people, women and anybody using a taxi is safeguarded; and that drivers are also protected. I wish my hon. Friend the best of luck as this legislation goes through the House.

11.22 am

**Matt Vickers** (Stockton South) (Con): I am grateful for the opportunity to speak in this important debate. Having taken many taxis to and from Darlington station, I commend my hon. Friend the Member for Darlington (Peter Gibson) on all the work he has put in to this Bill, which will ensure that 276 licensing authorities across the country can make better-informed decisions on who should and should not be on our roads.

The Bill will not only improve public safety, but protect the confidence and trust that we have in our amazing workforce of taxi and private hire drivers—trust that means we can put lone and vulnerable loved ones into a taxi and know they will arrive safely thanks to the key workers who drive our taxi and private hire vehicles. Those drivers have had a hell of a ride in business terms over the pandemic; as we were retreating to the safety of our own homes, they were rolling up their sleeves, getting on with it and keeping the country moving.

Those drivers continue to keep us moving: doing the early mornings and the late nights, getting young people to school, helping the disabled, elderly or vulnerable to get to day services and hospital services—there has even been some fantastic taxi marketing going on with the “vaxi taxis”—and supporting our night-time economy. Without so many taxi drivers on our streets, our economy of an evening would not be what it is, because people would not be confident of getting home safely.

We have amazing drivers in my part of the world, who not only go above and beyond to help people of all ages, but keep me well informed on public opinion, both good and bad. We have a fantastic lady driver in my part of the world, Samantha from Teesside Cars, who is not only forthright in her views but brightens everybody's day with bags of banter and decorates her cab for every single season. For Hallowe'en, it is pumpkins and scary window stickers; at Christmas, passengers get

to drive in a grotto full of baubles, Christmas lights and tinsel. It is something else, and there are always sweets available. She goes above and beyond, and it is characters like her—fantastic taxi drivers who have a great reputation—who this Bill will protect, and ensure that we have confidence in those amazing workers who do so much to help the immobile and elderly people and keep the place going.

We have all heard about the awful exceptions, the small minority of unscrupulous drivers, and about the consequences that that terrible behaviour can have on our residents. This Bill will mean that calling a taxi is not a game of roulette, and that bad-apple drivers cannot roll from one licensing authority to another to avoid the consequences of their actions. I thank Margaret Waggott in the licensing team at my local authority, and the councillors across the country who do so much in this space to keep our residents safe and ensure that only the right people are driving our taxis. I am delighted to support this long-overdue change, so that licensing authorities across the country can be armed with the information they need to make the right decisions. I wish the Bill good luck.

11.26 am

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I rise like a bat out of hell to contribute to today's debate. First, I thank my hon. Friend the Member for Darlington (Peter Gibson) for getting the Bill to its Third Reading in this place, and I welcome the Minister to her place on the Front Bench—I think this is the first time I have been in a debate for which she has been the Minister. This issue ties in nicely with two important local campaigns that I am running: the first is safer streets, and the second is reliable and healthy transport. Around this time last week, I was singing the praises of my own local taxi firms: how critical they have been in the community over the past 22 months during this global pandemic, and how much they are regarded as a core part of the community.

I welcome the Bill as it is drafted, but I would like to hear the Minister's views on any unintended consequences. All legislators want to create good laws, and rightly so, but I am aware that cab drivers are really reliant on their jobs, and this Bill could potentially prohibit that. Although I have been a councillor for many years, I have never had the privilege of sitting on a licensing committee—partly because they were daytime meetings, but also because of the expertise and level of training required to sit on those committees—so once again, as others have, I applaud the quality of those discussions. I know that my hon. Friend the Member for Darlington addressed this issue earlier, and I hope that the Minister will do so in her closing remarks, but my concern is where human error might lead to a particular taxi driver being on the list, so to speak. That should not prevent them from having due process and the ability to appeal, or render them unable to take on further jobs while the process is being followed through.

Other Members have spoken about the size of the industry—the 343,000 different licences and 276 licensing authorities that are out there. It is a really important and core part of communities up and down the country. My constituency is really reliant on taxis; although, as I have said previously, we have some great transport links north to south via public transport, both train and the

[*Mr Gagan Mohindra*]

tube, our east to west links are not so great. Although we have a bus service, it is not consistent enough to mean that people can use it as a daily means of getting around. I, for one, need either to drive to the station or use my local cab company to get there in order to commute down to London.

The other thing that is really important about this Bill is the confidence it will give to users of that particular mode of transport. We have already spoken about the safety implications not only for women but for vulnerable people and those who are younger—those who need that transport to get to school, sports clubs, or whatever it may be. Anything we can do to give them confidence and put safeguards in place is absolutely the right thing to do. It is probably worth remembering that 98% of taxi hire drivers are men, and about 2,500 reported assaults on women in 2018 were from one taxi app alone, so the proactive nature of this Bill is right and proper. I applaud the hon. Member for Cambridge (*Daniel Zeichner*) and others who have spent many years trying to get to this point. I look forward to the Bill getting on to the statute book, subject to its progress in the other place.

We have not yet mentioned the wider use of taxi firms, but I hope that the Bill will also help in our battle against criminal gangs. A very small minority of cab drivers abuse the system—in county lines, for example—and I would argue that they are probably inclined to pursue other criminal activities as well. This process will make it harder for them to do so. It might be a slight inconvenience for local authorities and applicants, but it is worth it if the quality improves. I know from my conversations with drivers that they are proud of their industry and as keen as anyone else to remove the bad apples, and I think the Bill will make that easier.

I will bring my remarks to a close, because I am conscious that other Members wish to speak. We have talked about a national database. Local authorities already have this information to hand, and all that the Bill is asking them to do is collate it in one system, so I do not think there is much of a barrier to getting this done relatively quickly and cheaply.

**Mr Deputy Speaker (Mr Nigel Evans):** I call Lia Nici.

11.31 am

**Lia Nici** (Great Grimsby) (Con): I apologise to hon. Members, because I have only just bobbed to catch your eye, Mr Deputy Speaker, and I know that some Members have been bobbing for some time.

I commend my hon. Friend the Member for Darlington (*Peter Gibson*) for the huge amount of work that he has done on this Bill. His office is next door to mine, so I know how much time he has spent beavering away on this. The Bill is vital for the safety of people using taxis. As my hon. Friend has said, the majority of taxi drivers are excellent citizens who do a fantastic job and provide a hugely valuable service to their communities, but we know that a very small number of bad eggs use that mobility to get up to things that we do not want people to get up to. It concerns me that people can register in the west midlands but then provide services a very long way away. There may be legitimate reasons for that, but it does pose some questions.

Taxi drivers are absolutely vital for our communities. In constituencies such as mine, for example, those who do not have a car might decide to spend a little money once a week to get to the supermarket, so that they do not have to carry lots of shopping bags back home on the bus. A few years ago I required treatment for an eye condition, which meant that for several months I was unable to drive and so had to rely on taxis in order to continue working—the buses did not necessarily run at the times expected for my managerial job, so I needed taxi drivers to get me where I needed to be while I could not see properly.

Quite often the people using taxis are in a vulnerable position. They might be going to hospital for treatment, or sending their children off to a special school, or their children might need to travel to different places for lessons and things like that. It is therefore vital that this legislation closes the loophole that a very small minority of taxi drivers may seek to exploit, and we know that some of them do.

As a woman, I do not like to be called vulnerable. I feel that in a scrap I can give as good as I get—you can take the girl out of Grimsby, but you can't take Grimsby out of the girl. However, when groups of friends go out, they are always mindful that someone will be the last person to be dropped off and they will be on their own in the taxi. We forget that taxi drivers know where we live and, although we know we can trust the majority of them, people may have been on a night out, drinking alcohol. There have been terrible stories in my region, which I will not go into in detail, where people have had drinks spiked and they have been in a bad state, and friends have put them in a taxi assuming they will get home safely. On rare occasions, that has not been the case.

I thank our taxi companies. I urge people listening to the debate not just to use modern apps. Like some colleagues, I do not like using apps for such things. When I need a taxi, wherever I am in the country, I go to well known, established firms that have websites and telephone numbers, and I can talk to a person at the end of the phone line. They have the technology to know a caller's mobile phone number and tell them the type of car they will be picked up in, the registration number and who the driver is, which gives some safety. That is something people need to think about.

We all have taxi firms in our constituencies that have served our communities for a long time, and I thank them from the bottom of my heart because they provide an excellent service. This private Member's Bill is important and I wholeheartedly support it.

11.36 am

**Rob Butler** (Aylesbury) (Con): I congratulate my hon. Friend the Member for Darlington (*Peter Gibson*), as so many have done from across the House. We have been on a similar journey with our private Members' Bills—at least, I hope we have, because I hope we will reach mine a little later today. I applaud him for everything he has done to get to this stage, not least passing Committee stage without amendment. I know, only too well, what a challenge that can be.

Taxis are not just a convenient mode of transport, but a lifeline for many of our constituents. During the pandemic, taxi drivers have been tremendously important



in my local area of Aylesbury. They helped ensure that people could get to urgent appointments and were particularly important for vulnerable residents. On behalf of the people of Aylesbury, I thank our local taxi drivers for all the hard work they have done in what has been an incredibly challenging period of almost two years.

As we have heard from right hon. and hon. Members, taxis are especially important for those members of our community who are disabled. Having a convenient door-to-door service helps to give disabled people the freedom to travel locally, thereby enabling them to live the lives that everybody else lives, often without giving a second thought to the way they get around. That can prove essential to the wellbeing of disabled people and help to combat loneliness and isolation. Many taxi firms in Aylesbury provide transport for schoolchildren who have special educational needs or disabilities, helping them to get the provision they need, so they receive the best education possible.

Indeed, a recent report from the Department for Transport showed that, on average, disabled people are 55% more likely to take journeys by taxi or private hire vehicles than non-disabled people. That underlines why it is so important that safeguarding is at the very highest level, and my hon. Friend the Member for Darlington's Bill is helping to achieve just that.

My constituency is called Aylesbury, after the proud county town of Buckinghamshire, but the seat is, in fact, quite rural. Almost two thirds of my constituency, including many villages and hamlets, such as Speen, Lacey Green, Great Hampden, Bledlow Ridge and Radnage, is nestled in the quiet and peaceful tranquillity of the Chilterns area of outstanding natural beauty.

**Mr Mohindra:** Does my hon. Friend agree that the Chilterns are a beautiful part of the world and we should do all we can to protect them?

**Rob Butler:** I entirely agree. Many people adore living in that very beautiful area and they want to protect it and ensure, for example, that houses are not built on the stunning green landscapes. However, people also have a cost to pay when they live in this area, which is that there is very little in the way of public transport. Consequently, they need to drive or be driven in cars. In practice, that means travelling to Aylesbury or High Wycombe to do their shopping, going to one of the many excellent restaurants in Aylesbury or visiting the exceptional Aylesbury Waterside Theatre if they would like to see some of the fine performances that take place there.

If, for example, someone had wanted to travel from Great Hampden to Aylesbury to do some shopping at 9 o'clock this morning, they could not have done that if they were relying on public transport. Equally, if I wanted to travel from Speen to Aylesbury at the same time by bus, I would first have had to walk for a mile downhill along very narrow country roads to reach the nearest bus stop. Although there are some excellent community initiatives, such as the Risborough and Wendover dial-a-rides, which help to serve our more rural areas, connecting people—particularly many elderly residents—to places such as Aylesbury, Princes Risborough and High Wycombe means reliance on a taxi. Taxis are essential to get out and about.

That is why this legislation is so important for my constituents in Buckinghamshire, just as it is for the constituents of my hon. Friend the Member for Darlington, and—as we have heard this morning—for constituents across the length and breadth of this country, whether they are represented by Government or Opposition Members.

Although taxis are convenient, it is vital that they are also safe. The Bill introduced by my hon. Friend helps to ensure that that will be the case, by requiring taxi and private hire vehicle licensing authorities in England to share any information about recent adverse licensing history. The purpose of this Bill is admirably clear. It will ensure that only a fit and proper person will be licensed to convey passengers from A to B. Therefore, it will dramatically reduce the likelihood that an unsuitable person will be granted or hold a taxi or private hire driver's licence. The key, of course, is the new central database, into which licensing authorities in England will be required to put relevant information about cases where an authority has suspended, revoked or refused to grant or renew a taxi or private hire driver's licence, because of a relevant—that is an important word—safeguarding or road safety concern that relates to the driver.

I have to say, Mr Deputy Speaker, that I was rather surprised to learn that no such database existed already; I am very pleased that my hon. Friend has introduced this Bill to correct, at pace, that glaring omission. I am very glad, too, that he has also gone much further than the current statutory guidance issued to local authorities, to allow for the recording of inappropriate behaviour by drivers that is relevant to their responsibilities when carrying passengers. Although such behaviour might not have warranted police investigation or reached the threshold to meet a criminal prosecution, what will happen now will permit licensing authorities to better safeguard the public by identifying worrying patterns of behaviour by drivers. Having that data easily accessible on a central database will mean that unscrupulous drivers who are a safeguarding risk to their passengers cannot just hop to another licensing area to acquire a new licence.

That is why it is so important that licensing authorities should have a duty to search the database and have regard to relevant information. We have heard an awful lot this morning about recording the data, but of course that is useful only if people then access the data and act on it. I am very pleased to see that my hon. Friend's Bill ensures that that will happen.

There are clear requirements for decision-making authorities to request the relevant information from the authority that has made an entry of concern, and a duty for that latter authority to respond within a specified timeframe. Again, that is really important as it means that these things do not just go into a hole of paperwork and get completely forgotten about. I am very glad to see that. In short, a centralised database will allow for a joined-up approach between licensing authorities, which will make our roads safer.

In conclusion, it is clear that we must protect our constituents from disreputable and harmful drivers, and this Bill will allow us to do just that. However, I will end where I began, because it must be stressed that the Bill will affect only a minority of drivers. The vast majority are hard-working, law-abiding and vital members of

[*Rob Butler*]

our community. I repeat my thanks to drivers in my constituency of Aylesbury and my congratulations to my hon. Friend on the success of his Bill thus far.

11.44 am

**Sam Tarry** (Ilford South) (Lab): I start by thanking the hon. Member for Darlington (Peter Gibson) for his diligent work on introducing the Bill and for the consensual and cross-party way in which he has approached it, working to introduce a Bill that, once it achieves its passage, will hopefully address so many of the safety issues that Members have ably mentioned today, as well as ensuring that both drivers and passengers are protected.

There have been significant calls from councils and pressure groups, for a long period of time—over several years—for the Government to update their taxi and private hire vehicle licensing regulation and to go above and beyond the statutory standards, which many organisations do not think go far enough. That update is needed to address critical issues, such as safety concerns on cross-border hiring and the lack of statutory disability and equality training. This is an issue that is important to many in my constituency. I probably have 3,000 to 5,000 local residents who are private hire taxi drivers and this issue is something I discuss with them regularly. Yesterday, in my constituency of Ilford South, I had a discussion with a number of taxi drivers about the issues facing them. They were pleased to see this Bill back in the Commons this morning.

As the Opposition have previously proposed, we would like to see provision for a driver's risk to road safety while driving to be assessed in line with DVLA standards, as opposed to the individual assessment of the licensing authority. We proposed amendments to reflect that at an earlier stage. It is an important point. At present, licensing bodies are not required to share information with other local authorities. That prevents them from being able to take informed decisions about granting or renewing a driver's licence, and creates the conditions for a driver to be refused a licence, or to have existing licences suspended or revoked because of safety concerns, but to be in a position to apply for a licence in another area, where the new licensing authority is completely unaware, as hon. Members have pointed out, of the previous refusal, suspension or revocation. That is completely unacceptable. It puts the safety of taxi and private hire vehicle users at risk. Furthermore, it goes against the recommendations of the DFT's task and finish group on taxi and private hire licensing, which published its report more than three years ago.

At present, there are still concerns and uncertainty among representative bodies such as the Licensed Taxi Drivers' Association as to whether the Government will support the Bill. I am hopeful they are going to, but I will talk a little bit about the other measures that could be looked at as well.

The Government previously indicated that they had no plans to legislate on some of the issues that a number of hon. Members, including my hon. Friend the Member for Cambridge (Daniel Zeichner), have raised and instead, they strongly encourage licensing authorities to adopt their new statutory standards, but those standards are roundly felt to be wanting. That is

one of the reasons that this private Member's Bill has come forward—the statutory standards are not quite powerful enough to address concerns.

The current approach focuses on improving licensing through the statutory taxi and private hire vehicle standards that were published in 2020, which local authorities have subsequently consulted on and implemented. Representative bodies such as the LTDA believe that the standards do not go far enough and do not deliver on all the recommendations made by the task and finish group. For example, they do not address the vital issue of cross-border hiring, which currently undermines the efficacy of licensing. I urge the Minister to reassess the Government's approach and to adopt a more robust stance that comprehensively addresses passenger safety and enhances existing licensing legislation through national minimum standards that are legally enforceable.

The existing statutory standards are no longer fit for purpose. Although they urge data sharing between local authorities and encourage use of the existing NR3 database, they do not mandate it, which creates a clear inconsistency in the system.

I reiterate my earlier point that taxis and private hire vehicle drivers operating out of an area for which they are not licensed must be stopped. Enforcement must be shifted to national level, allowing local authorities to issue enforcement within their jurisdiction under national guidelines. The Government must go further than simply encouraging licensing authorities to adopt the statutory standards. It is crucial that there is a renewed focus on non-licensed cross-border working—rather than simply cross-border working—and there needs to be a national enforcement process to prevent any non-licensed cross-border working in the first place.

The GMB union, which represents around 30,000 to 35,000 taxi and private hire vehicle drivers, has estimated that there are many tens of thousands working outside of their driving boundaries. It is high time for proper legislation and robust national minimum standards that are legally enforceable. As my hon. Friend the Member for Cambridge said, I hope in future we can have a comprehensive piece of legislation that would address many of the concerns that have not been addressed by this, on the whole, excellent private Member's Bill—most significantly, cross-border hire, so that that is tackled in the proper and robust way that it should be. I hope that the Government will support the Bill today, and consider making the additional changes to existing legislation to improve the safety of all users of taxis and private hire vehicles.

11.50 am

**The Parliamentary Under-Secretary of State for Transport (Trudy Harrison):** What has come across more than anything in the debate is the appreciation for the taxi industry, not least during the pandemic, in providing essential services, often to the most vulnerable in our society. I join in all those tributes to taxi drivers and licensing authorities. I will come on to more detail in my response.

I thank my hon. Friend the Member for Darlington (Peter Gibson) for his tremendous and diligent work on the Bill, and congratulate him on steering it through the House. I also pay tribute to the hon. Member for Cambridge (Daniel Zeichner), whose tenacity has been

commented on by many hon. Members. The collegiate way in which he has worked with colleagues across the House is commendable.

I am pleased to give my support and that of the Government to the Bill. My hon. Friend also referenced the many groups that he has worked with to provide such a comprehensive private Member's Bill for consideration today. He referred to the APPG and organisations such as the Suzy Lamplugh Trust.

As hon. Members may know, regulation of the taxi industry began in the 17th century under King Charles I. The King was so concerned about congestion in the City of London that he issued a proclamation restricting the number of hackney coaches to 50 and preventing them from carrying passengers less than three miles. In spite of that, by the 1760s the services provided by hackney coaches were so popular that there were more than 1,000 such coaches on London streets—although I believe there were no pedicabs at the time—[*Laughter.*]

The diligent work of so many reputable people in the taxi and private hire trades can be tarnished by the acts of the few. That is something that the Bill will help to prevent, by ensuring that those few are not able to hold a taxi or private hire vehicle licence, so that the vast and respectable majority can build the reputation that they deserve. It is vital that transport users feel safe while travelling alone and late at night. The Bill will help to achieve that for those travelling by taxi or private hire vehicle by ensuring that local licensing authorities have access to relevant safeguarding and road safety information about license applicants and existing licensees applying for renewals.

There has been much talk today about the safety of women and girls using taxi services. I am afraid that I probably have a bit of a reality check for my hon. Friend the Member for Dudley South (Mike Wood), because in my experience of having four daughters aged 18, 20, 21 and 23, his currently studious daughter will probably be tempted by the night-time economy and find a need to use the services of taxis. My hon. Friend the Member for Barrow and Furness (Simon Fell) mentioned his night-time economy, and it is certainly often the reason for my daughters' use of local taxi services.

I want to set out what we are doing on the violence against women and girls strategy, which pertains to the Bill. Everyone has the right to feel safe when travelling and using public spaces, which is why we will be working with the industry and the Minister of State, Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who is also on the Front Bench today, to ensure that a real change is made on the ground. The Department is determined to do all that we can to ensure that women and girls are safe when they use the transport network.

**Nickie Aiken:** I agree with what my hon. Friend is saying about ensuring the safety of women and girls on public transport, whether in taxis or otherwise. Does she agree that it is incredibly important that we ensure that the Mayor of London gets the night tube up and running, and takes on the unions that are preventing this from happening, to ensure that women and girls, whether they are working in the night-time economy in London—60% of employees in the night-time economy in London are women—or enjoying a night out, can get home safely?

**Trudy Harrison:** Yes; my hon. Friend makes a crucial point. She referred to her Pedicabs (London) Bill. I hope that it will have time for debate—if not today, in the very near future—and that I will be the Minister responding to support it.

Let me return to the work that we are doing as part of the wider violence against women and girls strategy, which the Government published in July last year. We have appointed two women's safety champions: Laura Shoaf, the chief executive of West Midlands Combined Authority; and Anne Shaw, the interim managing director for Transport for West Midlands. They will shortly produce independent recommendations for the Department and wider transport network on what best practice should be adopted to improve the safety of the transport network for women and girls, and indeed for everybody. In addition, the Department for Transport continues to work with the Home Office and the Cabinet Office on the implementation of the violence against women and girls strategy. The publication of the strategy was very much the start of this work and we are determined to deliver the change on the ground.

There has been much reference to collaboration. The Bill will greatly improve collaboration between licensing authorities by placing duties on them to report concerns about drivers licensed in other areas, and to reconsider licences that they have issued if authorities report concerns. That means that although the vast majority of licensed taxi and private hire vehicle drivers are fit and proper, licensing authorities will be able to identify the few who are not, and prevent them from entering, or remove them from, the sector. This can only be a good thing for the trade and the travelling public as a whole.

The Bill will build on the incremental improvements in regulation that we have seen, and we will continue to see them in the future. The Government have been working to make regulatory improvements, with the aim of ensuring public safety while travelling. In July 2020, the Department for Transport published the statutory taxi and private hire vehicle standards, which focus on safeguarding standards to protect the most vulnerable in society. Licensing authorities must have regard to the standards when setting out their licensing policies.

The statutory standards include enhanced Disclosure and Barring Service checks for all drivers and safeguarding awareness training, which are key to protecting vulnerable people who use these services. In fact, all licensing authorities now require an enhanced Disclosure and Barring Service check for taxi and private hire vehicle drivers, with 95% also requiring barred list checks. The proportion of authorities requiring enhanced DBS and barred list checks has grown from 79% in 2017. The Department for Transport will shortly be consulting on revised taxi and private hire vehicle licensing best practice guidance to assist licensing authorities in setting their policies and to enable greater consistency in the standards across 276 licensing authorities. This will allow the licensing authorities to look afresh at what they require in taxi and private hire licensing.

I will briefly refer to hon. and right hon. Members' comments. The hon. Member for Strangford (Jim Shannon), who is not in his place, referred to the devolved Administrations, and the work that we are doing to show that we respect and appreciate what devolution means. Taxi and private hire vehicle licensing is a devolved matter. Taxi and private hire vehicle

[Trudy Harrison]

licensing is, of course, a devolved matter. The Welsh, Scottish and Northern Irish Administrations are all able to legislate on it should they wish to. We would not seek to impose duties on those authorities in a devolved area. However, as taxi and PHV drivers may work across borders or seek a licence in another nation, it is important that all authorities in the UK have access to the database, so that information can be shared where appropriate. I know that was of importance to many Members who spoke today.

I agree with my hon. Friend the Member for Eastleigh (Paul Holmes), who said that this is a good Bill. It absolutely is. I also heard his calls—as I am sure my colleagues in the Department did—for Eastleigh to be the home of Great British Railways. I would also like to refer to the comments made by my hon. Friend the Member for North West Norfolk (James Wild) about disability training. I reassure him that guidance will be brought forward shortly, and we will be mandating national minimum standards.

The hon. Member for Luton North (Sarah Owen), also not in her place, referenced “vaxi taxis”. I thought that was a fantastic initiative, and I want to join her in paying tribute to it. My hon. Friend the Member for Aylesbury (Rob Butler) and other Members thanked taxi drivers for the essential means of transport they provide. We have heard today of Alex, a taxi driver who transports children with special educational needs in Cardiff. We heard about Samantha of Stockton Cars, who does not just transport constituents but entertains them with seasonal decorations in the vehicle. I thought that was tremendous. We then heard of Bruce Mercer of R&L Taxis, who transports people across Berwickshire, Roxburgh and Selkirk. I thought that was absolutely superb. The way he has been transporting veterans and NHS workers during the pandemic is commendable.

I know there are many Members wishing to debate their Bills, not least the Pedicabs (London) Bill, so I will conclude now. Once again, I thank my hon. Friend the

Member for Darlington and the hon. Member for Cambridge for bringing forward this important Bill and for appreciating the taxi sector, drivers and licensing authorities. This is a good Bill, as my hon. Friend the Member for Eastleigh said, and I have been delighted to speak to today.

12.2 pm

**Peter Gibson:** With the leave of the House, can I place on the record my thanks to the Minister for her engagement with me? It has been a pleasure to work with her on the stewardship of this Bill, and I thank her for her speech this morning. I am particularly delighted to see the Minister of State, Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), in her place. She has done so much work in respect of violence against women and girls. I had the great privilege of serving under her stewardship of the Domestic Abuse Bill. It was an exemplary performance. I am delighted to see her in her place today for the final passage of my Bill in the Commons.

I am grateful to all Members who have spoken today. I was going to list them all individually, but the Minister has done that already. I thank all Members for their congratulations to me. I also want to thank the sponsors of the Bill—some of whom are here and some of whom are not—everyone who spoke on Second Reading, those from across the House who served on the Bill Committee, the Department for Transport staff, who have been excellent in their engagement with me, and the House staff, who have worked diligently with me. Last but not least, I want to place on the record my sincere thanks to my hon. Friend the Member for Castle Point (Rebecca Harris), whose stewardship and guidance ensured that I was able to get this far.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Mr Deputy Speaker (Mr Nigel Evans):** Congratulations, Peter—absolutely superb. I want to put on the record my gratitude to all the taxi drivers in the Ribble Valley.

## Approved Premises (Substance Testing) Bill

*Bill, not amended in the Public Bill Committee, considered.  
Third Reading*

12.5 pm

**Rob Butler** (Aylesbury) (Con): I beg to move, That the Bill be now read the third time.

First, I declare my interest as a former non-executive director of Her Majesty's Prison and Probation Service and a magistrate member of the Sentencing Council. Approved premises are an unsung part of a largely unsung service, but just as part of the successful functioning of our society and democracy is a criminal justice system that is fair and fit for purpose, approved premises are a critical element of the continuum between custody and community for a significant number of those who have broken the law.

There are approximately 100 approved premises across England and Wales, with some 2,300 bed spaces between them. Primarily, they provide temporary accommodation for offenders who have been released from prison but are still deemed to pose a high risk, or those who have the most complex needs and so need to receive additional, targeted residential supervision and rehabilitative support.

I make no apology for repeating the point I have made at previous stages of the passage of this Bill: it is rehabilitation that is key. Whatever the views of individual Members or different parties across the House about the causes of crime or harshness of sentencing, we all want to see fewer victims of crime, yet despite the best efforts of skilled, dedicated, committed and caring prison officers and probation staff, to whom I pay tribute, reoffending rates remain stubbornly high. In fact, as hon. and right hon. Members may be aware, around 80% of crime that receives a caution or conviction is committed by a repeat offender.

We know that drugs play a massive role in offending, whether that is committing crimes while the offender is under the influence of drugs or committing crimes to feed the habit. Indeed, Dame Carol Black's review of drugs estimated that the total cost of harms related to illicit drug use in England was more than £19 billion in 2017-18. Drug-related crime was the main driver of the total costs, with recorded offences committed in England by drug users amounting to £9.3 billion in that period. Action to reduce drug use is an important part of helping people who are newly released from prison and at acute risk of succumbing to the temptation of a return to substance misuse.

**Nickie Aiken** (Cities of London and Westminster) (Con): I congratulate my hon. Friend on his private Member's Bill. In the Mayor of London's suggested new policy, he is looking to allow young people who are caught with drugs in Greenwich, Bexley and Lewisham not to face any offence or be brought to justice and to be let off the hook. Does my hon. Friend agree that really small amounts of drugs can lead to greater issues for young people in the long term and may even lead them to go into crime? Surely it is about teaching young people from the very start that drugs are not the answer to anything.

**Rob Butler:** My hon. Friend raises an important point. She is absolutely right that drugs are never the answer, and we need to make sure we tackle the blight that they bring. Thames Valley police, which covers the area of Aylesbury, has a very interesting programme of diversion. Diversion for young people does not mean letting people off the hook, but it does sometimes mean steering them towards help, rather than necessarily taking them to court as a first step. That can sometimes be a very valuable part of the process of helping young people make the right decisions ultimately, and that feeds into the approach that staff in approved premises will take towards people who are tested, if this Bill becomes law. I thank my hon. Friend for raising that point, and I will build on it a little when we get to the specifics of how it applies to this Bill.

Based on the context I have set out, this legislation is very much needed. Sadly, in recent years the number of deaths among residents in approved premises has increased, and many of those deaths are believed to be related to drugs. As I have highlighted previously, it is an unfortunate fact that patterns of drug misuse both in custody and in the community are changing for the worse. In recent years, psychoactive substances have become much more prevalent in the illicit economy in approved premises—indeed, a recent questionnaire of staff in approved premises suggested that they are now the primary substance of choice.

Psychoactive substances can be especially dangerous, not least because of the unpredictability of their effect. In some cases they appear to have almost no effect and perhaps leave the user just dozing slightly, but it can be much worse and they can be left in a virtually catatonic state. In other cases the use of psychoactive substances can result in convulsions, vomiting, the temporary loss of vision or speech, reduced levels of consciousness and anxiety.

It is more concerning still that the use of psychoactive substances can provoke extreme, volatile or unpredictable behaviour that can often be violent. That poses a serious risk not only to the person who has taken the substance but to people nearby. Members may have seen a recent television documentary that showed prisoners in jail who were thought to have taken psychoactive substances and who behaved as though they were animals: they were literally on the floor, howling and fighting extremely aggressively. It was profoundly disturbing to watch such scenes.

**Aaron Bell** (Newcastle-under-Lyme) (Con): I congratulate my hon. Friend on getting the Bill to this stage—and further, we hope, later today. He is right to raise the problem with psychoactive substances and the risk of people turning violent or aggressive. Is there not a risk of a domino effect? If people are on the mend and clean in approved premises but then go into an unstable environment, that is more likely to put them back on the path that we are trying to get them off.

**Rob Butler:** My hon. Friend gets to the nub of the challenge we face, and I glad he has highlighted it. I express my appreciation for his work with a similar Bill on substance testing in prisons that he stewarded through the previous Session, inspired by our former colleague, the much-missed former Member for Chesham and Amersham, Dame Cheryl Gillan, about whom I shall say a little more later. He picked up the mantle and speaks with great expertise in this policy area.

**Sir Greg Knight** (East Yorkshire) (Con): I congratulate my hon. Friend on getting his Bill to this stage. Will the results of the anonymous testing be published?

**Rob Butler:** I believe that will happen. I defer to the Minister for the expert technical advice, but my understanding is that generally the data that arises will be published. The prime purpose of the collection of the anonymised data is to enable HMPPS staff to ascertain patterns of drug use, to look in particular at what types of drugs or substances are used more widely and then to come up with programmes to tackle the problems. I apologise that I cannot give my right hon. Friend a precise answer; I commit to writing to him with the appropriate response if the Minister is unable to answer him in her speech. I hope he will accept that commitment for the moment.

It is worth highlighting that even prescription medicines are abused by some residents in approved premises. Occasionally, that can prove lethal. A recent internal survey of approved premises staff found that more than 50% of them felt that prescription medication was a problem. This merits a few words of explanation, because I am talking not about medicines prescribed to the resident who has been tested but about prescription medicines that have been obtained by the person who takes them without a prescription—for example, from foreign companies via the internet—or that have been given to the resident by somebody else to whom they were prescribed. Prescription medicines are of course appropriate for those to whom they have been prescribed, but they can pose a real danger if they are taken without medical advice or in combination with other medicines. If that happens, the consequence can sometimes be fatal because of the level of toxicity reached in the human body.

**James Sunderland** (Bracknell) (Con): My constituency of Bracknell has a drugs problem, and drugs are, of course, endemic across the UK and beyond. I wish, briefly, to commend all those involved in the fight against drugs, including the police, the blue-light services, the NHS, probation services, local councils. However, more needs to be done, which is why I commend my hon. Friend for his Bill and thoroughly support it. Does he agree that the utility of his Bill, when it comes to approved premises, is that it identifies those who are clearly still taking drugs as part of that process but, more importantly, it identifies people who may be taking drugs and are in need of further rehabilitation and support? Can I ask him therefore to commend the very positive aspects of his Bill?

**Rob Butler:** That is exactly the point I raised earlier when I mentioned the key being rehabilitation. I will come on to talk a little about exactly what will happen if somebody fails a drug test once the Bill is implemented, should it end up passing today and making it through the other place.

**James Wild** (North West Norfolk) (Con): My hon. Friend says he will come on to the consequences for people failing a test. However, what if someone refuses to take a test? What actions could happen in that circumstance?

**Rob Butler:** If my hon. Friend is patient, I will also come on to that point in just a moment. It is all in my speech, I promise.

Returning to the need for this Bill, the Prisons and Probation Ombudsman, which investigates deaths in custody, has made repeated recommendations on the urgent need for a comprehensive drug strategy for the approved premises estate, including expanding the range of drugs for which tests can take place. The Bill will do exactly that.

Of course, deaths are not commonplace in AP, and we should not imply that they are. However, the impact of drugs on the physical and mental wellbeing of individuals in both the short and long term is profound. Drug use also undermines an offender's ability to engage in rehabilitation, which was mentioned by my hon. Friend the Member for Bracknell (James Sunderland), and potentially hampers an offender's efforts to turn their back on crime at the very moment they most need to desist and begin a new law-abiding life.

The Bill will enable Her Majesty's Prison and Probation Service to create a comprehensive framework for drug testing in approved premises. It will bring APs in line with the testing regime that was recently introduced across the prison estate—to which I referred a moment ago, in response to the intervention by my hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell)—and that was established by the Prisons (Substance Testing) Bill, which was introduced in the last Session in the name of the former right hon. Member for Chesham and Amersham, the late Dame Cheryl Gillan.

Dame Cheryl and I discussed her Bill in some detail; she knew I had experience in this area and was very interested in it. She was very clear on the positive impact that these changes could have on prisoners. The fact that her Bill received no opposition during its passage and received Royal Assent is just one further example of the tremendous legacy left by Dame Cheryl. She is very much missed in this place and, I would like to say, across the whole of Buckinghamshire and more widely across the country.

I recognise that some right hon. and hon. Members might wonder why drug testing does not already exist in approved premises. I would like to reassure them that there is already some provision in place, although it is far from sufficient for today's landscape of substance misuse. Currently, residents are tested for drugs if they are asked to do so by staff in accordance with the house rules that they accept as a condition of their residence in the approved premises. Although that provides a basis for some drug testing, it does not set out a comprehensive statutory framework for the testing of illicit substances, for the type or scope of substances that may be tested, or for the types of samples that may be taken. What is more, at present, HMPPS tests residents only on a risk and suspicion regime and can test for only four groups: opioids, cannabis, cocaine and amphetamines. In short, the current testing regime is unsatisfactory and insufficient, hence the need for the Bill before the House today.

**Dr Neil Hudson** (Penrith and The Border) (Con): I congratulate my hon. Friend on bringing his Bill this far, and I wish him well in its further passage. It is an important Bill. He has fluently described the changing patterns of drug use, the different substances and the

ever-changing types of drugs used that are a blight on our society. Does he agree that, by bringing forward a robust and regulated drug-testing system, his Bill will provide an effective response to the ever-changing picture of the types of drugs in use? He has mentioned psychoactive substances. Given that ever-changing picture, an approved testing regime will help.

**Rob Butler:** I thank my hon. Friend for his intervention; once again he demonstrates knowledge of the impact of drugs on the human body. He has expertise on animal bodies rather than human bodies, but he demonstrates none the less a profound understanding of pharmacology and the changing pattern of drugs. There has been great news about prescription medication—we have seen real advances in drugs. However, there is a flipside to that, which is that there is an ever-growing group of criminals who seek to exploit scientific development and advances, and use them to prey on the most vulnerable in society. What we need to do is help those who might fall prey to that victimisation. That is why this testing regime will result in help, guidance and support, alongside potentially criminal consequences if the misuse is continued or results in particularly poor behaviour.

**Dr Hudson:** I am grateful to my hon. Friend for giving way again. He brings up the point about the different types of drugs that are available. I was not going to bring this up, but he has made the important point that some of the drugs that are misused in society are used in a veterinary setting, perhaps for analgesia and anaesthesia—ketamine, for instance. It is important that legislation is passed that mitigates, reduces and cancels out the inappropriate use of drugs that are so beneficial in human and veterinary medicine, but create such a blight for people if they are misused. They are dangerous and potentially fatal.

**Rob Butler:** Again, I thank my hon. Friend for sharing his expertise and contributing to the greater education of Members across this House. By expanding the range of substances that can be tested for, and taking the step to require that testing be done on urine, the Bill will increase HMPPS's ability to detect and address drug use quickly and efficiently. As I have already indicated, the Bill will extend the range of substances that can be tested for. It makes provision to test all residents in approved premises for controlled drugs, psychoactive substances and prescription-only medicines.

I will now move on to the manner of testing. Approved premises currently test for drugs using oral fluids. However, relatively few drugs can be detected reliably in oral fluid. That means that the current testing regime has a limited capacity to identify drug use among residents. As a result, residents' needs are not identified and treatment and care cannot be planned or managed effectively. The move to urine testing will allow HMPPS to both test for a much wider range of substances and, crucially, provide a longer timeframe in which to detect the use of illicit substances. That is because certain drugs are only detectable for a relatively short period of time in oral fluid—12 to 24 hours—but in urine some drugs, such as heroin, are detectable for up to five days. Clearly, this increases the opportunity to detect the use of substances and will provide an additional deterrent to those who might be tempted to abuse them.

**Sir Greg Knight:** I am grateful to my hon. Friend for giving way again—he is being very generous. I have a question for him, but I do not want him to think that because I am questioning what he is doing I am opposed to it. I am not—I support him. Could this new power fall foul of article 8 of the European convention on human rights, and if so, what would be the consequences of this?

**Rob Butler:** My understanding is that, in the preparation of the detailed proposals for the implementation of this Bill, colleagues at the Ministry of Justice have considered exactly that and do not believe it is of concern. They believe that the proposals all comply with such legislation.

The introduction of prevalence testing in this Bill will enable HMPPS to increase understanding of the ever-changing drug landscape and, in turn, allow staff to take appropriate action to tackle the threat of drugs in approved premises. After all, it is difficult to work out what to do to solve a problem, or how much resource to devote to it, if the extent of the problem is not known in the first place. The provision in the Bill to undertake periodic prevalence testing will entail the use of residents' samples to test for the prevalence of controlled drugs, psychoactive substances and prescription-only medicines on an anonymised basis, as was indicated earlier.

In sum, the framework provided for by the Bill will enable HMPPS to respond effectively and flexibly to changing patterns of drug misuse. It will enable HMPPS to improve the identification of residents who are misusing substances to enable robust and appropriate referrals into treatment, together with the development of appropriate targeted care planning. It will enable better identification of elevating or decreasing risk of serious harm to the public based on a resident's drug misuse. Finally, it will support the development of a comprehensive drugs strategy, building a body of evidence on drug misuse within the resident cohort of APs, which will widen understanding and identification of the corresponding and consequential actions that need to take place, either at a practical level by HMPPS or at a policy level in the Ministry of Justice.

I believe that, as a result, the Bill will have a tangible effect. It will enable us to better identify and respond to new and emerging patterns of drug use in approved premises, help provide the necessary care and treatment for individuals and, ultimately, support reductions in reoffending. Throughout the passage of the Bill and, indeed, throughout my speech, I have been grateful for the support of colleagues across the House. Many of them were unfamiliar with the challenge that the legislation attempts to address and, quite understandably, several have raised specific questions, so, as promised, I will take a few moments to give a little more context and detail on the appropriate areas.

In terms of the change in drug testing practice, the new regime will test every resident at least twice during their stay in the approved premise. A typical stay is approximately 12 weeks. For those who have been imprisoned on terrorism offences, it can be up to a year, but the average stay is about 12 weeks. There will potentially be two tests during that 12-week period, and HMPPS anticipates the consequence of that will be around 20,000 tests a year. Colleagues may remember I mentioned the current risk and suspicion-based testing regime. That will continue on top of the enhanced

[Rob Butler]

regime: the testing at specified times in the approved premises, which the Bill will establish. If staff are suspicious or risks are identified, there will be testing on top of that.

The consequences for someone failing a drug test are absolutely critical. The initial step would be a discussion between a staff member and the resident, and the primary aim would be to tackle the misuse. At that first stage, an improvement plan is likely to be initiated. That could incorporate referrals to appropriate services to provide the right help for each individual, probably consisting of signposting or the referral of residents to substance misuse services, and liaison with their probation officer. I want to emphasise that, although there needs to be rigour and discipline in approved premises, my aim in the Bill is for it not to be a purely punitive exercise. If, though, the drug use was a direct breach of a licence condition or it resulted in inappropriate behaviour, it could ultimately result in a recall to prison. However, HMPPS does not, as a matter of course, initiate breach or recall based purely on an initial positive drug test.

Consideration has also been given to the possible reaction of residents in approved premises when the new regime is introduced, not least given the vulnerable stage of their progress from prison to the community at that stage. Naturally, neither I nor the MOJ would want to do anything to jeopardise progress towards rehabilitation. Given that residents already sign an induction pack, which includes a number of rules, including the limited drugs testing I explained earlier, it is not expected or foreseen that there will be a significant problem. What is more, for those arriving at APs from prison, they will already have experience of the enhanced testing regime being proposed from their time in custody. Indeed, staff at approved premises to whom I spoke suggested that the change could be regarded positively by residents because it does, after all, signify increased investment in their wellbeing and rehabilitation.

My hon. Friend the Member for North West Norfolk (James Wild) asked about the consequences if a resident refuses to comply with the terms of the compulsory drug testing regime. In that situation, if they are on conditional bail with testing as a condition and they are not complying with the terms of the regime, they will have breached their condition of bail. There are some people in approved premises who are deemed to be at high risk and are there while still on bail, as opposed to those who are in the approved premises having been released from custody. In that situation, if they have breached their bail, they can be arrested by the police and brought back to court, where the magistrates or judges have three options. They can continue the bail conditions as they are—essentially, reimposing the same conditions. They can make the conditions more stringent. Or they could, ultimately, remand the person in custody. If a resident on licence—someone who has been released from prison and is in approved premises almost as a halfway house between custody and the community—declines to be tested, consideration will be given to their suitability to stay within those approved premises, because there is that contract of engagement as part of going to the approved premises, and that could also result in their recall to prison.

We must always be aware of the financial implications of new policies. HMPPS estimates that when it implements the change in testing, it will cost approximately £1.2 million per year to carry out the enhanced testing regime with residents of approved premises. The current annual budget for drug testing in approved premises is £350,000, so the implementation of this Bill would see an increase of some £850,000. However, it is worth bearing it in mind that the Ministry of Justice has indicated that it has evidence that shows that drug treatment provides a return to society of £4 for every £1 that is invested, and that increases to a return to society of £21 over a period of 10 years. I would therefore suggest that the testing proposed in the Bill and the subsequent treatment in fact represent very sound spending, which I am sure will be music to the ears of my right hon. Friend the Chancellor of the Exchequer.

I hope that I have addressed as fully as possible the aims of the Bill and the potential impact that it could have. In many ways, it is a small step, a minor change, but having spent well over a decade in various roles in the criminal justice system, I am all too aware that the path to rehabilitation can be slow, painstaking and full of setbacks, but every little step can make a difference. Every day without drugs is a good day for someone who has previously been dependent on them. Every opportunity to increase the prospect of someone living a crime-free life is an opportunity that we should seize, and I am proud to do so today with the Third Reading of this Bill.

12.32 pm

**Aaron Bell** (Newcastle-under-Lyme) (Con): After what has been a difficult week for many of us, it is absolutely lovely to be here in the Chamber with so many colleagues, and so many Conservative colleagues, working together and doing important business in this place—scrutinising Bills and getting Bills passed. I briefly offer my congratulations to my hon. Friend the Member for Darlington (Peter Gibson) on the successful passage of his Bill a half-hour or so ago. I fervently hope that in half an hour's time, I will be offering the same congratulations to my hon. Friend the Member for Aylesbury (Rob Butler).

I congratulate my hon. Friend on everything that he has achieved with this Bill. From his declaration of interest, it is clear that he literally fits the bill in this instance, given his experience as a magistrate and with the Sentencing Council and everything that he talked about. I was pleased to be able to attend the Chamber and intervene on him on Second Reading. I was disappointed that I was unavailable for his Public Bill Committee, but I have read through the good debate that took place in that Committee as well.

As my hon. Friend said in his speech today, 80% of crime that involves cautions or convictions involves repeat offences. Anything that we can do to support rehabilitation, in both the criminal sense and the health sense, we should do, and approved premises, as he has rightly identified, are a huge part of that. They are of course undermined, as he said, if residents are accessing drugs—in particular, psychoactive substances such as Spice, or Skunk. As I said in my intervention, there is the problem of the domino effect: if drugs are in a place, it makes more people likely to use drugs because they realise that there is not a regime that takes that



seriously, and it is more likely to put them in an unstable position that sends them back to the place they have come from.

As my hon. Friend said, the existing regime is now inadequate for the challenge that we face. His Bill is very much part of the answer to that. It is only part of the answer; Government investment and Government strategy are absolutely key on drugs, too. Therefore, I was glad that in Committee, the Policing Minister outlined the Government's strategy and their investment into tackling the scourge of drugs, which he said is happening on three levels: first, trying to cut off the supply of drugs and preventing drugs getting into the country through tighter control of our borders and airports; and thirdly—I will come to his second point in a moment—there is a generational shift in the appropriateness of drugs. More teenagers probably took drugs when I was a teenager than now. We are winning the war on drugs. For a long time, it has been fashionable to say that we are not winning, but it is a winnable war. What my hon. Friend the Member for Aylesbury is doing today will be a huge part of that.

The Minister's second point in Committee was that we are creating a world-class treatment and recovery system, which is germane to the Bill. There is also money going into tackling drugs. Good intentions and strategies need to be backed up by Government investment, and nearly £900 million of additional funding is being put in over the next three years, which brings the total up to £3 billion.

I will be brief, because I know that several hon. Members wish to speak. With that investment and the Bill of my hon. Friend the Member for Aylesbury, I am greatly reassured that the Government—unlike the Labour Mayor of London, as my hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) said—are determined to tackle the scourge not just of drugs and the damage that they do to people's health, but of crime that is associated with drugs that ruins other innocent people's lives. Once again, I congratulate my hon. Friend the Member for Aylesbury on his efforts to get to this point and I look forward to voting for the Bill in the near future.

12.36 pm

**James Wild** (North West Norfolk) (Con): It is a pleasure to speak in the debate and I congratulate my hon. Friend the Member for Aylesbury (Rob Butler) on successfully bringing the Bill forward to this stage. I welcome the fact that it is concise and precise legislation. Indeed, it is probably short enough for the former right hon. and learned Member for Rushcliffe (Kenneth Clarke), who did not have time to read the Maastricht treaty, to skim.

The Bill is about public safety in approved premises—hostels in communities—that provide temporary accommodation for people who have been released from prison but are considered to present the highest risk to the community, so that they can get additional residential supervision, rehabilitation and support. As has been said, such premises also support people on bail as well as high-risk offenders serving community sentences.

I share the concern of my hon. Friend the Member for Aylesbury that, regrettably, the number of deaths among approved premises residents has increased in

recent years, with much of that driven by the scourge of drugs. With more than 2,000 bed spaces, it is important for there to be a comprehensive drugs strategy for the approved premises estate.

Aside from being illegal and damaging for individuals' health, taking drugs also undermines rehabilitation efforts, which may therefore lead to more offending. My North West Norfolk constituents want action to be taken to deal with that. I welcome the Bill and the proposals to put in place a comprehensive framework for testing. Importantly, it is consistent with the one that operates in prisons.

It is a sad fact that the Bill has needed to ensure that a much wider range of drugs is included, so it covers prescription drugs, medicines and psychoactive substance. I welcome the fact that by including prevalence testing, and putting it on a firmer statutory footing, we will be able to track emerging trends so that they are identified and to react more quickly to changes in drugs use.

I know from debates on Second Reading and in Committee, and from the comments of my hon. Friend the Member for Aylesbury earlier today, that the critical issue of the consequences of failing a drugs test has been considered. In the first instance, it is important that the staff talk to the individual, point them to substance misuse organisations and make a plan to help them to stop taking drugs. He may have some current data on how successful those efforts are after failed drugs tests, but ultimately, if they are unsuccessful, there should rightly be consequences, as he said, with police involvement or recall to prison if they have breached licence conditions.

Once again, I turn eagerly to the commencement clause. The Act will come into force only when regulations are laid, rather than on the day on which it passes. I am sure that the Minister will assure me that those regulations are well developed and will be brought forward rapidly once the Bill is on the statute book.

It is a modestly sized Bill, but drug use is a major problem that drives crime in our communities, whether that is theft to fund a habit or violence or other criminal behaviour when people are off their heads on Spice or other substances. It will help to deliver our commitment to the people who put us here to make their streets and communities safer, so I am pleased to support it today.

12.39 pm

**Lia Nici** (Great Grimsby) (Con): I commend my hon. Friend the Member for Aylesbury (Rob Butler) for introducing the Bill. As others have said, it is a concise and precise piece of legislation which will hopefully give Her Majesty's Prison and Probation Service and others associated with approved premises a broader understanding of the needs of people in such premises.

The prevalence of drugs is of great concern to all of us, as is the huge—indeed, worldwide—business that continues to promote it. In my own constituency, I am concerned about the pain that people must be going through to want to take drugs in order to remove themselves from real life, when there are so many valuable things we can do when we are fully focused on real life.

**Aaron Bell**: My hon. Friend is making a powerful and heartfelt speech. I know that, given her experience in her constituency and what she did before she came to

[Aaron Bell]

the House, she is aware of the risk that drugs pose to young people; perhaps she could say a little about that. As I said in my own speech, I believe we are seeing a generational shift, and I think the Bill will be part of it.

**Lia Nici:** My hon. Friend has alluded to my career in education and working with young people, including children and teenagers. I believe that, thankfully, we are seeing a cultural shift as people start wanting to be healthier and live longer. The progress with vaccination in the last couple of years has shown that people want to lead healthier lives, and to be more careful about what they consume. We know that in criminal circles drugs provide a way of coercing and controlling people, especially young people, who, even if they are not starting to take the drugs, are delivering them. The clampdown on county lines is making a huge difference in towns such as Great Grimsby, where, at various communication and travel points, youngsters on bicycles can be seen meeting people with carrier bags or rucksacks.

I do not know whether my hon. Friend the Member for Aylesbury will be able to respond to this point, but obviously the biggest concern is that if people in residential approved premises are being tested regularly, presumably they are able to get hold of and take drugs while they are in such premises. Perhaps the Minister will be able to say whether it will be possible for that to be pinpointed in the Bill. It is not just a question of rehabilitating offenders, ex-offenders, or people going through the various stages of a sentence or post sentence; what about those who are clearly getting hold of illegal substances while they are in those premises? Will this or other legislation allow for us to find out what is happening with the supply and where it is coming from—whether it is coming from people who are visiting, whether people are going out into the community to get it, or whether, sadly, it is coming from people who are employed in the system?

Although this is a tight and concise piece of legislation, it is vital in our fight against drug use, and hopefully it will help us not only to rehabilitate people, but to pinpoint where those supplies are coming from.

12.43 pm

**Nickie Aiken** (Cities of London and Westminster) (Con): Like other hon. Members, I applaud my hon. Friend the Member for Aylesbury (Rob Butler) for his efforts to enhance the capability of Her Majesty's Prison and Probation Service to detect illegal drug use. The Bill will be an important tool to enable HMPPS to understand the prevalence and nature of substance abuse in approved premises.

I am particularly encouraged by the Bill's holistic approach to tackling drugs misuse. It will work well with a number of the Government's key priorities; it chimes with the beating crime plan, complements the prisons strategy White Paper and adds to the focus on transparency in the new drugs strategy. One thing that struck me on reading the Bill was that its provisions are very much targeted towards help and guidance for those in approved premises, rather than towards prosecution. I think we all agree that if somebody has a drugs problem, it is better to help than prosecute them.

I accept that the Mayor of London is trying to do his best about drug use among young people, particularly in Bexley, Lewisham and Greenwich, by not prosecuting under-25s caught in possession of a small amount of drugs. However, I think that that policy will give a very clear steer to the gangs peddling drugs that they can persuade young people that a small amount of cannabis will be okay and that they will get away with it. I do not think that that is the right message to send our young people.

I particularly praise the Bill for giving agencies the ability to understand and respond to new and emerging patterns in drug use in approved premises, ultimately aiming to reduce it and support reductions in reoffending. I also welcome the fact that it will support the development of effective practice in tackling substance misuse, supporting recovery and building a body of evidence on drug misuse among the offender cohort. My concern, however, is that people living in approved premises are not typical offenders; they often have complex problems. Keeping that in mind, our approach to drugs and dependency in approved premises must always be underpinned by assessment and empathy.

Overall, consistency of testing and treatment from prison to the community can and will be vital in ensuring that approved premises, which we are expanding on, are safe and drug-free, and that the risk of serious harm is reduced for the individual, for other residents and for the wider public. I am therefore delighted to support my hon. Friend's private Member's Bill today.

12.47 pm

**Peter Gibson** (Darlington) (Con): It is a privilege to speak in this debate and to further support my hon. Friend the Member for Aylesbury (Rob Butler), who has expertly guided the Bill through its early stages. He and I know what a rollercoaster ride the stewardship of a private Member's Bill is; I pay tribute to his hard work and tenacity. Having spoken on Second Reading and in Committee, I am delighted to have the opportunity of completing the set, as it were. As I outlined at the earlier stages, the Bill is warmly welcome: it is vital to protecting our nation's rehabilitation services and staff members in approved premises up and down the country. I am proud to support its progress and glad that it has reached Third Reading unamended.

For too long, staff members of assisted premises have been left without the appropriate and necessary support from lawmakers here in Westminster, so they have had to rely on antiquated legislation that has not evolved to match new challenges. Their important but often unrecognised part of our criminal justice system is vital in assisting with rehabilitation; approved premises are important in supporting the minority of individuals who are deemed at high risk of harm or of reoffending. Their work ensures that those at the highest risk and with the most complex needs receive additional, targeted residential supervision and rehabilitative support. At the sites, their needs are supported and they are protected and supervised as they are gently reintroduced into society, in the hope that they can become productive and effective members once again.

As I set out on Second Reading, Darlington is served by Nelson House and the Crescent in Middlesbrough, and it is clear that staff there have gone above and

beyond to provide the necessary specialised support. Under clause 1 of the Bill, approved premises managers can authorised assisted premises staff to ask for and require a urine sample from any resident, rather than an oral fluid test—a provision already in place elsewhere in the system. This is achieved by allowing Her Majesty's Prison and Probation Service to create a comprehensive yet fair drug testing framework in approved premises. Importantly, it allows the drug testing framework to respond flexibly as managers and staff adapt to patterns of drug misuse and improve the identification of their residents misusing substances, ensuring that appropriate care planning and referrals to specialist treatments are in place.

The Bill seeks to capitalise on improving technology by using the definitions of those substances and medicines already set out in legislation, including in the Misuse of Drugs Act 1971, the Psychoactive Substances Act 2016 and the Human Medicines Regulations 2012. I was glad to hear reassurances during the Bill Committee that clause 1 also ensures that the first step will be to provide guidance and assistance for those found to have drugs or other illicit substances in their bodies. I am glad that this short yet impactful Bill grants staff the legislative powers that they need to prevent wider prevalence of drug misuse within their premises and tackle ever-changing and evolving patterns. It builds on the recommendations of the prisons and probation ombudsman, which in 2017 called for more effective drug testing practices and better staff guidance to identify and address the risks associated with substance misuse.

The Bill places approved premises on a much firmer legislative footing when it comes to protecting residents. I fully support my hon. Friend the Member for Aylesbury in his efforts to guide the Bill on to the statute book. I look forward to the Bill's completing its remaining stages.

12.51 pm

**Matt Vickers** (Stockton South) (Con): I thank my hon. Friend the Member for Aylesbury (Rob Butler) for bringing the Bill before the House. I believe it is not only a fantastic piece of legislation but fits perfectly within wider Government strategies to deal with the influence and issue of drugs in our communities. It will set a comprehensive statutory framework for the testing of illicit substances in approved premises and will enable an increase in testing, thereby hopefully reducing the number of drug-related deaths in approved premises. For that reason, I strongly support it.

I appreciate my hon. Friend's comments on the focus of the Bill being guidance and help rather than just prosecution. We need this sort of balanced and compassionate approach when dealing with this complex and multifaceted issue. The more humane we are as a society and in our approach, the better chance we have of actually helping those in need to break the cycle of drug abuse and reoffending, giving people another chance in life.

What is so important about the Bill is that it will help us tackle drug use in approved premises, where residents are most at risk, and will empower those staffing these premises to respond effectively to residents, with staff enabled to apply the relevant treatment, guidance and support. Prevention is better than punishment. The Bill's enlightened approach will support the Government's

continued commitment to the general rehabilitation of offenders, help reduce reoffending and assist in getting vulnerable people's lives back on track. Breaking the cycle of drug use and reoffending will clean up our streets and protect our communities. The Bill provides a robust response to the ever-changing means and methods of drug use.

It is important that we expand the methods of testing. The Bill will introduce urine testing rather than oral fluid testing. Few drugs can be detected reliably in oral fluid. Moving to urine testing allows a laboratory to test reliably for a range of illicitly used drugs. The Bill will also extend the range of substances that can be tested to cover all forms of psychoactive substance, as well as prescription and pharmacy medicines. It will allow the Prison and Probation service to respond effectively and flexibly to changing patterns of drug misuse and to improve the identification of residents misusing substances to enable appropriate referrals to treatment, together with the development of appropriate targeted care planning.

Back in 2017, the prisons and probation ombudsman outlined that approved premises need a more effective focus on drug testing and on managing the risks of substance abuse. The Bill will do just that; I am delighted to support it.

12.54 pm

**Ellie Reeves** (Lewisham West and Penge) (Lab): I commend the hon. Member for Aylesbury (Rob Butler) for bringing forward this extremely important Bill. I want to start by thanking those who work in the criminal justice system in approved premises, prisons and the probation service. They do an incredibly challenging job and deserve our thanks.

As we have heard today, residents who are supervised in approved premises are not typical offenders. Often, they are high-risk individuals with additional problems and troubled pasts. They mainly house people released from prison with strict licence conditions in place. Approved premises play an incredibly important role in the rehabilitation of those who are there. Ensuring they are housed in safe and secure drug-free premises that support their rehabilitation and prevent reoffending is crucial not just for those who are placed there, but for the public at large, so everything must be done to protect residents from the supply of drugs, which in some cases has led to them offending in the first place.

I am deeply concerned, like other Members across the House, that drug deaths in approved premises have risen in recent years, and that the abuse of prescription drugs and new psychoactive substances is increasing. Psychoactive substances in particular are constantly evolving and becoming harder to detect and combat, and the hon. Member highlighted the profound effect such drugs can have on those who take them.

**Nickie Aiken:** I am interested to know the hon. Lady's views on the Mayor of London's proposals to allow under-25s not to be prosecuted. Perhaps it is the decriminalisation of drugs that he is suggesting for Lewisham, Bexley and Greenwich.

**Ellie Reeves:** I thank the hon. Lady for her question. I am not surprised by it, particularly as I am a Member of Parliament representing Lewisham. I do not agree

[Ellie Reeves]

with the premise that it is the decriminalisation of drugs in our borough. Let us look at what the Mayor of London is doing: an extra 1,300 police officers and £70 million for opportunities for disadvantaged young people. The reoffending rate for people using the London Women's Diversion Service, which the Mayor of London funds, is just 7% versus the national average of, I think, 23.3%. It is really important to look at what works, but it certainly is not the decriminalisation of drugs that the hon. Lady refers to.

Under the Offender Management Act 2007, residents of approved premises are required to submit to drug tests if requested by members of staff in some circumstances, but it is not a comprehensive scheme. The detection of prescription drugs and psychoactive substances in particular can be evaded. It is therefore clear that the current testing framework is far from perfect and we welcome the Bill, which would help to build a more comprehensive framework that enables approved premises to conduct drug testing in line with the regime used in prisons. Not only would that allow for the testing of a greater range of substances; it would allow offender managers to use urine testing, rather than oral fluid testing, which detects a far wider range of drugs over a longer period of time. The measures would also allow for anonymous sample testing to help to understand the extent of substance use and to help to identify any new substances.

It is absolutely right that managers of an approved premises should have the tools to identify drug misuse and better understand the types of drugs that are being used, but we are also pleased to see that the Bill provides assistance and rehabilitation. I welcome the points the hon. Member for Aylesbury made in relation to that not just today, but on Second Reading and in Committee. Residents who test positive for drugs will be directed to appropriate substance misuse organisations first, with punitive sanctions not the primary purpose of the new regime. That is something we very much welcome. All these measures will help offender managers to better support those in their care. That will not only improve the rehabilitation of residents but decrease the risk to members of the public.

However, to truly tackle drug use in approved premises we also have to look at what is happening in our prisons. Following over a decade of Tory Government, drug use in prisons has increased by 500%. Our overcrowded prisons are in crisis—failing to rehabilitate, failing to stem the tide of drugs flowing into them and failing to keep us safe. The Government hailed their prisons White Paper as a great success but it was merely a sticking plaster over the deep wounds caused by 12 years of Conservative neglect. The statistics speak for themselves. There has been a 12% drop in inmates enrolling in drug and alcohol courses over the last four years, with fewer offenders taking these programmes. That simply leads to greater addiction and inmates learning nothing but more criminality. And what of the Justice Secretary's flagship programme of introducing £1 million X-ray scanners in all men's prisons? They are detecting only a quarter of the number of contraband items being found in manual checks by prison officers. This is a Government that is high on tax but soft on crime. The perilous state of our prisons means that a third of adults released

from custody go on to reoffend within a year, costing the taxpayer £18 billion and meaning that we are less safe on our streets.

We welcome the Bill, but unless the Government get to grips with the fundamental problems across our justice system they will be condemning many to a cycle of reoffending. I commend the hon. Member for Aylesbury for his determination in bringing the Bill before the House and I wish him every success as it passage continues.

1.1 pm

**The Minister of State, Home Department (Victoria Atkins):** I am extremely grateful to my hon. Friend the Member for Aylesbury (Rob Butler) for the excellent work he has conducted over the last few months in introducing this important Bill and for navigating it to this stage. As my hon. Friend the Member for Darlington (Peter Gibson) said based on his own experiences—I congratulate him too on his success this morning—getting a private Member's Bill through can be a bit of a rollercoaster. It is great credit to my hon. Friend the Member for Aylesbury that there is such warmth and support for his efforts and for this legislation in the House today. I am extremely grateful to my hon. Friends across the House for speaking so well and for giving such support to this important piece of discrete legislation.

My hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell) gently reflected on the fact that it is good to be in this place talking about issues that really matter for our constituencies, and I echo his feelings on that. This legislation, coupled with the Government's work across our drugs strategy and our prisons strategy, will really make a difference to our constituents across the country.

The Bill will play an important role in helping us to tackle illegal drug use, cut crime and save lives. I thank members of staff across the country, who work day in, day out to assist prisoners and offenders in getting back on to the straight and narrow and, importantly, to protect the public. Individual officers and members of staff do this work often without the public quite realising what they have to do or their enormous personal commitment to helping protect the public. I put on record my thanks to everyone doing this work day in, day out in approved premises, in probation and in our Prison Service.

The hon. Member for Lewisham West and Penge (Ellie Reeves) had a little pop from the Opposition Front Bench about X-ray scanners. I read with great interest the Opposition's press release today about how X-ray scanners do not work. I do struggle to understand how the Opposition propose that prison officers are to detect concealed items in a person's body. I have looked at the photographs and, believe you me, it would be quite difficult for a prison officer to reach down somebody's throat, or another way, and remove something from their intestines, but who knows? The Labour party seems to be against X-ray body scanners. We are very firmly in favour of them. We are also in favour of drugs dogs and of members of staff doing manual searches. These things are just one tool in the Government's determination to have a zero-tolerance approach to drugs in prison and in our society.

In December, we published our cross-Government drugs strategy, which represents an ambitious 10-year generational commitment to work across Government to address illegal drug use, including increased and enhanced testing in prisons and approved premises. We know the detrimental impact that drugs have on both the individual taking them and the wider community. Our strategy sets out three core priorities, which are: cutting off drugs supply; creating a world-class treatment and recovery service; and achieving a generational shift in the demand for drugs. I was particularly interested in the contributions on that from my hon. Friends the Members for Great Grimsby (Lia Nici) and for Newcastle-under-Lyme. They are right that such work must sit hand in hand with greater education—particularly of our young people—so that people understand the enormous costs involved in taking drugs both for themselves personally and for wider society.

Our vision goes beyond just treatment. We know that people who suffer from addiction also have multiple and complex needs for which they need support. My hon. Friend the Member for Cities of London and Westminster (Nickie Aiken) used the word “empathy” about such approaches. She is right, and in a characteristically informed and knowledgeable way she showed how that requires not just our ambitious efforts to crack down on drugs supply but a little understanding of why people may find themselves addicts in the first place. We want to deliver a joined-up package across treatment, accommodation and employment. The strategy is underpinned with total investment of £3 billion in combating drugs over the next three years.

The prisons strategy White Paper, which sits alongside the drugs strategy and this discrete piece of legislation, sets out our ambitious plans to reduce reoffending and protect the public. It defines our goal for prisons to have a culture of zero tolerance to drugs and an approach that ensures meaningful and lasting recovery for all prisoners. Prisoners will be supported to use their time in prison to become free from drugs. On release, accommodation and employment support will help them to stay away from drugs and crime.

It is important, however, that work to tackle substance misuse continues outside prison. The Bill will ensure that we can understand and react quickly to the changing patterns of drugs misuse that exist in approved premises and hamper an individual’s chances of rehabilitation. As my hon. Friend the Member for Aylesbury set out, the Bill will implement a rigorous drug testing framework, enabling mandatory drug testing for psychoactive substances together with prescription and pharmacy medicines. It will enable us to test for a wide number of substances for longer and will help to identify prevalence trends so that we can focus our preventive and, indeed, investigative work.

My hon. Friend the Member for North West Norfolk (James Wild) asked a perfectly fair question about the consequences for someone who fails a drugs test. We very much want to incorporate the empathy referred to by my hon. Friend the Member for Cities of London and Westminster, but we also want there to be consequences. If a resident fails a drugs test, there will be discussions with them, and an improvement plan may be initiated with referrals to appropriate services. We are conscious that although there needs to be rigour and discipline in approved premises, we do not want the exercise to

be purely punitive. We therefore aim to signpost and refer residents to substance misuse services, liaising with probation.

My hon. Friend the Member for Stockton South (Matt Vickers) emphasised the vital role played by staff. He is right to pay tribute to them, because the staff in approved premises will be leading the work in helping residents make the changes that we all want them to make.

My hon. Friend the Member for North West Norfolk also asked about regulations. I am told that no further legislation is required—it is more that guidance and authorisations will be required. Officials aim to implement that as swiftly as possible, because we want this work to continue. In closing, I thank my hon. Friend the Member for Aylesbury again for all his hard work in getting the Bill to this stage. As you know, Madam Deputy Speaker, this is also a rare opportunity for Ministers to thank at the Dispatch Box the unsung heroes who exist in every single Government Department, drafting legislation and providing assistance to Back Benchers when they are navigating a private Member’s Bill through the House. As such, I thank the Bill manager, Alice Harrison, and other officials including Graham Mackenzie, Alisha Hubert, Shelley Smith, Janet Thomas, Adam Hartley, Janet Cowdrey, and parliamentary counsel Justin Leslie and Amy Perkins for all the work they have done quietly from backstage, making sure that my hon. Friend is able to achieve what he wants to achieve.

I am pleased to reiterate the Government’s support for this important, discrete piece of legislation, and I wish it well in its progress in the other place.

1.10 pm

**Rob Butler:** With the leave of the House, I would like to thank all those who have assisted me in getting the Bill this far. First, though, I must apologise that in the heat of the moment, I inadvertently misled the House when I suggested that it was my hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell) who stewarded the Prisons (Substance Testing) Act 2021 through the House on behalf of Dame Cheryl Gillan, when it was in fact my hon. Friend the Member for North West Durham (Mr Holden). I cannot think how I possibly mistook the two; I leave that to others.

**Aaron Bell:** I thank my hon. Friend for his generous apology. I suspect that as my hon. Friend the Member for North West Durham is five years younger than me, he may be getting an angry text from him, rather than me. [*Laughter.*] I understand that he has a similar problem with my hon. Friend the Member for North West Norfolk (James Wild): perhaps he could address that.

**Rob Butler:** I do indeed: it is my hon. Friend the Member for North West Norfolk who is often angry, because he is, I think, 10 years younger than I. I will move on, but I beg the indulgence of the House and apologise profusely for inadvertently misleading the House and Members.

First, I thank the Ministers in the Ministry of Justice. My right hon. Friend the Member for North West Hampshire (Kit Malthouse) has been alongside me throughout much of this process, but today, my hon.

[Rob Butler]

Friend the Member for Louth and Horncastle (Victoria Atkins) has picked up the mantle with her normal expertise on the brief. I am very grateful to her for stepping in today, and to both Ministers for their help, assistance and advice. I echo my hon. Friend's words and extend my thanks to the Ministry of Justice civil servants whom she has just named. They have worked incredibly diligently on this Bill, devoting many hours of work to its progress, and have been a constant source of information, advice and—at times—just calm reassurance. I also thank you, Madam Deputy Speaker, Mr Speaker, and the other Deputy Speakers for your guidance and for ensuring that there was always a firm hand on the tiller.

On the parliamentary side, my thanks go to the Chairman of the Bill Committee, my hon. Friend the Member for Banff and Buchan (David Duguid), and all the Members who served under his chairmanship. If I may beg the House's indulgence, for his expert knowledge of procedure, his willingness to answer even the most basic questions, and his warm, reassuring approach to a new MP potentially overwhelmed by the complexities of legislation, I record especial thanks to the Clerk of Private Member's Bills, who sits at the table today. This would not have been possible without him, so I am deeply grateful to Adam Mellows-Facer. If I have broken protocol by naming him, I apologise, but I hope that all will understand the circumstances of doing so.

I thank my Whip, my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson). I also thank the Whip in charge of private Member's Bills, my hon. Friend the Member for Castle Point (Rebecca Harris) for her military-like precision and firm guidance, which right now extends to waving me to sit down. I will do so in 15 seconds after I finally, and most importantly, pay tribute to the staff working in approved premises, working alongside people at an incredibly sensitive moment in their lives. As the Minister has summed up so well, we owe a great deal of gratitude to them.

**Madam Deputy Speaker (Dame Eleanor Laing):** Occupants of the Chair have great sympathy when Members are confused with other Members. It is particularly difficult when the largest part of a person's physiognomy is hidden: it can sometimes be very difficult, especially when people hide themselves at the far ends of the Chamber, but the hon. Gentleman got through.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

## Hare Coursing Bill

### Second Reading

1.14 pm

**Richard Fuller** (North East Bedfordshire) (Con): I beg to move, That the Bill be now read a Second time.

I start by welcoming the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow) to her place. I know that she has been racing around the country with her departmental responsibilities this week. It is a great pleasure to me that she has made it back, and I anticipate that she will be able to update the House with some progress on this topic, following her discussions with the Secretaries of State at the Department for Environment, Food and Rural Affairs and the Home Office. I also extend a welcome to the shadow spokesperson, the hon. Member for Cambridge (Daniel Zeichner), my fellow MP from the eastern region, who I know has taken a diligent and careful interest in this topic and other rural matters.

What is hare coursing? It is the pursuit of hares by greyhounds or other sight dogs. The dogs compete and are judged as they chase the hare, as it tries to escape to, essentially, save its own life. The dogs are then evaluated when they catch and kill the hare. It involves dogs being bred as competitive animals, and quite substantial amounts of gambling are often involved. Hare coursing is already illegal in the United Kingdom, yet it is a commonplace crime in many areas of the country. That is the reason and purpose of my Bill.

Although hares are not, thankfully, an endangered species in England and Wales, their numbers have declined markedly from being counted in the four or five millions to a level of 800,000 or 600,000 today. I am grateful to the Government that brown hares are listed as a priority in the UK's biodiversity action plan. There are strong arguments to make further legislative changes to reduce harm and protect our hares on animal welfare grounds, but also on the grounds of providing reassurance to our rural communities that the seriousness of this crime is fully appreciated and laws will be enforced appropriately.

There are lots of options for hon. Members when they are selected in the ballot for private Member's Bills. My reason for selecting this Bill came, first and foremost, from the experience of meeting many constituents in North East Bedfordshire.

Bedfordshire is a small but mighty county. Notwithstanding its relatively small area, it is hard, if not impossible, for the police to provide the same level of response in rural areas as they can in the town. I have had the great privilege to be the Member of Parliament both for the town of Bedford and now for the much more rural area of North East Bedfordshire. I must admit that when I was Member of Parliament for Bedford I was not too familiar with the extent of hare coursing or the concerns raised about it in the county.

As I spoke to my constituents, I was struck by an analogy. It may not be a fair or appropriate analogy, but I am going to say it anyway, because it has stuck with me. In towns, for families, when they worry about whether the police are there, the main issue is drug dealing—seeing that someone is on the street corner peddling drugs and worrying for their kids about what

may happen. They want it stopped and they know the police cannot stop it every time it occurs, but they are never asked to go and intervene to try to stop it. In rural areas, families on farms and in other isolated communities see hare coursing going on. They want it stopped—they do not want to see what comes along with it—but they are scared about intervening because they are scared of what may come along later. I worry that the legislative framework too often focuses on an expectation that the police will be there to help someone in the first example—drug dealing, where we would never anticipate anyone intervening—and yet is a little bit too casual in the second example, with the expectation, certainly as the legislation sits now, that the issue will somehow sort itself out locally and the police and courts do not need to get involved.

This Bill seeks to level the playing field between the two issues. Families feel isolated and intimidated, and often, sadly, there is no effective police presence available there in the moment.

After I had selected this Bill, in October there was graphic representation in my constituency of the harm caused by hare coursing, arranged around a funeral. A hundred or so people involved themselves in some form of tribute to the deceased person through a mass hare coursing event, trampling through private land, killing hares and then grotesquely parading through the town of Bedford, holding up dead hares on the fronts of their vehicles and honking their horns as they drove through the town. Bedfordshire is not the only county that suffers from this. As I know the Minister understands, this issue covers wide stretches of the country. It is time for a change.

In brief—I will return to this if time allows, Madam Deputy Speaker—my Bill seeks to recognise that hare coursing involves acts of animal cruelty to both hares and dogs, criminal damage to crops and other items, intimidation and sometimes violence from those involved in hare coursing, and stress for families living in isolated communities, with severe effects on mental health and wellbeing. I am advised that it is increasingly connected to organised crime, drug dealing and online gambling. The problem the Bill seeks to address is that a police response in rural areas can, understandably, take time or may not be possible as the crime is being committed, but the law is inadequate at present to empower the police to bring forward charges, even when the evidence is compelling.

The penalties are laughably low, certainly in comparison with the financial gains that can be made and the suffering involved. The Minister may confirm this, but I think the fines are usually in the range of £200 to £800. Often, when people are caught, £10,000 or £20,000 is found in their vehicle, so those fines are clearly not appropriate.

In brief, my Bill will broaden police powers to include a new offence of going equipped for hare coursing, introduce a power for the police to seize dogs used in hare coursing, require offenders to pay the kennelling costs, increase the level of fines for successful prosecution and, for the first time, introduce a penalty of imprisonment for hare coursing.

Despite my best efforts to ask the Clerk to include a closed season in the Bill, I was advised that that was out of scope. Therefore, I will be limited on what I say about the issue, other than to mention that if hon.

Members cast their eye down the order paper they will see the Hares (Closed Season) Bill. That could, depending on what the Minister may say today, permit us some leeway to bring the issue back on another day.

My efforts have come about because of my election as Member of Parliament for North East Bedfordshire and because of my opportunity to introduce a private Member's Bill, but as the Minister and shadow Minister know, efforts to achieve these changes have been going on for a long period. It is entirely appropriate that I should mention those involved, most importantly the hare coursing coalition. Its wide base of support indicates the level of feeling among rural communities on this issue. It involves the National Farmers Union, the Countryside Alliance, the Country Land and Business Association, the Tenant Farmers Association, the British Association for Shooting and Conservation, the Game and Wildlife Conservation Trust, the Royal Society for the Prevention of Cruelty to Animals, the Kennel Club and the National Rural Crime Network. All of these organisations, with their disparate interests but shared concern for our natural habitats and rural communities, are speaking with one voice and asking the Government for change.

It is also the case that a Member of Parliament does not stand alone on this issue. First and foremost, I thank my fellow Bedfordshire MP, my hon. Friend the Member for South West Bedfordshire (Andrew Selous). Not only does he have a deep understanding of policing issues, from his time as a Minister and as the senior Member in Bedfordshire, but he has been a resolute supporter of the victims of crime. I am very grateful to him for his advice and counsel as I have prepared this Bill. His focus has been very much to say that this crime should not be seen as a rare event and that for some people in some areas it is an everyday potential occurrence, having a devastating effect on families and isolated communities.

My hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson) led the last Westminster Hall debate on this issue in December 2020. I spoke to him and he impressed on me that the current levels of fine are derisory and essentially can be laughed away by anyone involved in this criminal activity. He hopes we will be able to achieve some change on that.

I have a hunch that the Police, Crime, Sentencing and Courts Bill will be raised in the Minister's speech. My recently knighted—I do not know whether the right term is “ennobled”—colleague my right hon. Friend the Member for Scarborough and Whitby (Sir Robert Goodwill) moved amendments to the Bill which were withdrawn. Subsequently, and perhaps drawing on an even higher authority than a knight of the realm, the right reverend prelate the Lord Bishop of St Albans—interestingly, the head of my own bishopric covering Bedfordshire—mirrored those efforts in the House of Lords. It is entirely appropriate and right that I should pay tribute to both of them for their efforts.

The police have been taking strong action to reassure rural communities, particularly in the last five years. Operation Galileo has been the front organisation for this, co-ordinating police activity across a number of police authorities under the inspiring leadership of Chief Inspector Phil Vickers of Lincolnshire Police. This co-ordinated approach has enabled the police to share crucial information to identify where hare coursing

[Richard Fuller]

is moving from one county to another, so the police force in Bedfordshire can respond to activities that have occurred in Cambridgeshire, for instance. It has enabled co-ordination around particular days—co-ordinated action days—to catch offenders, and, most importantly, has enabled letting constituents know that the police are doing the best they can with the powers they have. I am seeking to improve those powers.

This is not a small issue. One of the people convicted for hare coursing is now serving a 13-year jail sentence not to do with hare coursing but to do with drugs and gambling, and another is doing 10 years for similar offences. So there is a strong, established connection between hare coursing and much more serious crime involving things that can obviously then lead to intimidation to those who may wish to intervene.

My police and crime commissioner, Festus Akinbusoye, has led the charge, given the constructive initiative by this Government to increase the number of police officers around the country, to bring extra focus to providing policing support in rural areas, and I am very supportive of, and grateful to, him and the chief constable for their actions. The Government say in their “Action plan for animal welfare”:

“We will also bring in legislation to crack down on the illegal practice of hare coursing. Although hare coursing is prohibited under the Hunting Act, it remains a serious problem. As well as being an important animal welfare issue, its continued practice causes serious harm in rural communities through associated criminality.”

So the Government recognise this, and of course I will be looking to the Minister responding to the debate to comment.

I now turn briefly to the detail of the Bill. Clause 1(3) amends the Game Laws (Amendment) Act 1960 to insert the principle that the police are able to seize animals as well as equipment. It also provides that if a person is found guilty of offences under the Act the courts have the ability to say that a dog should not be returned to its owner, and if it is returned to the owner the full costs of kennelling must be reimbursed before any return can occur. That is important because dogs can be the most valuable assets and are the basis upon which gambling can take place. At the moment, kennelling costs are incurred by the police, not the person involved in criminal activity. That can act as a deterrent to taking action for some police forces. It seems to me that requiring full reimbursement would be a proportionate response.

Clause 1 would introduce, for the first time, a liability on conviction of imprisonment of up to six months for those involved in hare coursing. That is quite a significant change. I have mentioned before in the context of greedy bankers and the problems in 2008 that it does not matter how much a banker is fined—it is probably a small fraction of his or her income. What was much more important was making them do the perp walk in handcuffs and taking them off to jail. It would change the risk profile for hare coursing, and I want to hear from the Minister whether she supports that change—I hope that she will.

Clause 2 would expand the understanding of the offence of hare coursing to include “going equipped”, again with the possibility of imprisonment for up to six

months. That recognises how difficult it will be for the police to get to a location, often in an isolated area of the countryside, while the activity is taking place. By expanding the offence to include going equipped, it would empower the police to take more effective action.

Clause 3 provides more detail on the circumstances in which police may seize and detain a dog that has been used in hare coursing. Again, that is because most of the legislation is somewhat generic, dates back to the 1800s and is unclear. The Bill would clarify the position.

I am aware that several colleagues wish to speak, so I will end with three questions for the Minister. If we make progress through the Bill or other measures, can she give some guidance on how the Home Office will communicate with and train local police forces? Getting the message out is important, to ensure that the police know that they now have those powers. Will the Crown Prosecution Service provide guidance and advice to magistrates about the increased penalties, because that will be important, and communicate why Parliament has decided that the penalties should be increased? Will any changes be in place before the start of the new season for hare coursing at the end of the summer?

It is a tremendous honour to be selected to introduce a private Member’s Bill. It is a particular honour to be able to introduce a private Member’s Bill on an issue that affects a large number of one’s own constituents as well as many others elsewhere. I appreciate the actions to date of the Secretary of State, and I look forward to hearing what the Minister has to say about the Bill.

1.33 pm

**Mike Wood** (Dudley South) (Con): Hare coursing is wrong, illegal, cruel to the hares, often cruel to the dogs and, as my hon. Friend the Member for North East Bedfordshire (Richard Fuller) said, it is often linked to other criminal activity. Any hon. Members who have had the pleasure of visiting the constituency that I represent will probably appreciate that it has only so many flat and rural parts where hare coursing is likely to happen. But my constituency is surrounded by other areas where hare coursing has certainly happened in the past, and it needs to stop.

As my hon. Friend said, while brown hares were at historically high populations across the United Kingdom, their numbers are now declining. At a time when many areas of the UK are being rewilded, it makes a lot of sense to do what we can to prevent the further decline and abuse of those wild animals.

If the Bill does not proceed to Committee today, I hope that the Minister will work with my hon. Friend and those campaigning for further measures to ensure that we strengthen the powers of the police to take action to prevent hare coursing, and strengthen the penalties faced by those who are guilty of it, so that we can properly crack down on this despicable activity.

1.35 pm

**Dr Neil Hudson** (Penrith and The Border) (Con): I congratulate my hon. Friend the Member for North East Bedfordshire (Richard Fuller) on taking forward this Bill on such an important issue. He has mentioned the organisations that have helped. I also thank those organisations, including the NFU, the CLA, the RSPCA and, as he says, the Tenant Farmers Association.



Hare coursing is a barbaric crime. As a veterinary surgeon and MP, I passionately welcome that the Government and my hon. Friend are moving forward with this important legislation. As a House, we are passionate about animal health and welfare, and it is so important that the Bill progresses. I welcome that the Government have intimated that they are going to take it forward, and that it is an important part of their action plan for animal welfare. The Government are very much strengthening their action on animal welfare in a number of different pieces of legislation.

As my hon. Friend has mentioned, hare coursing may be covered in some other legislation, such as the Hunting Act 2004 and the Animal Welfare Act 2006, but what is so important about today's measures and the Government moving forward is that the action is going to be strengthened, and the deterrent is going to be increased to stop and stamp out this awful crime.

My hon. Friend mentioned the blight that this activity has on rural society and the potential effects on people's mental health—and rural mental health is a key concern across the country. I draw the attention of the House to the fact that the Environment, Food and Rural Affairs Committee, on which I sit, has launched an inquiry on the very issue of rural mental health. It closes for evidence today, so there is still an opportunity to have some input.

I will concentrate my remarks on the animals involved. As we have heard, the hare is a beautiful wild creature that is under threat and is being persecuted in a horrific way. The numbers—about half a million—are not what they should be, so I welcome that this animal is a priority in the UK's biodiversity action plan.

I also want to mention the dogs, which, as my hon. Friend has mentioned, are perceived as a key asset by the awful people who perpetuate this crime. This Bill will allow for the seizure and detention of such dogs. I would argue that the people involved in this activity have no concern for animal welfare—certainly not for the hares—and I question their concern for their dogs' welfare. It is key that resources are made available. If dogs are to be seized and detained, we need to keep their welfare at the heart of what we do. I urge the Government to ensure that there is joined-up thinking, so that resources are in place and these dogs do not suffer anymore.

This activity is part of the bigger picture of rural crime that my hon. Friend has mentioned, which includes poaching, fly-tipping, the theft of farm machinery and the theft of animals. I pay tribute to my local police force, Cumbria police, for the hard work that they do to protect rural communities against the blight of rural crime. I thank our chief constable, Michelle Skeer, and police and crime commissioner Peter McCall, for all the work that they and their teams do. I also thank Farm Watch Cumbria, which is a group of police, farming communities and rural communities, in an extension of the Neighbourhood Watch scheme; people working together to stamp out rural crime is so important.

This legislation, however it moves forward, will be an example of joined-up thinking and joined-up action across Government, between DEFRA, the Home Office, and the Ministry of Justice, and potentially local government. If we feel passionately about animal health and welfare, it is important that the issue is joined up across different policies and items of legislation.

The Animal Welfare (Kept Animals) Bill is another example. We talk about rural crime and animal crime, but I also very much welcome the fact that the Government are introducing stronger deterrents for the awful crime that is pet theft. I am on the record as having often nagged DEFRA hard to expand that legislation to include other animals, such as farm animals, horses, ponies and cats, because it is not just about dogs. I have spoken about dogs today, I am passionate about them and we have to protect them, but if we believe that stolen animals are fully sentient beings—as we talked about in the debate this week on that other pivotal legislation, the Animal Welfare (Sentience) Bill—we have to put animal health and welfare at the heart of our legislation.

I welcome the Bill. We need to strengthen the deterrent against the hideous crime of hare coursing. I wish to put on the record the fact that animal health and welfare is an issue that joins together Government and Opposition Members. I have worked closely with the shadow Minister, the hon. Member for Cambridge (Daniel Zeichner), on animal health and welfare issues. Animal welfare unites us in humanity and I am confident that this legislation will attract support from all parties. I commend the Bill and the Government for taking it forward, in whatever capacity, and I wish it well on its travels.

1.40 pm

**Mr Gagan Mohindra** (South West Hertfordshire) (Con): I congratulate my hon. Friend the Member for North East Bedfordshire (Richard Fuller) on bringing the Bill to the House and welcome the Government's support for it. I am soon due to visit a kennel in my local council area, Dacorum. Many colleagues will be bored with my saying it, but it is worth repeating that my beautiful South West Hertfordshire constituency is around 80% rural and green belt.

As has been mentioned, hare coursing often brings about criminal damage, theft, violence and intimidation. Yesterday, I was fortunate to meet Hertfordshire's excellent police and crime commissioner David Lloyd and Chief Constable Charlie Hall to speak about the introduction of measures to continue the fight against crime of all natures.

The Bill offers protection against the use of private land for the benefit of hare coursing. As my hon. Friend the Member for North East Bedfordshire alluded to in his speech, this is not a victimless crime. It is all well and good to offer protection where we have sufficient evidence, but a lot of this happens in rural areas and, as he said, we normally see just the tip of the iceberg in respect of the other associated criminality. It is only right and proper that as legislators we give those on the frontline—in this case the police, DEFRA and the Environment Agency—the necessary tools. Sometimes, it is so troublesome for them to do something that they avoid doing it in the first place.

My hon. Friend mentioned the penalties associated with the existing legislation. When we are talking about, potentially, the illegal gambling of thousands of pounds, a minor fine of between £200 and £800 is part of the cost of doing business. By providing for the taking away of the animal, at least temporarily, the Bill will ensure that there can be no revenue stream while further investigations are under way. The Bill therefore makes absolute sense and I welcome it.

[Mr Gagan Mohindra]

My hon. Friend the Member for Penrith and The Border (Dr Hudson) spoke about brown hares. As he said, with an estimated population of just under half a million in England, brown hares are listed as a priority in the UK's biodiversity action plan. These animals are really important to our ecosystem.

I will wrap up by repeating what others have said. Hare coursing is a dangerous, unregulated and illegal sport and we need to give those on the frontline the tools necessary to ensure that it does not continue.

1.43 pm

**Robbie Moore** (Keighley) (Con): I congratulate my hon. Friend the Member for North East Bedfordshire (Richard Fuller) on his work on this Bill and on getting it off the ground and through this place. It is fantastic to see the widespread support for the Bill from not only Government Members but all parties.

It is important to note that there is a well-established connection between hare coursing and organised crime, with gangs using it for their financial gain. It involves a wide range of other criminal activities, including theft, trespass, criminal damage, violence and the intimidation of honest, hard-working farmers. There are reports of events at which thousands of pounds-worth of bets are placed on this practice, and the events are often streamed online on encrypted messaging sites.

Research from the Yorkshire Agricultural Society shows the alarming extent to which hare coursing still exists. I know the impact that hare coursing has on our farmers from my own experience—I use this opportunity to place it on record that, although I am not, my family are farmers in Lincolnshire—and through the Yorkshire Agricultural Society, which I have met many times to discuss the issue. It has informed me that far too often its members are unwilling to report hare coursing crimes to the police for fear of threat by those who undertake the crime. In fact, on more than one in four occasions, farmers often do not bother even to make the call to the police to report hare coursing crimes, and only about 18% of police responses were deemed to be satisfactory. Farmers fear that the current legislation cannot result in a severe enough consequence to culprits of that practice, and that police are not empowered enough to act. That is why the Bill is absolutely necessary.

Some farms in Yorkshire are targeted by criminals for hare coursing. The same farms are often repeatedly targeted over a few years, with 82% of farmers targeted on at least three occasions since the start of 2020. Worryingly, research shows that 48% of those who have experienced hare coursing on farms are threatened or verbally abused, and in some instances farmers are physically attacked. Furthermore, 83% of hare coursing instances results in serious criminal damage to farms. That includes crop damage, which occurs all too often when people drive on farmers' land, causing huge amounts of damage.

The Yorkshire Agricultural Society has informed me of reports of sheep being killed as well as livestock left to get on to the roads and highways. As a result, farmers are having to take preventative action out of their own pocket. One in five farmers have spent at least £5,000 on repairing criminal damage and taking action to prevent

hare coursing, and 7% have spent more than £10,000 to do that. That is why the Bill is vital to tackle the issue. Farmers are fed up of having to deal with those issues time and time again. While hare coursing was made illegal, it is absolutely commonplace. Those caught hare coursing are typically prosecuted under the Game Act 1831, but the amount they are fined is often around the £400 mark. Sometimes it is as high as £1,000, but the amount that a farmer has to spend on preventative measures far exceeds this.

In short, measures suggested by farmers who have experienced the toughest consequences of hare coursing include giving the police and courts greater forfeiture powers over associated dogs and vehicles, for police to be able to recover kennelling costs for seized dogs and for far more practical legal powers that do not limit police to capturing criminals in the act before they can be arrested. The Bill goes a long way to helping with all those issues, and I commend my hon. Friend the Member for North East Bedfordshire for bringing the Bill to the House.

1.48 pm

**James Wild** (North West Norfolk) (Con): I, too, rise to support my hon. Friend the Member for North East Bedfordshire (Richard Fuller) in his important efforts to deal with the cruel practice of hare coursing. That activity is undoubtedly driven by organised gangs with links to drug networks who illegally hunt hares with dogs in Norfolk and other areas. It is a serious issue in rural areas, especially flatter arable areas such as North West Norfolk, where the land is open and easier to access.

My hon. Friend began by describing what hare coursing involves. In preparing for today I came across a pretty harrowing RSPCA video showing some activity in Norfolk. Hare coursing is linked not only to cruelty, but to other illegal activity, including theft, criminal damage, violence and threats towards farm workers or landowners. Farmers' livelihoods are threatened because the criminals destroy their crops. Hare coursing also involves high-stakes illegal betting; higher fines are clearly needed to deal with that issue.

Norfolk police are part of Operation Galileo, the national policing operation to which my hon. Friend referred. Along with other forces, they are targeting gangs using drones, 4x4 buggies and other tactics. Police figures show a 50% reduction in reports in the year to March 2021, with 31 dogs seized, but further powers are needed for the police to target such activity effectively. I know that the Norfolk police and crime commissioner, Giles Orpen-Smellie, is very seized of the issue; I have discussed it with him on many occasions.

The Bill's proposals to allow the police to seize any animal of someone involved in hare coursing are very welcome, because animals are hare coursers' key asset. The Country Land and Business Association has warned that on occasion police forces are reluctant to seize dogs because they cannot charge back the kennelling costs, so that loophole needs to be closed, as the Bill proposes. The Bill has also spurred the Government to accept the need for further changes: in addition to my hon. Friend's proposals, the inadequate powers to deal with trespassing and pursuit of game need to be strengthened with stronger penalties and prison sentences.

I have been working with other rural MPs to support the efforts of DEFRA and the Home Office to introduce new legislation to end this barbaric practice. I congratulate my hon. Friend on his Bill and on the steps he is taking to end this appalling activity, which has blighted rural areas for far too long.

1.51 pm

**Peter Gibson** (Darlington) (Con): It is a privilege to speak in the debate. I commend my hon. Friend the Member for North East Bedfordshire (Richard Fuller) for his private Member's Bill.

The cruelty of hare coursing does not stop with wild animals. The dogs used in it face abuse of their own; they are often left for dead once their coursing days are over, when they have been exhausted and are of no use to the criminals who engage in that barbaric crime. I would be bereft without my 10-year-old Jack Russell Clemmie, my eight-year-old Labrador Peppy and my six-year-old Labrador Ebony. I know that people up and down our country—our nation of dog lovers—would be appalled at the disgusting treatment that animals face at the hands of those criminals.

We have recently made great strides in strengthening animal welfare legislation. Last year, the Animal Welfare (Sentencing) Act 2021, promoted by my hon. Friend the Member for West Dorset (Chris Loder), was expertly guided on to the statute book. It increases the prison time for those who cruelly mistreat animals from six months to five years. I am also pleased to see the Government supporting the Animals (Penalty Notices) Bill, promoted by my hon. Friend the Member for Romford (Andrew Rosindell), and hope to see it added to the statute book. It will create a system of financial penalties of up to £5,000 for animal health and welfare offences.

Introducing tougher sentences for those who engage in the act of hare coursing will further strengthen the United Kingdom's exceptional record on animal welfare and protection. I am pleased that the Bill will finally present would-be offenders with a real deterrent. In amending the Game Laws (Amendment) Act 1960, it will remedy the current situation and ensure that the penalty for engaging in hare coursing is no longer just a paltry fine: for the first time, those convicted could also face up to six months in prison.

The Bill will also solve the issue of high kennelling costs for the police by allowing them to recover on conviction the cost of kennelling a dog that has been seized, so they will no longer face a financial barrier to prosecution. It will not only enable them to remove dogs essential to hare coursing and protect them for abuse at the hands of the coursers, but add another deterrent for would-be offenders.

The Bill will build on the animal welfare advances that the UK has already made and will crack down a horrific crime that has blighted rural communities for too long. It will modernise the legislation, giving police the tools they need to tackle the problem and providing a real deterrent for those who would engage in coursing. Once again, I congratulate my hon. Friend the Member for North East Bedfordshire on his efforts to guide it through Parliament; I hope that it will quickly move through its stages of scrutiny and be added to our statute book. I look forward to seeing that happen in the coming months—best of luck.

1.54 pm

**Paul Howell** (Sedgefield) (Con): The act of hare coursing is cruel and barbaric and has seen the brown hare population drop to less than half a million in England. I thank my hon. Friend the Member for North East Bedfordshire (Richard Fuller) for his consistent campaigning for a strengthening of law enforcement around it. His work is incredibly important from an animal welfare perspective and in allowing for increased protections for our farmers.

Some portray hare coursing as a sport, but it is nothing of the sort. It is an illegal activity where dogs are used to chase, catch and kill hares. I know the Government are committed to strengthening Britain's already world-leading animal welfare laws, and a much-needed clampdown on hare coursing will certainly help with that. I welcome that the Government have taken note of my hon. Friend's work and tabled amendments to the Police, Crime, Sentencing and Courts Bill that will implement a number of the changes he has called for. I hope that, by that or other means, the penalties will be progressed.

I understand that the changes include an unlimited fine and possible imprisonment for trespassing in pursuit, two new offences for trespass, including with a dog to pursue a hare, offenders on conviction can be charged the costs incurred by the police in kennelling dogs and conviction can disqualify the owner from keeping the dog. That is a fundamental part, which was mentioned by my hon. Friend earlier. Those powers are so important, because hare coursing is not only associated with animal welfare, but a range of criminal activities, including theft, criminal damage—predominantly on our farms—violence and intimidation.

Unfortunately, hare coursing is an issue in Sedgefield, which is a particularly rural constituency. I have spoken to farmers from Walworth, Houghton-le-Side, Bishopton, Sadberge, Sedgefield, Foxton, Morden and Bishop Middleham, among others throughout the breadth of my Sedgefield constituency, and I have also met the National Farmers Union and police to hear their concerns, which are well made and need to be listened to.

In just the past week, Durham constabulary has announced additional patrols around farms to tackle a recent spate of incidents in which quad bike riders have been targeting farmland. A number of my farmers have spoken to me about that issue, and I have met them and been shown the damage caused and the challenges to their personal safety. Officers very much suspect that the activity is linked to poaching and hare coursing. I thank the farmers of Sedgefield for all they do and assure them that I will continue to speak up for them.

The nature of farms is that they are typically remote, leaving their residents exposed when incidents occur and resulting in situations where farmers are at risk of reprisals when reporting those crimes. Farmers in some instances have to pay thousands of pounds to attempt to protect their farms from the criminal damage caused by the quad bikes and indeed by four-wheel drive vehicles, whose owners seem to have an agenda to churn up land as badly as they possibly can to test the capabilities of their vehicles while getting across land to carry out pastimes such as hare coursing.

I hope the increased deterrents that the Bill proposes will serve to protect our farmers in that regard and help both the police and the courts system to tackle the

[Paul Howell]

concerning rise in hare coursing incidents. A critical next step though is how the police and courts utilise those powers. I encourage the police to step up their focus on our rural areas to get full value from the changes, but I am also concerned about how the courts proceed. Only this morning, I was talking to the Durham chief of police and her team, and I asked her to advise me of the initiatives they will be taking to use the development of the powers under the Police, Crime, Sentencing and Courts Bill to help my constituents.

Although they have not specifically been on rural crime, I have been in discussions on antisocial behaviour. The police are spending significant time and resources to bring offenders to court and, despite multiple repeat offences, custodial sentences are not forthcoming. It is critical that once the law is in place, the police have identified the offenders, and they have been found guilty, the sentence handed down reflects the significance of the crime. It is not just a punishment for the specific offence, but it also needs to be a deterrent for them and others to not repeat. I encourage my right hon. Friend the Secretary of State for Justice to do all he can to encourage robust sentencing for those crimes.

To summarise, on behalf of the hares, dogs and farmers of Sedgefield, I thank my hon. Friend for his energies, and I look forward to the Police, Crime, Sentencing and Courts Bill completing its progress and our police and courts robustly enforcing these laws.

1.58 pm

**Daniel Zeichner** (Cambridge) (Lab): I congratulate the hon. Member for North East Bedfordshire (Richard Fuller) on introducing the Bill. We were on the “Anglia Late Edition” last night, and here we are again today. I agree with every word that has been spoken from the Government Benches. I do not often say that, but I think we are in complete unanimity—[*Interruption.*] I think the traffic is the other way, actually. We both represent the east of England, and the geography makes this crime particularly prevalent, sadly, in our county. It is one of the rare occasions where our road network seems to work to our disadvantage, because some of the hare coursers use those roads for their nefarious activities.

I have seen the horrible effects at first hand. When I was first elected I was shown round the Trumpington estate by Richard Pemberton and the National Farmers Union. I was struck by how vicious these crimes are and how deeply felt they are by the people who have to clear up the mess and deal with the stress that they cause.

We have heard about the impact on the hare—one of the iconic creatures of our countryside—and about the fall in numbers. I understand that the Country Land and Business Association thinks that tens of thousands are slaughtered every year. We also heard about the impact on the dogs, which are clearly kept in poor conditions. We have heard about the impact on people, and about the links to crime, drugs, gambling and so on.

I would like to say something positive about the work of my local police force, with the Cambridgeshire rural action team working within Operation Galileo—we have heard about that in other areas—with the six other forces in the east of England. It tells me that it has had

some success in the past year, reducing the numbers to some extent, which it attributes to joint working and shared databases. I cannot spend all my time being nice about the Government.

**Jessica Morden** (Newport East) (Lab): Like my hon. Friend, I very much support the bid by the hon. Member for North East Bedfordshire (Richard Fuller) to crack down on hare coursing. As my hon. Friend has done with Cambridgeshire, may I thank Gwent Police for its work on rural crime while reflecting that the police need to have the financial tools to do the job?

**Daniel Zeichner**: Indeed, I agree. While I am being horrible about the Government, I remind them that they almost abolished the National Wildlife Crime Unit a few years ago, and that it was only saved after a lot of campaigning.

There has been a lack of pace on this issue. The hon. Member for Sittingbourne and Sheppey (Gordon Henderson), who introduced the Westminster Hall debate in 2020, pointed out that he had been talking about it for at least six years. The Government keep saying that they are working at pace, but they never specify what that pace is. We need more hare and less snail, I would say.

Let me go back to being kind. I want to bring to the attention of the House two quotations given to me by the Cambridgeshire rural crime action team that sum up some of the problems. One officer said:

“You commonly stop a dirty 4x4 vehicle crammed with males and sighthound dogs knee-deep in mud, with a dead hare in the footwell. When you challenge them, they say they have just brought their dog for a walk in Cambridgeshire. They live in Surrey. That kind of sums it up, doesn’t it?”

Another frustration for a lot of officers is the court system. They tell me that a case can often take six to nine months before getting to court, with the force having to pay kennelling costs for that time, only to find that when it gets to court the court takes the defendant’s side because they said that it was “a family dog and their daughter would miss the dog”. There is something wrong here, which is why we need the legislation to tackle it and crack down on it. I hope that the “going equipped” offence that the hon. Member for North East Bedfordshire has included in the Bill will help to address the first problem.

There is much to be done, and I commend the Bill. We want tougher sentences and we want it to be possible to recoup the costs of kennelling. I hope that the work that the hon. Member for North East Bedfordshire has done will be reflected in amendments to the Police, Crime, Sentencing and Courts Bill. Many people in rural communities feel that they have been abandoned for a long time, and they have a sense that criminals can literally ride roughshod without fear of consequences for their behaviour. Action should have come sooner, but it is better late than never. What I can say is that if this Government will not do it, the next one will.

2.3 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow)**: It is a pleasure, as ever, Madam Deputy Speaker, to see you in the Chair. With the leave of the House, I will respond to the debate.

I would like to begin by saying that I grew up on my family's mixed farm in Somerset. It was always a magical moment to come across a hare, with its great floppy ears, lolloping across the fields and even to have the chance to see hares boxing in the spring. One never forgets that—once seen, never forgotten. They are a much-loved part of our wildlife tapestry but, sadly, they are now a priority species on our biodiversity action plan. For all those reasons, many hon. Members, and even the shadow Minister, are passionate about what we are discussing today.

I thank my hon. Friend the Member for North East Bedfordshire (Richard Fuller) for bringing this starkly to our attention and for his dogged work on his private Member's Bill. I hope he will be pleased with what I say, because we have been working closely together in the cause of the hare. The current legislation needs strengthening to protect these beautiful creatures from the horrible, ghastly, barbaric activity about which we have been hearing so much today, and so many Members have backed that up today.

The seven speakers—all from the Conservative Benches—outlined their views very strongly. Even those representing urban areas, such as my hon. Friend the Member for Dudley South (Mike Wood), seem to care about the hare, and I think that is very telling. We also heard from my hon. Friends the Members for South West Hertfordshire (Mr Mohindra), for Keighley (Robbie Moore), for North West Norfolk (James Wild), for Darlington (Peter Gibson) and for Sedgefield (Paul Howell), as well as my hon. Friend the Member for Penrith and The Border (Dr Hudson), whose expert input we always welcome.

I must also pay tribute to my right hon. Friend the Member for Scarborough and Whitby (Sir Robert Goodwill), who—as was mentioned by my hon. Friend the Member for North East Bedfordshire—did so much work on this earlier, and to my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson), who initiated the Westminster Hall debate in which many of us took part a year ago and brought this issue to the fore.

We have not been moving at a snail's pace; we are definitely moving at a hare's pace. I think the shadow Minister will appreciate the moves that we have made recently to deal with this full-on and really stand up for hares, while also dealing with crime in rural communities. A great deal of support was received in the other place recently, but I must also pay tribute to the hare coursing coalition, which has already been mentioned today—I have met its members for a roundtable talk about the issues—and to the police: I pay tribute to Chief Inspector Phil Vickers for Operation Galileo, and to the National Wildlife Crime Unit, which we have supported through DEFRA and the Home Office and continue to do so, particularly on my watch. We now have 32 police forces joining Operation Galileo, and many police and crime commissioners, including my own Mark Shelford in Somerset and Festus Akinbusoye, who was mentioned earlier by my hon. Friend the Member for North East Bedfordshire.

Crucially, we have listened to all this, and we have not only listened but acted. Through the action plan for animal welfare, we will be cracking down further on illegal hare coursing by strengthening legislation. On 4 January, my right hon. Friend the Secretary of State for

Environment, Food and Rural Affairs announced that we would take the earliest opportunity to act by tabling amendments to the Police, Crime, Sentencing and Courts Bill, and that is exactly what has happened. I thank the Home Office and the Ministry of Justice for working with us, and I thank the right reverend prelate the Lord Bishop of St Albans, whom I also met and who, along with many others, did so much work in the other place.

Let me say something about the amendment that will, I think, do what my hon. Friend the Member for North East Bedfordshire wants, because it will make a game-changing difference. It will make it altogether unacceptable to take part in hare coursing.

**Richard Fuller:** I am sure that the Minister will come to this point, but, as she goes through the details of these measures, will she assure us that they will come back to this House and become law during the current parliamentary Session?

**Rebecca Pow:** Yes. That is why we are moving at a hare's pace. The intention is, of course, to be back here very shortly—let me now answer one of my hon. Friend's other questions—with a view to having the legislation in place before the start of the next hare coursing season. So action is on the way.

This amendment will really strengthen the law. First, it will increase the maximum penalties to an unlimited fine and six months' imprisonment if necessary, to target the people who are engaging in this horrible activity. It will apply in all cases regardless of how many people are involved. The courts will also have power of forfeiture over the vehicles. This is the first time that custodial sentences will be available in relation to convictions under the provisions of the Game Acts.

Secondly, our amendment introduces new criminal offences, the first set of offences relating to trespassing on land with the intention of using a dog to search for or to pursue a hare or encouraging the use of a dog or enabling another person to observe such use. There is also a new offence of being equipped to commit one of these new trespass-related offences.

Thirdly, our amendments give the courts new powers to make an order on conviction of hare coursing-related offences to recover the cost of kennelling the dogs. Finally, the courts have a new power to make orders on conviction, disqualifying offenders from ever owning or keeping a dog again.

I will touch on a couple of questions that were raised. On training, the Policing Minister met the police and crime commissioners group this week to discuss how Operation Galileo can give advice and spread the knowledge needed. Similarly, on advice to magistrates, sentencing guidelines are, of course, a matter for the independent Sentencing Council, but the Ministry of Justice and DEFRA are working with the Courts and Tribunals Service to ensure that magistrates are fully briefed on all that.

To conclude, I hope that I have outlined the careful consideration that has been given to everything in the private Member's Bill. So much so that, even before we reached today's Second Reading, the proposals of my hon. Friend the Member for North East Bedfordshire had been incorporated into the amendments to the Police, Crime, Sentencing and Courts Bill.

[Rebecca Pow]

I hope that my hon. Friend realises how much his work has done to move that forward, as have all other hon. Members who have taken part and must be thanked: even the shadow Minister—I spread the love. It has been a joint piece of work in honour of these great animals. In that spirit, my hon. Friend might feel that he does not need to progress his Bill, but I certainly thank him for all his work.

2.11 pm

**Richard Fuller:** With the leave of the House, and in the light of the Minister's undertaking to bring forward in other legislation the provisions in the Bill that farmers in Bedfordshire and across the country have long waited for, and with my thanks in particular to the rural crime team of Bedfordshire police, I beg to ask leave to withdraw the motion.

*Motion and Bill, by leave, withdrawn.*

## Misuse of Fireworks Bill

*Second Reading*

2.12 pm

**Sarah Owen** (Luton North) (Lab): I beg to move, That the Bill be now read a Second time.

I am grateful to present my Bill for Second Reading. I appreciate fireworks' beauty, as we all do—how they can light up the sky and add magic and awe to our special occasions. I am here not to spoil the fun of fireworks, but to bring forward some common sense solutions that I hope the Government will take on board.

There is a harmful side to fireworks that must be addressed and challenged. We have spoken before in the House about the fire safety hazards, their use as weapons, and the extreme nuisance that the noise can create, but the Government are yet to bring in any meaningful regulations. We have a debate almost every year about the nuisance of fireworks, yet regulations have not followed.

In the Bill, I call on the Government to show compassion to the communities affected by the relentless use of noisy fireworks by committing to limit the volume of fireworks, increase the minimum fine for the misuse of fireworks, review the laws around the licensing of sellers, and consult with relevant charities to ensure that their reforms are informed and effective. Last year, more than 300,000 of our constituents signed a petition calling for Government restrictions on the sale and use of fireworks. One of my residents in Luton North started a petition to make fireworks silent, while more than 13,000 people signed a similar petition on the Government website to call for quieter fireworks. That is where I will start.

The current decibel limit for fireworks is 120 dB. I am not sure that many people could say exactly how loud that is, so to put it into perspective, the legal sound limit for a rock concert is 107 dB. I am painfully aware how old it makes me sound to say “rock concert”, but that is how it is described. A Formula 1 race typically reaches 140 dB. One of the loudest ever recorded sounds is a volcanic explosion that reached 172 dB. The pain threshold for humans is breached by anything above 130 dB, yet our limit for legal firework noise sits between that and a rock concert. That simply does not make sense.

**Jessica Morden** (Newport East) (Lab): I thank my hon. Friend and fellow Whips Office colleague for bringing forward a brilliant private Member's Bill, which will be hugely appreciated by many residents of Newport East and by my local Royal Society for the Prevention of Cruelty to Animals. On the issue of noise, does she agree that we need to do something about illegally imported fireworks, which are so much noisier and more powerful, that are sold online?

**Sarah Owen:** My hon. Friend makes a very important point, one that I hope to come on to later in my speech, specifically in relation to licensing and tightening up licensing laws.

The Royal National Institute for Deaf People states that even a short exposure to sounds of 110 decibels to 120 decibels can cause harm to hearing. Noise-induced hearing loss damages the delicate inner ear. The effects may appear immediately or emerge over time, but either way the damage is not reversible.

**Dr Neil Hudson** (Penrith and The Border) (Con): I congratulate the hon. Member on bringing forward the Bill and on highlighting the importance of improving the regulation of fireworks. As a veterinary surgeon, I have had the sad misfortune to have had to prescribe on numerous occasions sedation for dogs around the time of bonfire night, because of the dreadful effects fireworks have on them. I have also, sadly, witnessed the fear, flight and fright response of large animals: farm animal livestock and horses that stampede, panic, run through fences, damage themselves and run on to roads because of fireworks. I am grateful to the hon. Member for speaking about the effects on human health, but does she agree that firework regulation should take into consideration the effects on animals, too?

**Sarah Owen:** Absolutely. I am very grateful to the hon. Gentleman for his intervention, and for the experience and expertise he brings to this place in raising that point.

As a bare minimum, we must change the maximum limit to 90 decibels. I am aware that that measure alone does not tackle all the issues, such as the one the hon. Gentleman has just raised, but it will make a strong start in addressing the impact of fireworks.

For my constituents, fireworks are not just a disturbance on bonfire night or new year, they are a constant year-round and sometimes weekly nightmare. When I have posted on social media about the frequency and intensity of fireworks in Luton, I have been flooded with streams of distressing stories from constituents. One Luton resident wrote that she had become so accustomed to the intrusive noise of fireworks that, shockingly, when someone was shot outside her home, she did not call the police or an ambulance because she did not register the sound as unusual. The person, thankfully, survived, but my constituent was no less shaken.

**Paul Howell** (Sedgefield) (Con): Does the hon. Lady agree that one of the big problems with fireworks is the way they have evolved? I am probably a little bit older than she is, but my first experience with fireworks was a rocket in a bottle in the backyard and the rocket struggling to get above the house. The fireworks that can now be bought are such powerful beasts. The issue is not just about animals or people: as the son of a fireman, I know there are other implications as well.

**Sarah Owen:** From the son of a fireman to the daughter of a firefighter: I wholeheartedly agree. Legislation has not been able to catch up with the speed of development of fireworks.

When I spoke in a debate on this issue in November, a local Luton parent wrote to me about her experience, which sums up the distress that fireworks cause. She wrote:

“We can hear fireworks every single night. Without exaggeration, I counted, they can go off every 10 minutes between 6 pm and midnight. Sometimes at 1 am. The stress caused by them is enormous and growing. My child is terrified. To a point where she screams and begs me to stop them. We have to put on a white noise sound on a tablet in her room in order to reduce the sound of the bangs. If she wakes up, she cries, shivers and goes back to sleep with earmuffs on. Before bedtime she begs me for no fireworks. Mental health in our family is in pieces. I am genuinely worried about the wellbeing of my daughter. We can’t live like this.”—[*Official Report*, 8 November 2021; Vol. 703, c. 10-11WH.]

**Mike Wood** (Dudley South) (Con): I thank the hon. Lady for giving way; she is being very generous. Her constituent relates a very sad story. Does she agree that fireworks being set off for days or in some cases weeks either side of festivals and outside of the normal regulated permitted time makes it even more difficult for people to shield, whether young people or pets, from the distress caused by noisy fireworks?

**Sarah Owen:** I wholeheartedly agree. This is not just about the noise of the fireworks, but also the unplanned and unexpected nature of them, which really impacts communities.

The testimony I read out has stuck with me. As a mum of a toddler, I know that disturbing a child’s sleep—or, for that matter, a parent’s—is no joke. The fireworks around us in Luton are sometimes so loud that my daughter’s baby monitor lights up red. That is with double glazing and all windows and doors shut. Many of us will know that the next day with a young child who has not had a full night’s sleep is absolutely no fun at all—it is not a fate I would wish on even my strongest opponents here.

Many colleagues will also be pet owners. Luckily, my dog Herman is a fairly chilled out chap when it comes to fireworks, but I have had reports from pet owners in Luton where the impact of the fireworks on their pets has turned their household upside down. Their beloved animals are scared, fearful and shaken, even after the noises have stopped.

A 2021 report by Cats Protection found that 63% of cats in the UK are negatively affected by fireworks. Cats can presume themselves to be in danger from sudden bursts of light and loud noise. In response to a threat to their safety, cats often bolt out of the house and put themselves in danger of traffic or get lost beyond their owner’s reach. That is of course devastating for the owner, but if a cat thinks its life is in danger, nothing can get in its way.

For dogs too, continuous fireworks can cause long-term stress, as we have heard, which can lead to behavioural problems and heartbreaking health consequences. As I said earlier, constituents have reported their pets shaking, crying and even having seizures long after the bangs have stopped.

Lowering the legal decibel level for fireworks does not solve that problem alone. What I am proposing today is a positive start for legislative change. Our domestic and wild animals need tighter laws around when fireworks can be licensed to be displayed and sold. If restricted to only be sold around permitted celebrations, such as fireworks night, new year’s eve, Diwali, Eid and the lunar new year, people with mental health issues, parents and pet owners can at least make preparations to minimise the impact of fireworks.

There must also be a review into who is permitted a licence to sell fireworks. Currently, retailers do not need a licence to sell around the celebration days I have mentioned. A review must also look into who is permitted to set off fireworks. Some stakeholders such as the Dogs Trust urge the Government to limit fireworks licensing to organised public displays only, with local authority approval. Currently, there is no legal requirement to have a licence for setting off consumer fireworks in the UK. Literally anyone can set off some rockets and a Catherine wheel in their garden with no training and no safety requirements. Surely that cannot be right.

[Sarah Owen]

Unfortunately, there are also people who deliberately misuse fireworks to cause harm and distress to others, which is completely unacceptable. That is why I have called for tougher minimum fines in my Bill. We know that the toughest sentences for misusing fireworks are very rarely used. A fixed penalty charge notice just does not cut it as a deterrent or a punishment when fireworks can often cost many hundreds of pounds, and it does not reflect the negative impact on our communities.

There is another group who have spoken to us who are severely impacted by noisy and reckless fireworks: veterans. I have no idea what traumas they have lived through, although some Members of this House will know. Their service to our country in volatile war zones can leave them with post-traumatic stress disorder, anxiety, depression or a combination of mental health problems. Servicemen and women can experience heightened stress at times of the year when fireworks intensify, such as on bonfire night. The sudden flashes and bangs of fireworks can bring back memories of the horrors of war. After all they have enduring in their courageous work, that is simply not another terror they should or need to experience.

My hon. Friend the Member for Luton South (Rachel Hopkins) found discarded boxes of fireworks during a campaign session. They had names such as “Rain of Terror”, “Big Bomb” and “All Out War”, which shows that many fireworks are not marketed as something beautiful, but as something loud, and something to be scared of.

At key times of celebration, veterans can make plans to avoid fireworks displays to protect their mental or physical health. However, in places where fireworks are a regular occurrence all year round, they can find themselves in a constant state of anxiety. Combat Stress told me:

“We see a higher rate of distress in veterans accessing our services in November.

Not only is it challenging because of the grief surrounding Armistice, but the sound and sudden unexpected bangs of fireworks can be reminders of frontline combat where they were exposed to the horrors of war in service to this country.

Firework displays bring people together and create a lot of joy for spectators. We don’t want to ruin anyone’s fun but we urge the public to understand how distressing noisy fireworks can be for military veterans.”

**Nia Griffith** (Llanelli) (Lab): I really applaud my hon. Friend for choosing misuse of fireworks as the subject of her Bill. The measures that she wishes to bring in would be absolutely fantastic, so I hope that she will have Government support. Does she agree with me that, together with those measures, an education campaign is needed to put the word out about how dreadfully people can be affected?

**Sarah Owen:** I wholeheartedly agree. I think that people do not fully understand the impact of fireworks, the changes that have been made to them and how loud they have become. If many people understood what a particular decibel level was and the impact that it would have on the wider radius of their neighbourhood or community, they would perhaps think twice about using them.

I hope that none of us will make a judgment that the veterans charity Combat Stress—or any other organisation that has expressed concerns about fireworks in support of our brave and struggling members of the forces—is trying to ruin anyone’s fun. As I have said, the measures that I suggest in this Bill are common-sense reforms that also show compassion to veterans who have already been through unimaginable trauma.

Of course, it is not only ex-servicemen and women who suffer from post-traumatic stress disorder. Mental health problems are experienced by people from all backgrounds; as a society, we are gradually beginning to recognise how we can adapt to their needs and show sensitivity. I just want to share one example. During the recent lockdowns, in Northwell in Luton North we had some community clear-up days. Neighbours went door to door to involve people in those clear-up days, and there was one house with a garden that was terribly overgrown. They had never seen the person living there come out of the house. Deniece Dobson, who was running that community clear-up and has been an absolute stalwart and leading light of it, knocked on the door—it was somebody who lives four or five doors away from her—and it was the home of a veteran who was suffering from PTSD. She could not go out; she said how distressing the fireworks had been. I am so grateful to Deniece and all the people around her and in that community who took the time and made the effort to clear up and to get to know their neighbour. But to hear that fireworks were having such an impact on someone who served our country was truly worrying.

**Jonathan Reynolds** (Stalybridge and Hyde) (Lab/Co-op): I thank my hon. Friend for bringing this Bill forward today. I think the whole House can agree that this is an area where the law has not kept pace with developments, and that what my hon. Friend has put forward is well researched and well argued. Although the timescale of the day means that the Bill is unlikely to proceed, I just wanted to place on the record my thanks and support for the Bill from the Dispatch Box.

**Sarah Owen:** I thank my hon. Friend. I am grateful for everyone’s interventions and support. I think we can all agree that it is crucial that, in taking this legislation or any other relevant changes forward, the Government—I urge them to do this—consult veterans charities and mental health organisations to learn from the people affected about the very real impact that fireworks have on their lives, hear their wisdom and show a willingness to learn. It is clear that there are simple steps, laid out in my Bill, that could go a long way in ensuring that our children, pets, animals, veterans and all our neighbours have a much more peaceful life.

Firework displays can be a really beautiful and joyful spectacle without being so loud that they become medically and mentally harmful. Limiting the noise to 90 dB and reviewing who can sell and use fireworks will go a long way to solving the issues faced by residents in Luton North and thousands of other people across the country. The noise from fireworks is currently unreasonable and unregulated. Thankfully, today we can go one step further towards changing that. I hope that Ministers will work with me and support the measures laid out in this Bill.



2.29 pm

**The Minister for Energy, Clean Growth and Climate Change (Greg Hands):** I pay tribute to the hon. Member for Luton North (Sarah Owen) for sponsoring the Bill. I know that she met the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Sutton and Cheam (Paul Scully), earlier in the month—I think on the 10th—to discuss her ambition for the Bill, and I know from him that they had a very constructive conversation on the misuse of fireworks. I understand that this is an important issue to hon. Members, as was demonstrated in November by the attendance at the most recent Westminster Hall debate on fireworks licensing. I would therefore like to use this opportunity to explain the Government's position on the matter as well as to address—

2.30 pm

*The debate stood adjourned (Standing Order No. 11(2))*  
*Ordered,* That the debate be resumed on Friday 18 March.

## Business without Debate

### PLANNING AND LOCAL REPRESENTATION BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

### MICROPLASTIC FILTERS (WASHING MACHINES) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 18 March.*

### COMPANY TRANSPARENCY (CARBON IN SUPPLY CHAINS) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 18 March.*

### PEDICABS (LONDON) BILL

*Resumption of adjourned debate on Question (19 November),* That the Bill be now read a Second time.

**Hon. Members:** Object.

*Debate to be resumed on Friday 25 February.*

### NHS ENGLAND (ALTERNATIVE TREATMENT) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

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

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

### CARAVAN SITES BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

### PUBLIC SECTOR EXIT PAYMENTS (LIMITATION) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

### HARES (CLOSED SEASON) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 February.*

### REGISTER OF BIRTHS AND DEATHS BILL

*Resumption of adjourned debate on Question (26 November),* That the Bill be now read a Second time.

**Hon. Members:** Object.

*Debate to be resumed on Friday 4 February.*

### REGULATORY IMPACT ASSESSMENTS BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

### ILLEGAL IMMIGRATION (OFFENCES) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

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

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

**GREEN BELT (PROTECTION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

**COVID-19 VACCINE DAMAGE BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 28 January.*

**Building Safety and Cladding: Putney**

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

2.34 pm

**Fleur Anderson** (Putney) (Lab): Thank you, Madam Deputy Speaker, for granting this debate on the impact of unsafe cladding in Putney. I thank the Minister for taking the time to respond today. I also thank all those who are watching, who may increase the audience for this debate considerably, as it is on an issue of huge importance to my constituents in Putney, Roehampton and Southfields. I have been campaigning on it for over two years now, since I was elected. It is one of my biggest campaigns, so I am very grateful to be given this time—an unusual amount of time to be able to explain the impact of cladding in Putney, which echoes the stories and experiences of people affected by cladding all over the country.

First, I thank the UK Cladding Action Group, the Leasehold Knowledge Partnership and the End Our Cladding Scandal campaign, and all the cladding campaigners locally, for campaigning relentlessly on the issue. I am with you in the fight.

I will talk today about some of the failures of the Government to respond to the cladding crisis. Developers have checked out of many developments that they built shoddily and have moved on. So will the Government really be able to bring them to the table? The building safety fund is failing. It is too slow and has too many exemptions, and there is nothing in the Building Safety Bill to actually protect leaseholders. Will it all be hot air? These are the questions that I will be asking.

Madam Deputy Speaker, imagine that you had worked really hard and saved for your entire life to buy your first property. You find your dream flat—there are many dream flats in Putney; it is a wonderful place to live—and you have your offer accepted. You invest your life savings to complete the purchase. You buy the flat in good faith, no doubt having been serenaded by an estate agent and after the council searches have come back clean as a whistle. You are good to go ahead. Everything has fallen into place. You have planned your new life and you move into your new home.

Then you are told, after you have signed on the dotted line, that because of the wanton recklessness and corner cutting of a cowboy developer, your new home is actually riddled with fire safety issues. It is a deathtrap. And you are asked to stump up £50,000 or more to get it fixed. You either do not pay, or you will be forced to pay, or bankrupted. Even if you could pay, it will not get fixed straightaway; it might get fixed in two, three or four years. You do not know what the schedule will be; you are at the mercy of the managing agents and the developers. Until then, you are stuck and, as in many cases, bankrupt.

It sounds like an absurd situation and something straight out of “Rogue Traders”, but it is actually the exact experience of thousands of leaseholders in Putney, Roehampton and Southfields, and it has happened on the Government’s watch.

As I will explain, the Government’s announcement last week was welcome. It is a step change and new words. However, it will do little yet to change the reality.

It is important to realise that behind the numbers, the surveys and the technical language, there are people who are having their lives ruined. I will say something about the impact that is having on them.

One constituent said to me:

“I am living this nightmare every day as this mess continues to drag on. I ask you; you tell me, ‘What’s the point of living a life like this?’ I am starting to get sick again and I’m finding it super hard to carry on.”

Another constituent has said:

“I’ve been diagnosed with stress-induced epilepsy and I’m now on medication for the next 5 years as a minimum. I’m at risk of being declared bankrupt, and this may mean I am jobless, as my profession depends on this. Critically vulnerable leasees are facing ever-mounting financial pressures and are unsure they can keep going.”

Another constituent, who is father to a young family, said:

“We are like prisoners for the mistake we have not made.”

He finished by saying something that was painful to read:

“Do we need to commit suicide to be heard by others on this issue?”

I have heard similar comments by others who feel desperate.

Another constituent, who has terminal cancer, wrote:

“At the moment, I am facing a bleak death. I had hoped I could use the capital from my flat (I own 25%, Notting Hill Genesis own 75%) to either fund future hospice care or transfer to sheltered housing... However, I am unable to sell this flat, and am pretty much trapped here.”

I could go on. The mental and physical health impact on leaseholders across the country is phenomenal.

I am afraid that the optimism and good words contained in the Secretary of State’s announcement last week belie a real grasp of what is happening. The urgency of the situation has not been seen by the Government so far, because we are years after Grenfell and we are still in this situation. I have had residents from 30 blocks in my constituency reach out to me in the past two years. I have had numerous meetings with them, with developers and with managing agents, and this is the ninth time that I have spoken about this in the House. I will outline some of the cases because they are good examples not only of what is happening to those people—these are specific cases that need to be addressed by the Government—but of what is being experienced by so many people around the country.

I will start with the Riverside Quarter, a huge development that was developed and owned by Frasers Property Ltd. Shortly after the Grenfell fire, eight of the buildings failed fire safety tests and Frasers told leasees in the four older blocks that, since it had no remaining financial interest in the buildings, under leasehold law those leasees would have to pay. So it fixed the cladding in four blocks but would not fix it in the other four blocks.

Although Frasers has been able to secure funding through the building safety fund for three of the four remaining blocks, the fourth block was denied funding due to a slightly different final coat of render being used. The internal fire risks are identical in all four blocks, but this seemingly arbitrary technicality resulted in the Ministry of Housing, Communities and Local Government turning it down.

On 15 December last year, Frasers sent a notice that under its lease terms it will be charging the 204 leaseholders over £4.2 million for unfunded fire repair costs. Charges per flat will be as high as £72,000, on top of those 204 leaseholders having to pay £170,000 a year between them for waking watch, which they call sleeping watch. This is a prime example of developers who are also freeholders ignoring the Secretary of State’s stated intentions.

The second development is the Swish building, in east Putney. Over two years ago, unsafe, non-ACM cladding was discovered on the Swish. It has been at stage 2 of the building safety fund application for over a year. The timber part of the application has been rejected and the freeholder, Tapestart Ltd, is nowhere to be seen. Work to fix the cladding should have started in September 2021, yet residents are nowhere even close to receiving approval for funding. There has been delay after delay, with no clear transparency from the managing agent, Trinity Estates.

Next is 2, 6 and 8 Hardwicks Square. Unsafe cladding was discovered, following an EWS1 assessment in 2018, in which it scored a B2 rating. Residents applied to the building safety fund over a year ago. They were left in the dark about the application for nine months, but then told that there were more defects than had been thought, so the application needed to go back to the drawing board. It is still pending and they are still waiting. They are paying for waking watch to the tune of £45,000 a month and have had an eye-watering 500% insurance hike. The ultimate freeholder is Blackstone, a private equity company. Will Blackstone be speaking to the Secretary of State as part of the roundtable discussions?

Next door to Hardwicks Square is the Filaments development, where the developer has agreed to pay for remediation. That shows that some developers do pay up, and I commend them, but there are several major fire safety defects. Everyone in the development has been waiting for two years. They have experienced delay after delay, and residents are incredibly anxious. Will the Government set a final deadline for works to be done everywhere, no matter who is paying for them?

The Radial development has not received funding for the remediation of unsafe, non-ACM cladding found on the block, despite the application having been made in July 2020. What is the delay? It is getting ridiculous. I wrote to the freeholder, the ominously named Godfather Investments, 18 months ago, urging them to take responsibility and I received the following chilling response:

“We have taken legal advice on the whole issue of liability for unsuitable cladding and it is well documented that in circumstances such as described...the Freeholder has no liability. With respect, we find the suggestions contained in your letter to be wholly disingenuous and counterproductive.”

I hope that the Secretary of State is also speaking to Godfather Investments, that they have changed their tune and that they will be supporting the remediation of cladding.

One of the smaller affected blocks is Mill Court development, which is interesting because it is under 11 metres high, so it does not come within the remit of the building safety fund. Yet residents have been told they face costs of around £1 million for remediation works. The Building Safety Minister, Lord Greenhalgh, recently said he was “appalled” when he heard about the case and Optivo’s extensive remediation plans for

[Fleur Anderson]

such a small building. However, Optivo is still intending to move ahead with remediation works, subject to the announcement of further Government guidance. Does the Minister agree with Lord Greenhalgh's assessment? If buildings under 11 metres are declared unsafe, will they be added to the remit of the Fire Safety Bill?

Finally, I want to highlight Percy Laurie House, which is over 18 metres and was assessed as having a form of cladding requiring remediation. The residents made an application to the building safety fund, but again it has now been a year since they made it and, despite following up frequently, the application has remained pending for 12 months. It is a familiar story, and it is causing enormous anguish.

Let me be clear: I welcome many aspects of the recent announcement from the Secretary of State, which echo much of what the Labour party and I have been calling for for the past two years. However, the situation on the ground in Putney exposes several realities that the Secretary of State has not yet grasped. First, what assurances are there that developers are coming to the table? I understand that developers had a meeting with the Secretary of State yesterday: I would like to know who came to that meeting, and for leaseholders to be assured that developers are taking action and things are moving ahead. Can they have hope? Will they be able to sleep at night again? Too many developers I am in contact with seem to have just checked out of the process.

Secondly, the building safety fund is clearly riddled with serious flaws. It is arbitrarily denying funding for certain types of cladding, and it is painfully slow. Application success seems to rest on the competency of the property manager, rather than the safety of the building. As the constituency MP, I should not need to chase application updates for residents: the whole safety fund needs an overhaul. To give perspective, in two years that fund has only funded 18 out of the 1,000 buildings that need work—that is 1.8%.

Thirdly, what about buildings under 11 metres? There is a gaping hole there, and as the case of Mill Court shows, withdrawing the consolidated advice note has not stopped fire safety works proceeding and the costs being passed on to leaseholders.

Fourthly, what about non-cladding defects? Why the omission? We cannot just make a building half safe. I have many constituents facing ruinous costs for non-cladding fire safety defects, who seem to have been abandoned by the Government.

There is only one way to end this nightmare for leaseholders, which is the one thing that the Government have so far refused to do: put cast-iron legal protections for leaseholders from the costs of remediating any historic cladding and non-cladding defects on the statute book. That could have been done this week through the Building Safety Bill, but was not. The Government still have a few more opportunities to do so, but they are fast running out of time. I seek assurances from the Minister that it will be done. Ministers have promised 18 times to protect leaseholders from ruinous fire safety costs, yet leaseholders in my constituency, at least, still cannot sleep at night for worries about their building and the costs they may have to pay for. I stand with my affected residents and leaseholders in Putney, Roehampton and

Southfields, and we say to the Government, "No more hot air. Time to put your money where your mouth is and end this misery."

2.47 pm

**The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Neil O'Brien):** I commend the hon. Member for Putney (Fleur Anderson) on having secured this important debate. It is a matter that Members of all parties feel deeply about, and the hon. Member spoke passionately, forensically and on a very important subject for the residents of all the different developments she mentioned. As she knows, the Government are taking action by resetting our approach to building safety while introducing substantial reforms through the Building Safety Bill and strengthening the fire safety order. From listening to the cases that she mentioned in her speech, it was clear why we are right to do so.

Let me directly address the question that the hon. Member asked at the end of her speech. My right hon. Friend the Secretary of State made a statement to the House last week that set out some of the bold steps we are taking to greatly speed up cladding remediation and ensure that the polluter truly does pay for the building safety defects that they themselves created. The Government recognise that the previous position on building safety remediation, predicated on building owners and developers voluntarily doing the right thing, was not working. The hon. Member asked whether we could bring those developers to the table: this week, the Secretary of State did exactly that, chairing a roundtable with the country's largest developers. It was a positive meeting in which they agreed that leaseholders should not pay—a very important principle—and we will continue to engage with those developers to ensure that they deliver a fully funded action plan by early March, because we do appreciate the urgency of this issue.

As the hon. Member pointed out, leaseholders are blameless, yet many have been hit hard with expensive bills for cladding remediation that they simply cannot pay. My right hon. Friend the Secretary of State announced the principles that will underpin our renewed approach to building safety. First, we must take a proportionate approach to building assessment overall. Too many buildings are being judged to require expensive remediation or mitigation, and leaseholders have too often become the victims of an over-cautious approach that goes beyond what is necessary. Secondly, we must protect ordinary leaseholders from shouldering the costs for remediation and mitigation of fire risks. Thirdly, the industries at fault must pay. Those who built and contributed to our stock of unsafe buildings, and those who continue to cut corners in building safety, must pay to fix these defects, instead of taxpayers or leaseholders. Finally, we must hold to account those individuals and companies that have—and continue to—knowingly put lives at risk.

The hon. Member for Putney raised an important question about proportionality. Advice from industry experts last July reinforced something that all hon. Members will know—that fires in homes, including in multi-storey homes—are thankfully rare. Data also shows that the vast majority of buildings will not need very expensive remediation, so we are making assessments more proportionate and will withdraw the consolidated advice note, which in too many cases was used as an excuse for excessive risk aversion.

The British Standards Institution has also published its new PAS 9980 guidance for assessing risk in external walls, which should enable much more proportionate and consistent assessments, rather than the binary ones that have become prevalent, in which the presence of combustible wall materials is thought always to require expensive remediation, even when we know that that is not always the case. In addition, my right hon. Friend the Secretary of State is reviewing the building safety fund to ensure that it is risk-driven and reflects the Government's position on proportionality. We have already allocated £976 million of funding from the building safety fund, and will open the next phase early this year. We are working to progress eligible applicants through the application process quickly and diligently, because many tenants cannot wait, as the hon. Member for Putney pointed out.

It is important to remember, however, that we are reliant on building owners and managing agents providing the necessary information to us, so that we can process their application without delay. As I come to talk about some of the particular places mentioned by the hon. Member, we will see that that is an important point. To that end, we will also provide expert support to assist with the planning and delivery of remediation, which can be a complex construction project. We will also be providing an additional £3.5 billion to cover the cost of addressing fire safety risks caused by unsafe cladding on all eligible buildings.

The hon. Member pointed out that it is crucial to protect leaseholders. We completely agree that these people, who find themselves in difficulty through no fault of their own, must be protected. The Government had already committed to leaseholders in buildings over 18 metres not paying for cladding remediation, and last week my right hon. Friend the Secretary of State pledged that leaseholders living in their own flats in medium and high-rise buildings should not have to pay a penny to remediate historical cladding defects. In doing so, he also scrapped the proposal for loans and long-term debt for medium-rise leaseholders; instead, the industry will be expected to pay.

My right hon. Friend also announced practical and immediate measures to relieve leaseholders from the financial and emotional burdens that they have been forced to endure. A further £27 million is being allocated to bring the misuse of waking watches to an end. That is on top of the current £35 million fund, which is already being used for 323 buildings and nearly 25,000 leasehold homes. We estimate that that fund will save leaseholders an average of £163 each month, and we expect to open the expanded fund very shortly. It is by no means acceptable that leaseholders can be at risk of losing their homes as a result of building safety defects, and we will be working across Government to ensure that leaseholders are protected from the risk of forfeiture related to historical building safety issues until a new industry-developed system is in place.

We will be exploring further statutory protections for leaseholders, and I have asked my Department's officials to engage with parliamentary colleagues on a cross-party basis to consider that during the Bill's passage in the other place. A key part of the process is enabling homeowners to pursue claims for defective work from those responsible, which is why my right hon. Friend the Secretary of State will introduce an amendment to

the Building Safety Bill to extend the right of homeowners to challenge defects under the Defective Premises Act 1972 in homes that are up to 30 years old.

In the time remaining, I am keen to talk about some of the specific places that the hon. Lady mentioned. I thank her for drawing attention to several of the developments in her constituency; let me set out the Department's response to each of them.

Chapelier House has had £8.5 million of funding approved for ACM and non-ACM cladding remediation, and works are in progress, with ACM cladding expected to be removed by the end of April this year. Remediation has been completed for 1, 3, 5 and 7 Eastfields Avenue. For Coptain House and Mandel House, £6.9 million of funding has been approved for non-ACM cladding remediation. For 5D Enterprise Way, £1.5 million of funding has been approved for non-ACM cladding remediation.

The Swish building is eligible for funding under the building safety fund. The full works-and-costs application for the building, including the scope of works and costings, is currently being finalised. The buildings at 2, 6 and 8 Hardwicks Square are eligible for funding under the building safety fund and pre-tender support has been paid to facilitate the appointment of a project team for them.

A building safety fund registration has been submitted for the Radial development, owned by Godfather Investments, which the hon. Lady mentioned. As I said earlier, further information has been requested from the applicant so that eligibility can be determined, but it has not yet been provided. I hope that the people responsible are listening to this debate and we can get the information we need to move ahead quickly.

The works to remove unsafe ACM cladding at the Filaments development have been completed for three buildings, subject to building control sign-off. As the hon. Lady acknowledged and we should acknowledge, those works were funded by the developer. A building safety fund registration in respect of non-ACM cladding has been submitted for the Filaments development and further information has been requested from the applicant so that eligibility can be determined but, again, it has not been provided. Again, I hope that the people responsible are listening to this debate and we can move ahead quickly.

The hon. Lady mentioned Mill Court and Lord Greenhalgh's interventions. In December, Lord Greenhalgh and officials met the National Housing Federation and Optivo, which has committed to reviewing all remediation requirements following the withdrawal of the consolidated advice note and the publication of PAS9980 last week. The Department has regular engagement with the NHF and housing associations. The Government have been clear that if remediation, rather than mitigation or management, is still required for buildings under 18 metres, it has to be very clearly justified and communicated to leaseholders. In the specific case of Mill Court, should Optivo continue with the proposed remediation works, we would expect it to explain clearly why management or mitigation was not suitable. I am sure that, like some of the other organisations involved, Optivo will listen to the hon. Lady's speech and this debate and will want to come to a sensible conclusion.

Before I conclude, let me touch on the Building Safety Bill, which is the biggest shake-up of our building safety regime in nearly 40 years and will have a real

*[Neil O'Brien]*

legacy of lasting change and reform. The Bill's remaining stages in this House concluded earlier this week and it has now been introduced in the other place. It is a landmark Bill and part of a package of legislative changes to move things forward and to make sure the problems that Dame Judith Hackitt identified with the current building and fire safety regime are rectified for good. The package includes the measures in the Building Safety Bill, the Fire Safety Act 2021 and the changes to the fire safety order. The new, strengthened regime will allow major fire and structural hazards to be effectively managed, mitigated and remediated.

There is a completely united desire among Members from all parties to make sure that people feel safe and are safe in their own homes. Debates such as this are important so that developers can note the discussion in the House. Together, we can work on a cross-party basis to solve the hugely important issues that the hon. Lady touched on, which are of such high importance to her constituents.

*Question put and agreed to.*

2.59 pm

*House adjourned.*

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